



# Member state responses to prevent and combat online child sexual exploitation and abuse

## Baseline Mapping

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# **Member state responses to prevent and combat online child sexual exploitation and abuse**

Baseline Mapping

Report Prepared by Victoria Baines

Council of Europe



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## About the Author

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Dr Victoria Baines is a Visiting Research Fellow at Oxford University’s Department for International Development. She previously served as Principal Analyst for the United Kingdom’s Child Exploitation and Online Protection (CEOP) Command, Head of Strategy and Outreach for EUROPOL’s European Cybercrime Centre (EC3), and Facebook’s Trust & Safety Manager for Europe, the Middle East and Africa. Her areas of research include online child protection policy, internet regulation and cyber-diplomacy.

## Foreword

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The digital environment is an integral part of today's society. While we must recognise and celebrate the ways in which it facilitates and strengthens access to rights for children, we cannot ignore the increased risks to the child's right to privacy, health and even to a life free from violence.

Where sexual violence has been facilitated or perpetrated by the use of information and communication technologies, the devastating consequences can have a long-lasting impact, often spreading across borders and rippling across the world wide web.

The European Court of Human Rights recalls that member States are under positive duties: to adopt effective criminal law provisions to repress child abuse and to ensure adequate law enforcement machinery to prevent, suppress and punish such acts.

No state, ministry or authority can tackle this problem on its own. The Council of Europe is committed to support member states to prevent and combat all forms of violence against children in accordance with the Strategy for the Rights of the Child, (2016-2021) and the Committee of Ministers Guidelines to respect, protect and fulfil the rights of the child in the digital environment (CM/Rec(2018)7), building on the Council of Europe Cybercrime Convention and the Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse (also called Lanzarote Convention).

This Baseline mapping identifies promising practices and common challenges faced by member states as they work to reconcile multiple objectives:

- to identify, rescue and support the child victims;
- to ensure that harmful content is removed from the world wide web without delay;  
and
- to preserve and secure electronic evidence to ensure that perpetrators are apprehended and prosecuted.

Empowering children to exercise their rights in the digital environment in a safe and healthy way, free from all forms of violence especially sexual violence, is a key step to ensure access to rights for all children of all ages.

**Jeroen Schokkenbroek**  
Director of Anti-Discrimination



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# Executive Summary

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Research has been conducted as part of a baseline mapping of Council of Europe member states responses to OCSEA. This mapping provides an analysis of the situation in member states in accordance with the Council of Europe Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Council of Europe Convention on Cybercrime (Budapest Convention), as well as selected capabilities identified in the WePROTECT Global Alliance Model National Response (MNR).<sup>1</sup>

Particular attention is paid to the following topics:

- Governance structures and multi-stakeholder co-operation in member states (Article 10 Lanzarote Convention and capability 1 of the WePROTECT Model National Response);
- Capacities to research, analyse and monitor current threats of OCSEA at national level (Article 37 Lanzarote Convention and capability 2 of the WePROTECT Model National Response);
- Specific legislative and policy frameworks to criminalise OCSEA, identify perpetrators and uphold the rights of the child-victim (Articles 18-29 Lanzarote Convention, Article 9 Budapest Convention and capability 3 of the WePROTECT Model National Response);
- Law enforcement capacities to investigate cases of OCSEA, including the existence of dedicated law enforcement units (Articles 30-35 Lanzarote Convention, Articles 14 to 22 of the Budapest Convention, along with provisions relative to international co-operation, set down the procedural law standards applicable to cybercrime investigations and electronic evidence, and capability 4 of the WePROTECT Model National Response).
- Child-friendly procedures for judges and prosecutors to uphold and protect the rights of child-victims of OCSEA during criminal proceedings (Articles 30-36 Lanzarote Convention and capability 5 of the WePROTECT Model National Response);
- Mechanisms to provide end-to-end support to child-victims of OCSEA (Articles 11-14 Lanzarote Convention and capability 8 of the WePROTECT Model National Response);
- Education and awareness raising initiatives to prevent OCSEA in member states (Articles 6-8 Lanzarote Convention and capability 13 of the WePROTECT Model National Response);
- Child participation in the development of policies and practices to prevent and combat OCSEA (Article 9 Lanzarote Convention and capability 14 of the WePROTECT Model National Response).

Thematic areas examined include: hotlines, helplines, awareness raising activities, specialised law enforcement responses, legislation and policy/governance, specialised judges and prosecutors, child-friendly procedures and end-to-end victim support. This mapping report includes case studies to illustrate

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<sup>1</sup> Available at: <https://www.weprotect.org/the-model-national-response/>

and identify promising practices and highlight common challenges against which member states can examine and strengthen their own policies and practices.

The second monitoring round of the Lanzarote Convention is expected to be concluded in the course of 2020 and will contain recommendations to state parties to strengthen the implementation of the Lanzarote Convention in regard to online child sexual exploitation and abuse.

# Introduction to Online Child Sexual Exploitation and Abuse (OCSEA)

Information and communication technologies (ICTs) now afford adults and children alike a multitude of opportunities to create and share content, make and maintain friendships, and communicate with people all over the world. Just as many aspects of our everyday lives have moved online, so too have the threats from serious criminality, including child sexual exploitation and abuse (CSEA). At a very general level, online child sexual exploitation and abuse (OCSEA) consists of offences concerning Child Sexual Abuse Material (referred to in some legislative instruments as “Child Pornography”) and offences or behaviours concerning sexual contact with children using ICTs, often referred to as “grooming” or “online solicitation”<sup>2</sup>

For the last two decades, Child Sexual Abuse Material (CSAM) produced offline by abusers has been shared online with like-minded individuals. Fifteen years ago, when online chat rooms, social media and games first became popular, some adults began to use these to contact children and young people, arranging to meet for sexual activity. While these offences persist in large numbers, more recently law enforcement and civil society first responders have reported an increasing trend for solicitation of images and videos directly from children, often using aggression or coercion. The global child protection community has also seen the emergence of “live streamed” sexual abuse, in which offenders in one country pay to watch live offline, contact abuse via the medium of video chat platforms.

The platforms and methods may change, but the impact on child victims does not. As this report goes on to discuss, victims of OCSEA require immediate safeguarding from ongoing abuse, but may also need many years of therapeutic assistance to recover. With regard specifically to the online element of exploitation and abuse, victims’ knowledge or belief that material depicting their abuse continues to be in circulation can cause lasting damage. Victims of grooming and sexual extortion may require special assistance as they get older to establish personal relationships of trust and intimacy. To meet this need, and to deliver successful prevention, awareness raising and criminal justice measures, countries are finding that extensive collaboration is required not only across different government authorities, but also with stakeholders in other sectors, including civil society organisations and ICTs. Accordingly, international legislative instruments such as the Council of Europe Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse CETS 201 (Lanzarote Convention)<sup>3</sup> and the Convention on Cybercrime ETS 185 (Budapest Convention),<sup>4</sup> as well as global policy initiatives such as the WeProtect Global Alliance to End Child Sexual Exploitation Online,<sup>5</sup> highlight the importance of multi-sectoral responses and effective Co-ordination of resources to combat OCSEA. While coordinating the responses of a large number of actors across a range of organisations and sectors can be challenging, the safety of children demands it.

<sup>2</sup> For a fuller discussion on the use of terminology in relation to OCSEA, see ECPAT (2016).

<sup>3</sup> Available at: <https://rm.coe.int/protection-of-children-against-sexual-exploitation-and-sexual-abuse/1680794e97>

<sup>4</sup> Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680081561>

<sup>5</sup> Available at: <https://www.weprotect.org/>

## Methodology

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Analysis has drawn primarily on desk review of open source material, including official member state responses to Lanzarote Convention questionnaires, literature produced by non-governmental and international organisations, and public web listings. This was complemented by oral contributions from the ten focus countries to the Regional EndOCSEA meeting in Strasbourg on 16-17 May 2019. A number of follow up interviews were held, to further explore potentially promising practices. All information and web links presented were correct at the time of writing (October 2019).

Where complete data sets were available for all 47 Council of Europe member states, this was collated in several matrices for the purposes of regional and international comparison. Excerpts from a number of these spreadsheets are presented below. The presence or absence of a particular function or piece of information should not be interpreted as an absolute measure of a country's progress against a set of objectives in the fight against OCSEA. Rather, in many cases it reflects an understanding that different countries may approach the problem in different ways.

## Mapping, Discussion and Promising Practices

The chart below provides an overview of select international commitments relevant to combatting OCSEA, made by Council of Europe member states:

Country	State Party to UNCRC <sup>6</sup>	State Party to UNCRC Optional Protocol on the Sale of children, Child Prostitution and Child Pornography <sup>7</sup>	State Party to Lanzarote Convention <sup>8</sup>	State Party to Convention on Cybercrime <sup>9</sup>	WeProtect Global Alliance Member Country <sup>10</sup>
ALBANIA	✓	✓	✓	✓	✓
ANDORRA	✓	✓	✓	✓	
ARMENIA	✓	✓	SIGNED	✓	✓
AUSTRIA	✓	✓	✓	✓	✓
AZERBAIJAN	✓	✓	SIGNED	✓	
BELGIUM	✓	✓	✓	✓	✓
BOSNIA AND HERZEGOVINA	✓	✓	✓	✓	✓
BULGARIA	✓	✓	✓	✓	✓
CROATIA	✓	✓	✓	✓	✓
CYPRUS	✓	✓	✓	✓	✓
CZECH REPUBLIC	✓	✓	✓	✓	✓
DENMARK	✓	✓	✓	✓	✓
ESTONIA	✓	✓	✓	✓	✓
FINLAND	✓	✓	✓	✓	✓

<sup>6</sup> <http://indicators.ohchr.org/>

<sup>7</sup> <http://indicators.ohchr.org/>

<sup>8</sup> <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/201/signatures>

<sup>9</sup> [https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/185/signatures?p\\_auth=5HbHxMwK](https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/185/signatures?p_auth=5HbHxMwK)

<sup>10</sup> <https://www.weprotect.org/member-countries>

FRANCE	✓	✓	✓	✓	✓
GEORGIA	✓	✓	✓	✓	✓
GERMANY	✓	✓	✓	✓	✓
GREECE	✓	✓	✓	✓	✓
HUNGARY	✓	✓	✓	✓	✓
ICELAND	✓	✓	✓	✓	
IRELAND	✓	SIGNED	SIGNED	SIGNED	✓
ITALY	✓	✓	✓	✓	✓
LATVIA	✓	✓	✓	✓	✓
LIECHTENSTEIN	✓	✓	✓	✓	
LITHUANIA	✓	✓	✓	✓	✓
LUXEMBOURG	✓	✓	✓	✓	✓
MALTA	✓	✓	✓	✓	✓
REPUBLIC OF MOLDOVA	✓	✓	✓	✓	✓
MONACO	✓	✓	✓	✓	
MONTENEGRO	✓	✓	✓	✓	✓
NETHERLANDS	✓	✓	✓	✓	✓
NORTH MACEDONIA	✓	✓	✓	✓	✓
NORWAY	✓	✓	✓	✓	✓
POLAND	✓	✓	✓	✓	✓
PORTUGAL	✓	✓	✓	✓	✓
ROMANIA	✓	✓	✓	✓	✓
RUSSIAN FEDERATION		✓	✓	✓	
SAN MARINO	✓	✓	✓	✓	✓
SERBIA	✓	✓	✓	✓	✓
SLOVAK REPUBLIC	✓	✓	✓	✓	✓
SLOVENIA	✓	✓	✓	✓	✓
SPAIN	✓	✓	✓	✓	✓
SWEDEN	✓	✓	✓	SIGNED	✓
SWITZERLAND		✓	✓	✓	
TURKEY	✓	✓	✓	✓	✓
UKRAINE	✓	✓	✓	✓	✓
UNITED KINGDOM	✓	✓	✓	✓	✓

Fig. 1 Select international commitments relevant to combatting OCSEA, by Council of Europe member state

The following sections of the report discuss how these commitments are being translated into concrete responses.

## 1. Governance structures and multi-stakeholder co-operation in member states

Responding to OCSEA requires the active collaboration of a number of different government entities, such as those responsible for education, health and social care, law enforcement and criminal justice, and digital services; and the co-operation of stakeholders from different sectors, including government, civil society, and the technology industry. Mechanisms are therefore required to formalise these relationships, enable information sharing between partners and facilitate collaborative delivery of responses, whether these are measures aimed at preventing victimisation of children, safeguarding children who have been victimised, or bringing offenders to justice.

Accordingly, Article 10 of the Lanzarote Convention requires each party to establish or designate an independent competent national or local institution for the promotion and protection of the rights of the child, ensuring that they are provided with specific resources. This institution should be responsible for establishing and maintaining mechanisms for data collection at the national or local levels and in collaboration with civil society, for the purpose of observing and evaluating CSEA, with due respect for the requirements of personal data protection. The Convention also requires states parties to encourage co-operation between the relevant stakeholders, in order to better prevent and combat the sexual exploitation and sexual abuse of children.

Some countries such as Albania have introduced laws,<sup>11</sup> while others including the Republic of Montenegro, Republic of Moldova and Turkey, have produced child rights or child protection strategies and action plans setting out the necessary response and Co-ordination measures to combat violence against children.<sup>12</sup> In some countries, protection from OCSEA falls under more general child rights and child protection strategies at national level. Others have chosen to develop and adopt plans specifically designed to address online exploitation and abuse.

In Albania on Safer Internet Day 2018, the Ministry of Health and Social Protection, the Ministry of Education, Sports and Youth and the Ministry of Interior jointly signed the National Action Plan of Child Online Safety (2018-2020). The plan, prepared with the support of the Child Rights Centre Albania,<sup>13</sup> aims to strengthen:

- Capacity of national and local institutions;
- Partnership among government institutions with NGOs and the private sector;
- The legal framework;
- Child online protection and awareness policies.

The WeProtect Global Alliance Model National Response (MNR) recommends the related capability of Leadership:

<sup>11</sup> <https://rm.coe.int/report-on-the-visit-to-albania-from-21-to-25-may-2018-by-dunja-mijatov/16808d2e22>

<sup>12</sup> Contributions to Regional EndOCSEA meeting, 16-17 May 2019

<sup>13</sup> <https://www.crca.al/sq/news/albania-approves-national-action-plan-child-online-protection>

*“ Good governance brings together those with a responsibility to protect children from online sexual exploitation and is a multi-stakeholder, cross-sector national body or bodies ”* (Capability 1, p.3).

As the MNR notes, there is no one model that the multi-stakeholder body should adopt. Azerbaijan has a state committee for minors, and reports that for cases specifically of OCSEA, the Ministry of Interior and its local branches coordinate the response; Serbia meanwhile, has a Co-ordination body for children’s safety and protection using ICT, which focuses on data sharing and monitoring, and stakeholder co-operation.<sup>14</sup> The last of these is particularly important, since OCSEA is a crime that cannot be tackled effectively by governments or any one sector alone.<sup>15</sup>

Translating aims into action is no small task, especially when a number of different bodies or sectors need to work together to deliver an effective response. In Council of Europe member states there are a number of examples of good practice in the area of multi-sector co-operation.

## Case Study: Safer Internet Consortia

The Belgian Better Internet Consortium (B-BICO) brings together relevant stakeholders and experts on online safety and digital literacy, to work on joint initiatives, including the creation of a “one-stop shop” for the general public.<sup>16</sup> The members of the Consortium are:

- Infojeunes youth information centres;
- IMEC media literacy centre;
- Helpline and child safety NGO Child Focus;
- Center for Cybersecurity Belgium;
- Youth media education organisation Action Médias Jeunes;
- Technical competence centre Technofutur TIC;
- Equal opportunities service Unia;
- The Belgian Privacy Commission;
- Media education association Média Animation;
- Department of Education and Training of the Flemish Government;
- CSEM, the Higher Council for Media Literacy.

On Safer Internet Day 2019, B-BICO members and supporting civil society organisations drafted a memorandum on the digital rights of children and young people.<sup>17</sup> Based on the Council of Europe

<sup>14</sup> Contributions to Regional EndOCSEA meeting, 16-17 May 2019

<sup>15</sup> See for example WeProtect’s Model National Response, and Baines (2018) for the different stakeholders required to combat OCSEA effectively.

<sup>16</sup> Lanzarote Committee, 2nd monitoring round report from Belgium.

<sup>17</sup> Available at: [https://b-bico.be/IMG/pdf/2019-02-05\\_memorandum\\_for\\_the\\_belgian\\_safer\\_internet\\_day\\_2019\\_en.pdf](https://b-bico.be/IMG/pdf/2019-02-05_memorandum_for_the_belgian_safer_internet_day_2019_en.pdf)



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Committee of Ministers' Recommendation on Guidelines to respect, protect and fulfil the rights of the child in the digital environment (CM/Rec(2018)7),<sup>18</sup> this memorandum contains a number of recommendations and concrete examples of measures to combat OCSEA, including:

- Supporting schools and educational and care facilities to address cyberbullying and online harassment, incitement to hatred and violence and the sharing of sexual photographs without consent;
- Providing clear information on where young people can get counselling and help;
- Making clear legal requirements for internet service providers and platforms on the way they should collect data and co-operate with authorities and stakeholders to tackle online sexual abuse and material, cyberbullying and cyber hate;
- Enhancing the capacity of the police to tackle online abuse and invest in the identification of victims of sexual exploitation, in particular, in relation to child sexual abuse material;
- Investing in the development and co-ordination of help and hotline services to provide help and counselling for online abuse;
- Examining the possibility of making consensual sexting between minors lawful within the framework of the exceptions of the relevant treaty of the Council of Europe and clarify the way youth magistrates should interpret the severity of sexting incidents;
- Using web crawling technology like Project Arachnid to discover and remove child sexual abuse materials and provide a helpline for sex offenders.

In Portugal, the Safer Internet Consortium is a partnership of five bodies:

- The Fundação para a Ciência e a Tecnologia, I.P., the chief funding agency for research in Portugal;
- The Ministry of Education;
- The Portuguese Institute for Sports and Youth, coordinating the Youth Information Points Network and Helplines;
- Portugal Telecom Foundation, a non-profit organisation, created by Portugal Telecom;
- Microsoft Portugal.

It aims to promote safe internet use, raise awareness of the associated risks, and to both provide for the reporting of illegal content, and minimise its effects. It does this by means of a Safer Internet Centre (Centro Internet Segura), a dedicated school awareness node (SeguraNet), and provision of the Linha ALERTA hotline.<sup>19</sup>

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<sup>18</sup> Available at: <https://rm.coe.int/guidelines-to-respect-protect-and-fulfil-the-rights-of-the-child-in-th/16808d881a>

<sup>19</sup> Lanzarote Committee, 2nd monitoring round report from Portugal.

## Preventing distribution of and access to CSAM; good practice in blocking and filtering

The Lanzarote Convention specifically provides for co-operation between state and non state actors (10.3). Furthermore, recognising the key role of industry in combating CSEA, Article 9.2 requires that,

*“ Each Party shall encourage the private sector, in particular the information and communication technology sector, the tourism and travel industry and the banking and finance sectors, as well as civil society, to participate in the elaboration and implementation of policies to prevent sexual exploitation and sexual abuse of children and to implement internal norms through self-regulation or co-regulation. ”*

Active partnership with the ICT sector in particular, is crucial to effective responses to OCSEA. Removing child sexual abuse material (CSAM) is a key component of this work. While hotlines receive and action reports of illegal material from members of the public, industry also has an important part to play in restricting access to CSAM. Online platforms take hash lists of known CSAM from authorities such as the National Centre for Missing and Exploited Children (NCMEC) in the US and the Internet Watch Foundation (IWF) in the UK. Using PhotoDNA technology, they compare images and videos uploaded to their platforms pixel by pixel, and prevent distribution of known CSAM. In accordance with federal legislation, US based platforms report uploads or attempted uploads of CSAM to NCMEC, for referral to law enforcement around the world.<sup>20</sup> In many other jurisdictions, the preservation and production of CSAM as electronic evidence by online service providers may require the service of a valid legal order. Outside of the US, production of this data across national borders has proved challenging.<sup>21</sup>

At a national level, Internet Service Providers (ISPs) can subscribe to INTERPOL's Worst of List (IWOL) and the IWF's list of URLs known to host CSAM; subscription is not mandatory, but is clearly a matter of good practice for ISPs. In Denmark, Montenegro, Norway, Serbia and Sweden, ISP Telenor has partnered with INTERPOL and GSMA's Mobile Alliance against child sexual abuse content to prevent access to CSAM through its home and mobile broadband services.<sup>22</sup> In Albania, Tirana is in the process of becoming the first city in the Western Balkans to deploy Friendly Wi-fi. This is a certification service that applies the same URL blocking approach to public Wi-fi. UNICEF, with the support from the Global Partnership to End Violence against Children, has partnered with the Tirana Municipality to certify locations in the city that can guarantee Wi-fi that prevents access to known CSAM URLs.<sup>23</sup>

As with hashing, preventing access at network level to URLs hosting CSAM reduces the number of times the material is viewed, and therefore the extent to which the children shown in those images or videos are re-victimised. It also reduces the risk of children coming into contact with this material, helping them to enjoy a safer internet.

<sup>20</sup> U.S.C. §2258A

<sup>21</sup> More information on law enforcement access to data across borders can be found in Council of Europe (2016) and the resources of the Cybercrime Committee Cloud Evidence Group - <https://www.coe.int/en/web/cybercrime/ceg>; see also the European Commission's programme on Electronic Evidence - [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/e-evidence-cross-border-access-electronic-evidence\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/e-evidence-cross-border-access-electronic-evidence_en)

<sup>22</sup> [https://www.nord.no/no/om-oss/fakulteter-og-avdelinger/handelshogskolen/Documents/John\\_Skaar\\_Foredraget\\_2011\\_Mai\\_Oldgard.pdf](https://www.nord.no/no/om-oss/fakulteter-og-avdelinger/handelshogskolen/Documents/John_Skaar_Foredraget_2011_Mai_Oldgard.pdf)

<sup>23</sup> <https://www.unicef.org/albania/press-releases/tirana-will-be-first-city-western-balkan-region-become-child-and-family-friendly>

## Independent Oversight & Monitoring – the case for Ombudspersons

Independent institutions are in a strong position to monitor progress against political commitments to children's rights and protection. A number of Council of Europe member states have appointed Ombudspersons or Commissioners for Children's Rights, or Ombudspersons for Human Rights whose remit includes children. The following table shows countries with members of the European Network of Ombudspersons for Children (ENOC), or who have otherwise reported having Ombudspersons for Children in response to the Lanzarote Committee's second monitoring round:

Country	Member, European Network of Ombudspersons for Children (ENOC) <sup>24</sup>	Other Reported Ombudspersons for Children (Lanzarote Committee questionnaire second round) <sup>25</sup>
ALBANIA	Full	
ANDORRA		
ARMENIA	Full	
AUSTRIA		✓
AZERBAIJAN	Associate	
BELGIUM	Full	
BOSNIA AND HERZEGOVINA	Full	
BULGARIA	Associate	
CROATIA	Full	
CYPRUS	Full	
CZECH REPUBLIC		
DENMARK	Full	
ESTONIA	Full	
FINLAND	Full	
FRANCE	Full	
GEORGIA	Full	
GERMANY		
GREECE	Full	
HUNGARY	Associate	
ICELAND	Full	
IRELAND	Full	

<sup>24</sup> [http://enoc.eu/?page\\_id=2469](http://enoc.eu/?page_id=2469) . Since countries can have more than one ENOC member, some countries are listed here as both full members and associates.

<sup>25</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680470e66> . Countries are only listed in this column if i) they specifically referred to ombudspersons in response to this question from the Lanzarote Committee and ii) they are not already listed as having ENOC members.

ITALY	Full	
LATVIA	Full	
LIECHTENSTEIN		
LITHUANIA	Full	
LUXEMBOURG	Full	
MALTA	Full	
REPUBLIC OF MOLDOVA	Full	
MONACO		
MONTENEGRO	Full	
NETHERLANDS	Full	
NORTH MACEDONIA		
NORWAY	Full	
POLAND	Full	
PORTUGAL		
ROMANIA		✓
RUSSIAN FEDERATION		
SAN MARINO		
SERBIA	Full	
SLOVAK REPUBLIC	Full / Associate	
SLOVENIA	Associate	
SPAIN	Full / Associate	
SWEDEN	Full	
SWITZERLAND		
TURKEY		
UKRAINE	Associate	
UNITED KINGDOM	Full	

Fig. 2 ENOC and Lanzarote Committee Data on Ombudspersons for Children in CoE member states

In 2018, Armenia’s Human Rights Defender was supported by UNICEF in producing an ad hoc public report on the status of the country’s commitments to the UNCRC and its optional protocols.<sup>26</sup> A dedicated section of this report focuses on national progress in respect to the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, specifically:

- Compliance of the domestic criminal law with the Protocol and creation of a unified data collection system
- Extraterritorial jurisdiction and extradition
- Co-ordination and evaluation

<sup>26</sup> <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/ea776edf03d86e7c680c7f5e75352ade.pdf>

- Dissemination and awareness-raising
- Measures adopted to prevent offences prohibited under the Protocol
- Measures adopted to protect the rights of child victims
- Recovery and reintegration of victims

## 2. Capacities to research, analyse and monitor current threats of OCSEA at national level

Research, analysis and monitoring are key elements of the governance response required in Article 10 of the Lanzarote Convention. This aligns with Capability 2 of the WeProtect Global Alliance Model National Response. Countries need to know the prevalence and level of threat from OCSEA in order to develop an effective and proportionate response to it. Relevant national legislation can enable law enforcement and judicial authorities to collect crime data on recorded illegal activities. This can be used by policy makers to justify the allocation of financial and human resources, and assist law enforcement, judicial authorities, child support workers, educators and other specialists to remain current in their operations and training. Hotlines can provide analysis on the volume and nature of CSAM reported by citizens. Helplines can monitor contact received from children, young people and their parents/guardians concerning potential victimisation or other sexual contact online. Academic research can draw on these data sources, to present a picture of OCSEA: what kind of activity, where, when, how, to whom, by whom and why it happens.

In the law enforcement environment, a number of Council of Europe member states produce national threat assessments of OCSEA. All 28 European Union member states contribute to analytical reports on the subject produced by EUROPOL, including the Internet-facilitated Organised Crime Threat Assessment (iOCTA) and the Serious and Organised Crime Threat Assessment (SOCTA). The SOCTA drives activity by EU member states and their operational partners by means of the EU policy cycle.

The EU policy cycle is operationalised through the European Multidisciplinary Platform Against Criminal Threats (EMPACT) over a four-year cycle. This was established in 2010 to create a greater measure of continuity in the fight against serious and organised crime. The policy calls for effective co-operation among law enforcement agencies, other EU agencies, EU institutions and relevant third parties, also for robust action to target the most pressing criminal threats facing the EU. By synthesising contributions from member states and partners, EUROPOL is able to identify changes in criminal activities including OCSEA. Its threat assessments assist EU institutions and national authorities to prioritise responses to certain crime types, while international co-ordination enables countries to share resources and minimise duplication of effort. In the EMPACT policy cycle, cybercrime, and OCSEA specifically, has been a priority since 2010 and is included in those for 2018-2021.<sup>27</sup> Since all internet-facilitated crime evolves rapidly in line with technological developments, EUROPOL analyses strategic intelligence contributions on cybercrime every year.

Seventeen countries outside the EU have operational agreements with EUROPOL, among them Albania, Bosnia and Herzegovina, Georgia, Republic of Moldova, Montenegro, Serbia and Ukraine. This entitles these countries both to receive intelligence and analysis from EUROPOL, and to contribute to EUROPOL's analysis. Serbia and the Republic of Moldova report that they produce national assessments on organised crime or cybercrime that include OCSEA.<sup>28</sup> This enables them to contribute to the wider European overview of the threat, to benefit from the reported experience of other contributing countries, and to monitor trends at a national level that may require changes to response measures.

<sup>27</sup> <https://www.europol.europa.eu/empact>. EUROPOL also produces more specific assessments on OCSEA phenomena based on national research, analysis and monitoring, among them a recent report on sexual extortion <https://www.europol.europa.eu/publications-documents/online-sexual-coercion-and-extortion-form-of-crime-affecting-children-law-enforcement-perspective>

<sup>28</sup> Contributions to Regional EndOCSEA meeting, 16-17 May 2019

Relevant research in focus countries has also been conducted by NGOs and international organisations. For example, a 2014 regional report by ECPAT International on commercial sexual exploitation of children in the Commonwealth of Independent States includes discussion of progress to combat OCSEA in: Armenia, Azerbaijan, Georgia, Republic of Moldova and Ukraine.<sup>29</sup> ChildPact's Child Protection Index assesses progress against Article 34 of the UNCRC (protection from all forms of sexual exploitation and sexual abuse) in countries including: Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Georgia, Republic of Moldova, Romania and Serbia.<sup>30</sup> National chapters of La Strada have also produced monitoring reports on efforts in the Republic of Moldova and Ukraine.<sup>31</sup> As will be discussed in more detail in section 3.8, UNICEF Innocenti's Global Kids Online project presents research on children's online experiences in: Albania, Montenegro and Serbia. Its sister project, EU Kids Online provides similar insight for the following 33 countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, and the United Kingdom.

Research of this kind is helpful to understand trends in OCSEA in a state or region, and can be a useful tool to advocate for change and allocation of resources, particularly when based on reporting of CSEA offences to hotlines or helplines. It should be viewed as complementary to national government sponsored efforts to ensure adequately resourced national information gathering and monitoring systems, because the latter can draw on additional, privileged data sources, such as crime records and intelligence.

## Case Study: A Multi-sector Research and Monitoring Model

In Italy, the Ministerial Decree of 30 August 2016 (supplemented 12 September 2016) provides for the Observatory for the Fight against Paedophilia and Child Pornography, hosted by the Department for Equal Opportunities. This organisation brings together government authorities, the Child and Adolescent Ombudsman and civil society organisations Telefono Azzurro, Save the Children Italia, Terre des Hommes Italia and Meter, to combat OCSEA.

The National Centre for the Fight against Child Pornography on the Internet (CNCPO) in the Postal and Communications Police and the Ministry of Home Affairs share data on reported offences with the Observatory for the analysis and prevention of child abuse. This enables government and civil society stakeholders alike to monitor trends in the volume and nature of offences against children, and to use this data to inform preventative initiatives.<sup>32</sup>

<sup>29</sup> [https://www.ecpat.org/wp-content/uploads/2016/04/CSEC-Overview\\_CIS.pdf](https://www.ecpat.org/wp-content/uploads/2016/04/CSEC-Overview_CIS.pdf)

<sup>30</sup> <http://www.childprotectionindex.org/dashboard>

<sup>31</sup> <http://lastrada.md/eng/resources>; [http://www.la-strada.org.ua/ucp\\_mod\\_library\\_showcategory\\_34.html](http://www.la-strada.org.ua/ucp_mod_library_showcategory_34.html)

<sup>32</sup> Lanzarote Committee, 2nd monitoring round report from Italy.

## The Case for Registering and Managing Convicted Sex Offenders

CSEA is often by its very nature a transnational phenomenon. Persons with a sexual interest in children may travel to abuse, while online offenders can target children in another country. Accordingly, Article 37 of the Lanzarote Convention requires state parties to designate a single national authority in charge of the collection and storage of data on individuals convicted of sexual offences against children, and to ensure that this data can be transmitted to competent authorities in other state parties.

Keeping a register of persons convicted for sexual offences, including OCSEA, also enables authorities to manage those offenders effectively, and in particular to reduce the risk of reoffending, thereby reducing the risk to victims and potential victims. This maps to Capability 6 – “Offender Management Process” – of the WeProtect Model National Response:

*“ A national sex offender register ensures that relevant, accurate and up-to-date information is easily available to all authorised personnel. This enhances the ability of law enforcement and other appropriate organisations to monitor offenders’ activities effectively and share information efficiently and securely. ”*

While a number of countries have some form of sex offender registration or management, the United Kingdom and Ireland have the most comprehensive regimes. Subject to the requisite personal data protections and human rights safeguards, these arrangements assist in the management of convicted OCSEA offenders. Both the United Kingdom and Irish procedures require convicted offenders to:

- Notify authorities their name, home address and any changes to these within a specified time frame.
- Notify said authorities of an intention to travel overseas. In the United Kingdom, this applies to any foreign travel. In Ireland it applies to travel for more than seven days.<sup>33</sup>

Under Section 82 of the United Kingdom Sexual Offences Act 2003, the term for which an offender may be registered varies according to the sentence received for the offence or offences. Sex offender registers are also used during specific criminal records bureau checks as part of mandatory screening during recruitment procedures of certain professions. Access to up to date information on the whereabouts of a convicted offender can help government authorities and community support providers to reduce the risk of reoffending. This is particularly useful where more than one agency is responsible for monitoring and managing offenders.

In the Republic of Cyprus, legislation introduced in 2014 provides for the surveillance of persons convicted of sexual offences against children.<sup>34</sup> France has arrangements requiring notification of offenders’ personal details, address and any changes, but not the intention to travel.<sup>35</sup> Germany has no nationwide register, but some states (länder) keep files on sex offenders released from prison (known as Haft-Entlassenen-

<sup>33</sup> <https://www.garda.ie/en/About-Us/Specialist-Units/Garda-National-Protective-Services-Bureau-GNPSB-/Sex-Offender-Management-and-Intelligence-Unit-SOMIU-/Sex-Offender-Management-FAQ.html>

<sup>34</sup> [http://www.olc.gov.cy/olc/olc.nsf/all/A9D5FFA72A812E6DC22580CE0023F857/\\$file/The%20Prevention%20and%20Combating%20of%20Sexual%20Abuse%20and%20Sexual%20Exploitation%20of%20Children%20and%20Child%20Pornography%20Law,%202014.pdf?openelement](http://www.olc.gov.cy/olc/olc.nsf/all/A9D5FFA72A812E6DC22580CE0023F857/$file/The%20Prevention%20and%20Combating%20of%20Sexual%20Abuse%20and%20Sexual%20Exploitation%20of%20Children%20and%20Child%20Pornography%20Law,%202014.pdf?openelement)

<sup>35</sup> CODE DE PROCÉDURE PÉNALE [CODE OF CRIMINAL PROCEDURE] 706-53-1, et. seq.



Auskunfts-Datei-Sexualstraftäter, or “HEADS”).<sup>36</sup> In 2015, the Dutch Senate passed a bill enabling courts to impose long term supervision orders on convicted sexual offenders.<sup>37</sup> In 2018, Polish authorities launched a public register of 800 sex offenders, displaying names and photos of convicted individuals based on the US model.<sup>38</sup> Portugal introduced a register in 2015 for those convicted of sex offences against children, requiring notification of changes in personal details and of international travel.<sup>39</sup>

In conjunction with pre-employment criminal records checks, registration arrangements can also help to restrict contact with children for those convicted of CSEA offences, including those committed online. Among countries with this restriction, Spain holds a register of convicted sex offenders against which applications to work with children are checked.<sup>40</sup> In The Netherlands, those convicted of sexual offences against children may be excluded from obtaining a good conduct certificate (“Verklaring omtrent Gedrag” or “VoG”) issued by the Department of Justice and required for certain occupations.<sup>41</sup> In Georgia, the government is working on legislative improvements that would ban individuals convicted of CSEA offences from being employed as teachers, while the Ministry of Justice is developing a Multi-Agency Public Protection (MAPPA) mechanism for managing convicted offenders in the community.<sup>42</sup>

Monitoring the travel of convicted sex offenders enables the government in one country to notify authorities in another of potential risk to children. Some countries such as The Netherlands ban travel altogether. European Union member states also have the possibility to use the EUROPOL Information System (EIS) to make intelligence available to other member states about the travel of individuals known for or suspected of sexual offences against children.<sup>43</sup> Police in Ukraine have memoranda of understanding with the United Kingdom and Ireland that allow them to receive notifications of convicted sex offender travel from those countries. Ukraine has also introduced a certification process for foreign nationals wishing to volunteer in the country.<sup>44</sup> Where restrictions on travel and possibilities for intelligence sharing are provided for in national law, these arrangements can contribute to reducing the risk of foreign nationals traveling to other countries to commit CSEA offences. In as much as contact sexual abuse by travelling offenders is often recorded for online distribution as CSAM, travel restrictions and notification can also assist in combating OCSEA specifically.

<sup>36</sup> For further information, see the US Department of Justice’s 2014 and 2016 global overviews -

<https://www.smart.gov/pdfs/GlobalOverview.pdf> and <https://www.smart.gov/pdfs/global-survey-2016-final.pdf>

<sup>37</sup> <https://www.government.nl/latest/news/2015/11/24/dutch-senate-passes-bill-on-the-long-term-supervision-of-sex-offenders-and-persons-convicted-of-serious-violent-offences>

<sup>38</sup> <https://www.dw.com/en/poland-launches-online-register-of-sex-offenders/a-42005208>

<sup>39</sup> <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=6486&file=EnglishTranslation>

<sup>40</sup> <https://sede.mjusticia.gob.es/cs/Satellite/Sede/en/tramites/certificado-registro-central>

<sup>41</sup> <http://www.sexual-offender-treatment.org/173.html>

<sup>42</sup> Contribution to Regional EndOCSEA meeting, 16-17 May 2019

<sup>43</sup> Contribution from Europol. October 2019

<sup>44</sup> Contribution to Regional EndOCSEA meeting, 16-17 May 2019

### 3. Specific legislative and policy frameworks to criminalise OCSEA, identify perpetrators and uphold the rights of the child-victim

The Council of Europe Lanzarote and Budapest Conventions provide comprehensive benchmarks for both criminal law and procedural law standards to prevent and combat OCSEA. They build on international standards concerning the protection of children, including the UNCRC and the Optional Protocol on the Sale of children, Child Prostitution and Child Pornography. Articles 18 to 29 of the Lanzarote Convention and Article 9 of the Budapest Convention set out the substantive criminal law and definitions of offences required to be transposed into national law. The articles relevant specifically to online offences are as follows: Articles 20 to 23 Lanzarote Convention focus specifically on criminalising the production, distribution and possession of, and knowing access to CSAM (“child pornography”, Article 20), offences concerning the participation of a child in pornographic performances (21), the corruption of children through intentional exposure to sexual activities (22) and the solicitation of children for sexual purposes(23).

The International Centre for Missing and Exploited Children (ICMEC) conducts regular analysis of national legal provision for OCSEA offences. Its global review of legislation in relation specifically to child sexual abuse material (CSAM) considers the following five criteria:<sup>45</sup>

1. Exists with specific regard to CSAM;
2. Provides a definition of CSAM;
3. Criminalises technology-facilitated CSAM related offenses;
4. Criminalises the knowing possession of CSAM, regardless of the intent to distribute;
5. Requires Internet Service Providers (ISPs) to report suspected CSAM to law enforcement or to some other mandated agency.

For legislation specific to online grooming of children for sexual purposes, the core criteria are as follows:

1. Exists with regard to the online grooming of children for sexual purposes;
2. Provides a definition of (or describes) grooming, including online grooming, and utilizes computer- and Internet-specific terminology;
3. Criminalises online grooming, with the intent to meet the child offline;
4. Criminalises online grooming, regardless of the intent to meet the child offline;
5. Criminalises showing pornography to a child.

Ratings reflect the count of criteria met by each country, to a maximum of 5. At the time of writing (Summer 2019), ratings for Council of Europe member states are as follows:

<sup>45</sup> <https://www.icmec.org/wp-content/uploads/2018/12/CSAM-Model-Law-9th-Ed-FINAL-12-3-18.pdf>

Country	ICMEC Model Legislation CSAM Score (/5)	ICMEC Model Legislation Grooming Score (/5)
ALBANIA	4	1
ANDORRA	4	1
ARMENIA	2	0
AUSTRIA	4	4
AZERBAIJAN	3	0
BELGIUM	5	4
BOSNIA & HERZEGOVINA	3	1
BULGARIA	4	4
CROATIA	4	4
CYPRUS	4	4
CZECH REPUBLIC	3	3
DENMARK	4	1
ESTONIA	4	3
FINLAND	4	4
FRANCE	5	5
GEORGIA	4	0
GERMANY	4	5
GREECE	4	4
HUNGARY	4	4
ICELAND	4	4
IRELAND	4	5
ITALY	5	5
LATVIA	4	5
LIECHTENSTEIN	4	4
LITHUANIA	2	3
LUXEMBOURG	3	5
MALTA	4	4
REPUBLIC OF MOLDOVA	4	0
MONACO	4	4
MONTENEGRO	3	1
NETHERLANDS	4	4
NORTH MACEDONIA	4	4
NORWAY	4	3
POLAND	3	5

PORTUGAL	3	5
ROMANIA	4	4
RUSSIAN FEDERATION	3	1
SAN MARINO	3	0
SERBIA	4	4
SLOVAK REPUBLIC	4	5
SLOVENIA	3	4
SPAIN	4	5
SWEDEN	4	4
SWITZERLAND	4	1
TURKEY	3	1
UKRAINE	2	1
UNITED KINGDOM	4	5

Fig.3 ICMEC Ratings for CSAM and Grooming Legislation, Global Review Report 2019<sup>46</sup>

With regard to CSAM legislation, the majority of member states receive a score of 4. This reflects the fact that most countries around the world do not mandate ISP reporting of identified CSAM. Generally speaking, countries listed above with a rating of 3 or lower are those that have not yet criminalised knowing possession of CSAM, regardless of the intent to distribute, or those who have not specifically provided for technology-facilitated offences. At least some of the countries in focus for this baseline mapping exercise are deemed also to lack a definition of CSAM in national legislation.

With regard to online grooming of children for sexual purposes, ratings are less consistent. Globally, there is evidently considerable work still to be done to ensure that children in all countries are adequately protected from offences of this kind. In particular, legislation in a large number of countries requires there to be an intent to meet offline for sexual activity. In this respect, legislative responses have not kept pace with the changing threat from OCSEA, in which children are increasingly targeted online for self-produced CSAM, with no subsequent offline meeting.<sup>47</sup> In the European Union, Article 6.2 of the Directive 2011/92/EU of the European Parliament and Council on Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography requires EU Member States to take the necessary measures to ensure that attempts to solicit a child to provide CSAM are punishable.<sup>48</sup>

Article 23 of the Lanzarote Convention requires states parties to criminalise the intentional proposal of an adult to meet a child for the purpose of unlawful sexual activity. The 2015 Opinion of the Lanzarote Committee on Article 23 of the Convention notes that “the requirements inherent to Article 23 of the Lanzarote Convention may not meet today’s and, more importantly, tomorrow’s challenges with regard to online grooming”. Consequently, the Committee recommends extending criminalisation “also to cases when the sexual abuse is not the result of a meeting in person, but is committed online”.<sup>49</sup>

<sup>46</sup> <https://www.icmec.org/wp-content/uploads/2018/12/CSAM-Model-Law-9th-Ed-FINAL-12-3-18.pdf>; [https://www.icmec.org/wp-content/uploads/2017/09/Online-Grooming-of-Children\\_FINAL\\_9-18-17.pdf](https://www.icmec.org/wp-content/uploads/2017/09/Online-Grooming-of-Children_FINAL_9-18-17.pdf)

<sup>47</sup> For more on this, see Europol (2017a) p.35ff.

<sup>48</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0093>

<sup>49</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168064de98>

According to these ICMEC ratings, a number of countries are deemed to be entirely lacking in appropriate legislation to criminalise grooming. These are Armenia, Azerbaijan, Georgia, Republic of Moldova, and San Marino. Focus countries with a 1 rating (Albania, Bosnia and Herzegovina, Montenegro, Turkey, and Ukraine) are those in which showing pornography to a child is a criminal offence, but there is no additional provision for criminalising online grooming. Of note, Serbia's legislation is deemed to be more robust than several EU member states and near neighbours.

## A Legal Duty to Report

A number of Council of Europe member states have introduced legal duties to report child sexual abuse or child endangerment. In some states, such as Croatia and Liechtenstein, citizens have a legal duty to report any criminal offence which has come to their attention. In Denmark, Estonia and Iceland this duty is confined to incidents of violence against children, child endangerment, and child sexual abuse respectively. In other states including Cyprus, Finland, Hungary and Romania, there is a more focused obligation on professionals – particularly those who come into contact with children in the course of their work – to report any concerns or suspected abuse to the relevant authority. In The Netherlands, schools are obliged to report criminal offences.<sup>50</sup>

The failure to report has itself become a criminal offence in some states.<sup>51</sup> In general terms, a duty to report suspected or identified child sexual abuse helps to ensure that victims are safeguarded and supported, and offenders are brought to justice. By bringing more concerns to light and generating more accurate data, it also improves states' monitoring and analysis of CSEA and sensitises citizens to the problem.

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<sup>50</sup> Lanzarote Committee: 2nd monitoring round reports from Croatia, Cyprus, Denmark, Estonia, Finland, Hungary, Iceland, Liechtenstein, The Netherlands, Romania.

<sup>51</sup> Lanzarote Committee: 2nd monitoring round reports from Croatia and Cyprus

## 4. Law enforcement capacities to investigate cases of OCSEA, including the existence of dedicated law enforcement units

Articles 30 to 35 of the Lanzarote Convention describe the investigative capability and procedures required to ensure that victims of CSEA receive justice. As regards law enforcement capacity, Article 34.1 states:

*“ Each Party shall adopt such measures as may be necessary to ensure that persons, units or services in charge of investigations are specialised in the field of combating sexual exploitation and sexual of children or that persons are trained for this purpose. Such units or services shall haveadequate financial resources. ”*

Articles 14 to 22 of the Budapest Convention, along with provisions relative to international co-opeartion, set down the procedural law standards applicable to cybercrime investigations and electronic evidence. Capability 4 of the WeProtect MNR goes further, recommending

*“ law enforcement capability with an explicit remit to lead, support and coordinate investigations into child sexual exploitation and abuse (CSEA) - both online and offline”; and explaining that a dedicated capability is needed to “ensure that a country’s law enforcement is able to respond effectively to reports of CSEA, securing an increased number of successful prosecutions, an increase in the number of victims protected and greater disruption of offending. ”*

When legislation is in place to criminalise OCSEA, law enforcement can investigate and judicial authorities can prosecute offenders. With regard to specialist law enforcement capacity, 40 out of 43 state parties responded to the Lanzarote Committee’s second monitoring round that they had some specialist capacity to investigate OCSEA; of these, 16 responded that there was a dedicated team working solely on OCSEA. In the remaining 24 state parties, law enforcement capacity to investigate OCSEA was described as located within unites responsible for: cybercrime, crimes against children, crimes against persons, or sub-units.<sup>52</sup>

With specialist capacity comes access to specialist tools and data. Access to INTERPOL’s International Child Sexual Exploitation (ICSE) database enables national specialist units to check whether CSAM seized in the course of an investigation is already known to international law enforcement and, crucially, whether the children in the images have already been identified. If material is known and the child subjects identified, officers can reduce time spent examining the content, and can focus instead on identifying the victims in new material, including child-victims who may yet to be identified and rescued. The INTERPOL network also provides an opportunity for specialists in different countries to work together to identify the possible geographical location of victims, so that relevant law enforcement agencies can work to recover them from abuse and apprehend the offenders. In turn, countries contributing known CSAM with identified children to

<sup>52</sup> Lanzarote Committee, 2nd monitoring round replies to Question 13 - <https://rm.coe.int/compilation-of-replies-to-question-13-specialised-units-departments-se/16808c2729>

INTERPOL's ICSE database can reduce the exposure to the content of the images of law enforcement officers in other countries who may seize this material in future.

Some of the world's largest technology companies, including Facebook, Google, Microsoft and Twitter, report CSAM identified on their platforms to the US NCMEC. US legislation requires these companies to work with NCMEC as the statutory NGO for processing reports of identified child sexual exploitation. In 2018, NCMEC received 18.4 million reports of child sexual exploitation from US companies. Given the global popularity of US-based online platforms, a large proportion of these reports concern offenders or victims outside of the US. Typically they contain subscriber and access (IP log data) to assist law enforcement in identifying and locating an offender, plus the CSAM itself as evidence of the offence. NCMEC has a number of options available for national law enforcement authorities to access reports. They may have direct access to reports, downloading them via a secure Virtual Private Network (VPN). In some countries, US authorities working in embassies may have access to reports that can be shared with local law enforcement. In others, the INTERPOL National Central Bureau for the US in Washington DC can facilitate the exchange of information.

EUROPOL distributes these reports to 18 member states of the European Union, and works to enrich priority reports with additional information from their databases. This dataflow, enabled through the efforts of US Homeland Security Investigations, has ensured the secure transmission of more than half a million reports since 2014.<sup>53</sup> A growing number of focus countries are also now working with NCMEC to gain access to reporting from US companies, but by no means all.

In addition to dedicated resourcing, and as emphasised in Article 5 of the Lanzarote Convention, the investigation of OCSEA requires specialised training. This is particularly the case for Victim Identification, which uses techniques not common to cybercrime or offline crimes against children. As Capability 4 of the WeProtect MNR states:

*With dedicated law enforcement officers who have the required knowledge, skills, systems and tools, a country will be able to lead and coordinate complex CSEA investigations and liaise effectively with international law enforcement to progress investigations that cross borders.*

ICMEC provides bespoke training to national law enforcement authorities on topics such as:

- Essentials of Technology-Facilitated Crimes Against Children;
- Advanced Online Exploitation Investigations;
- Advanced Technologies;
- Fundamentals of Responding to Missing Children.

To date, the organisation has trained more than 10,500 individuals from 118 countries.<sup>54</sup> In addition, EUROPOL's Combating the Online Sexual Exploitation of Children on the Internet (COSEC) training course is aimed at increasing the number of specialist investigators of CSAM. The agency reports that more than 1,000 officers have taken the course since its inception in 2000, including officers from a number of countries outside the EU, such as Albania, Australia, Bosnia & Herzegovina, Republic of Moldova, New Zealand, Serbia, and Ukraine.<sup>55</sup>

<sup>53</sup> Contribution from Europol, October 2019

<sup>54</sup> <https://www.icmec.org/train/law-enforcement/>

<sup>55</sup> <https://www.europol.europa.eu/newsroom/news/241-victims-of-child-sexual-abuse-safeguarded-thanks-to-global-law-enforcement-efforts>; contribution from EUROPOL, October 2019

## Victim Identification through Specialist Image/Video Analysis

Of the 43 Council of Europe member states responding to the Lanzarote Committee's second monitoring round, 31 report having some capacity for specialist victim identification through image and video analysis, and 19 of these report having a dedicated Victim ID function.<sup>56</sup> INTERPOL can provide specialist training in Victim ID.<sup>57</sup> In addition, INTERPOL, EUROPOL and the European Police College (CEPOL) jointly provide training in advanced Victim ID techniques.<sup>58</sup>

EUROPOL's European Cybercrime Centre (EC3) also supports efforts to identify victims of CSEA by hosting a Victim Identification Task Force (VIDTF). In May 2019, the sixth task force meeting saw 34 experts in victim identification from 24 countries and 29 agencies collaborate on image and video analysis at EUROPOL's headquarters for 12 days. Participants for the 2019 action hailed from Australia, Belgium, Bosnia and Herzegovina, Canada, Croatia, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Republic of Moldova, The Netherlands, Portugal, Romania, Serbia, Slovak Republic, Spain, Sweden, Switzerland, United Kingdom, United States of America and INTERPOL.

The uploading of groups of linked image and video files to the ICSE database, hosted at INTERPOL, is an integral part of the VIDTF model. To date, 3,011 series of material have been added to the ICSE database, 330 children have been safeguarded, 137 offenders have been prosecuted and almost 600 investigations have been initiated using the VIDTF model.<sup>59</sup>

One Victim ID project takes the innovative approach of crowdsourcing the local knowledge of citizens to trace objects shown in CSAM, thereby identifying locations of abuse. Launched in 2017, "Stop Child Abuse - Trace an Object" is hosted on EUROPOL's website. Members of the public are invited to submit tips to the agency when they recognise locations, logos on clothing and other identifiers.<sup>60</sup> To date 186 objects have been circulated on the site, resulting in 24,000 tips from members of the public. These have enabled the identification of 9 victims, and the prosecution of 2 offenders.<sup>61</sup>

## Case Studies - Digital Investigation & Specialist CSEA Training

The Council of Europe Octopus Cybercrime Community provides access to a number of tools to strengthen co-operation and materials to strengthen capacities including:

- the Electronic evidence guide, which contains guidance and good practice on the handling of electronic evidence;
- the First responder training pack which trains "1st responders" in how to handle electronic evidence on crime scenes;
- the Basic judicial training manual which provides judges and prosecutors an

<sup>56</sup> Lanzarote Committee, 2nd monitoring round replies to Question 13 - <https://rm.coe.int/compilation-of-replies-to-question-13-specialised-units-departments-se/16808c2729>

<sup>57</sup> <https://www.interpol.int/en/Crimes/Crimes-against-children/Our-response-to-crimes-against-children>

<sup>58</sup> Contribution from EUROPOL, October 2019

<sup>59</sup> Contribution from Europol, October 2019

<sup>60</sup> <https://www.europol.europa.eu/stopchildabuse>

<sup>61</sup> Contribution from Europol, October 2019



- introductory level of knowledge on cybercrime and electronic evidence;
- the Advanced judicial training material which provides judges and prosecutors additional level of knowledge on cybercrime and electronic evidence.<sup>62</sup>

In 2015, the Danish National Police, Director of Public Prosecutions and the Police Academy launched a partnership to develop a new national cybercrime education programme, consisting of two courses aimed to strengthen the basic knowledge of IT and IT-related crime among police staff and the prosecutors. “Cyber Crime I” is an e-learning course and is mandatory for all prosecutors and front desk police officers. Launched in early 2017, “Cyber Crime II” aims at enhancing the knowledge of investigators and the prosecution service.<sup>63</sup>

In France, the Gendarmerie has trained 3,500 digital investigators. These officers have taken part in a voluntary 5-day training course, with the aim of deploying trained investigators in all territorial units across the country. The goal is for the Gendarmerie to have 6,000 trained digital investigators by 2022. Since 2018, an introductory module on cybercrime has been incorporated in training at the Gendarmerie academy. In the judicial police, officers working on CSEA receive specialist training comprising seven modules. These focus in particular on the psychological aspects of this crime type, and on techniques for interviewing young victims.<sup>64</sup>

A number of states also report specialist training for prosecutors. In Denmark, the Director of Public Prosecutions every year provides a 3-day course on cases involving crimes against children. The course covers criminal procedure on video interrogation, witness psychology, and the basic theory of OCSEA. In Serbia, financial support from Save the Children has enabled the development of a course for judges and public prosecutors on cybercrime and protection of juveniles on the Internet. This has been incorporated into the standard curriculum of the Judicial Academy. Meanwhile in Spain, training on the investigation of crimes against children and specifically those related to OCSEA is part of prosecutors’ basic training and continuous development.<sup>65</sup>

## Case study – community policing for online safety

A number of states have added Web Constables to their law enforcement contingents: these include Albania, Estonia, Finland, and Norway.<sup>66</sup> As described in materials presented by Estonia to the EU Crime Prevention Network, Web Constables are serving police officers who set up accounts in social media in their real names. This enables them to have direct contact with members of the public on internet safety issues. In addition, they:

- are the main spokespeople and give training on online safety;
- give advice by answering questions related to crime and law enforcement;
- share information with the public on police work, including messages and warnings;
- monitor publicly accessible online environments;

<sup>62</sup> <https://www.coe.int/en/web/octopus/home>

<sup>63</sup> Lanzarote Committee: 2nd monitoring round report from Denmark

<sup>64</sup> Lanzarote Committee: 2nd monitoring round report from France

<sup>65</sup> Lanzarote Committee: 2nd monitoring round reports from Denmark, Serbia, Spain

<sup>66</sup> <http://www.cp-project.al/web/en/portfolio-item/web-constable/>; Lanzarote Committee: 2nd monitoring round reports from Estonia, Finland, Norway

- receive information, tips or notifications from people, including suspicions of sites with illegal content and Internet-users whose action may be directed towards sexual abuse of children;
- forward information, tips or notifications to police investigators;
- search for information on the web in order to help colleagues in their investigations.<sup>67</sup>

According to a 2014 study, 61% (n=1707) of school pupils surveyed in Estonia had heard of the Web Constables and of these 8% (n=125) had contacted a Web Constable directly.<sup>68</sup> Crucially, states with web constables report that issues reported to them are often resolved informally by giving advice, rather than resulting in official law enforcement action. For instance, Norway's Nettpatroljer (online police patrols) provide crime prevention advice, offer guidance on particular issues and foster dialogue. Advice concerning the sharing of sexually explicit content online is one of the topics addressed, as well as children's rights online, and online blackmail.<sup>69</sup>

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<sup>67</sup> <https://eucpn.org/document/web-constables>

<sup>68</sup> <https://www.politsei.ee/dotAsset/331164.pdf>, reported by EUCPN - <https://eucpn.org/document/web-constables>.

<sup>69</sup> Lanzarote Committee: 2nd monitoring round report from Norway

## 5. Child-friendly procedures for judges and prosecutors to uphold and protect the rights of child-victims of OCSEA during criminal proceedings

The Lanzarote Convention provisions for child-friendly justice are set out in Articles 30-36. Article 30 contains the guiding principles, namely that investigations and criminal proceedings should be carried out in the best interests and respecting the rights of the child. Furthermore, investigations should not aggravate a child’s trauma, and should be prioritised and expedited, while respecting the right of the defendant to a fair trial. Common to the principles outlined is the assumption that the rights and welfare of the child should be a primary consideration in all matters affecting them.

The Child Rights International Network (CRIN) has analysed and scored children’s access to justice around the world.<sup>70</sup> Their assessment is based on national legal status of the UNCRC, legal status of the child, mechanisms to challenge children’s rights violations, and related practical considerations.<sup>71</sup> While not strictly focused on CSEA, this information may be a useful indicator of progress towards the implementation of child-friendly justice procedures in line with the requirements of the Lanzarote Convention. CRIN also produces analysis of child rights considerations in relation to the criminal age of responsibility. This is relevant to discussion of the potential for criminalisation of children who may have shared self-generated sexual imagery. As stated in a recent opinion on the matter, the Lanzarote Committee holds that,

“The self-generation of sexually suggestive or explicit images and/or videos by children does not amount to “the production of child pornography” when it is intended solely for their own private use”.<sup>72</sup> Furthermore, “Children should only be criminally prosecuted for conduct related to “child pornography” as a last resort”.

The combined headline statistics from both analyses are reproduced below for all Council of Europe member states:<sup>73</sup>

Country	CRIN Access to Justice Score /261	%	Minimum Age of Criminal Responsibility	Age of Consent to Sexual Activity
ALBANIA	155	59.4	14	14
ANDORRA	184.5	70.7	12	14
ARMENIA	133	51.0	14	16
AUSTRIA	151.5	58.0	14	14

<sup>70</sup> For more information on the scoring system, see [https://archive.crin.org/sites/default/files/access\\_to\\_justice\\_scorecard.pdf](https://archive.crin.org/sites/default/files/access_to_justice_scorecard.pdf)

<sup>71</sup> <https://rm.coe.int/opinion-of-the-lanzarote-committee-on-child-sexually-suggestive-or-exp/168094e72c>

<sup>72</sup> <https://home.crin.org/issues/access-to-justice/access-to-justice-country-reports>; <https://home.crin.org/issues/deprivation-of-liberty/minimum-age-of-criminal-responsibility>

<sup>73</sup> <https://home.crin.org/issues/access-to-justice/access-to-justice-country-reports>; <https://home.crin.org/issues/deprivation-of-liberty/minimum-age-of-criminal-responsibility>

<b>AZERBAIJAN</b>	139.5	53.4	14	16
<b>BELGIUM</b>	213	81.6	12	16
<b>BOSNIA AND HERZEGOVINA</b>	154.5	59.2	14	14
<b>BULGARIA</b>	173.5	66.5	14	14
<b>CROATIA</b>	177	67.8	14	15
<b>CYPRUS</b>	162.5	62.3	14	17
<b>CZECH REPUBLIC</b>	160	61.3	15	15
<b>DENMARK</b>	164	62.8	14	15
<b>ESTONIA</b>	176	67.4	14	14
<b>FINLAND</b>	199.5	76.4	15	16
<b>FRANCE</b>	180	69.0	13	15
<b>GEORGIA</b>	155	59.4	14	16
<b>GERMANY</b>	153.5	58.8	14	14
<b>GREECE</b>	173.5	66.5	13	15
<b>HUNGARY</b>	169	64.8	12	14
<b>ICELAND</b>	194	74.3	15	15
<b>IRELAND</b>	162.5	62.3	10	17
<b>ITALY</b>	163.5	62.6	14	14
<b>LATVIA</b>	191.5	73.4	14	16
<b>LIECHTENSTEIN</b>	115.5	44.3	14	14
<b>LITHUANIA</b>	177	67.8	14	16
<b>LUXEMBOURG</b>	197.5	75.7	0	16
<b>MALTA</b>	119	45.6	14	16
<b>REPUBLIC OF MOLDOVA</b>	155	59.4	14	16
<b>MONACO</b>	122	46.7	13	15
<b>MONTENEGRO</b>	142	54.4	14	14
<b>NETHERLANDS</b>	198.5	76.1	12	16
<b>NORTH MACEDONIA</b>	150.5	57.7	14	14
<b>NORWAY</b>	187	71.6	15	16
<b>POLAND</b>	177.5	68.0	15	15
<b>PORTUGAL</b>	201.5	77.2	12	14
<b>ROMANIA</b>	170.5	65.3	14	15
<b>RUSSIAN FEDERATION</b>	148	56.7	14	16
<b>SAN MARINO</b>	130	49.8	12	14
<b>SERBIA</b>	153.5	58.8	14	14
<b>SLOVAKIA</b>	164.5	63.0	14	15
<b>SLOVENIA</b>	181	69.3	14	15
<b>SPAIN</b>	201	77.0	14	16

SWEDEN	159.5	61.1	15	15
SWITZERLAND	173	66.3	10	16
TURKEY	159.5	61.1	12	18
UKRAINE	144.5	55.4	14	16
UNITED KINGDOM	182.2 <sup>74</sup>	69.8	10 <sup>75</sup>	16

*Fig.4 Access to Justice and Minimum Age of Criminal Responsibility by Council of Europe member state*

With regard to access to justice, the majority of Council of Europe member states exceed the global average score of 129.9 out of 261 (49.8%). Accordingly, the Council of Europe average score is 166.7 out of 261 (63.9%). None of the countries in focus for the present baseline mapping exercise exceed that average.

In both the Lanzarote Convention and the WeProtect MNR, specialist training of criminal justice professionals is key to the success of the child-friendly approach to justice. Capability 5 of the MNR recommends that:

- Judiciary and prosecutors have the specialist knowledge and skills required to enable positive judicial outcomes for CSEA victims.
- The needs of the victim are paramount during the judicial process and appropriate support is provided throughout.
- Judiciary and prosecutors dealing with CSEA cases have a clear awareness and understanding of the context and circumstances in which CSEA cases can take place, the potential vulnerability of victims/witnesses, and the methodologies and profiles of offenders.
- Victims and witnesses are given access to emotional and psychological support.
- Judiciary understand the risk posed by child sexual offenders and the gravity of the crime and sentence accordingly within the parameters established by relevant national legislation.

A number of Council of Europe member states are working to improve children's access to justice, and to make judicial proceedings more child friendly. The Portuguese Association for Victim Support is a private charitable organisation, recognised by law with a statutory objective to inform, protect and support citizens who have been victims of crime. It has launched a website in Portuguese and English, "ABC Justice"<sup>76</sup> which aims to inform children and young people of their rights as victims of crime and what to expect from the criminal justice process. The site explains the different roles of criminal justice professionals in an accessible and youth friendly format. It provides useful links to support services, a glossary of terminology, and an interactive quiz for young people to test their knowledge.

In the framework of the European Commission funded project "Fundamental rights of the child in practice: furthering child-friendly justice within the EU legal framework", authorities in Croatia, France, Germany, Lithuania, Poland, Romania and Spain have partnered with the European Law Academy (ERA), the Council of Europe, CRIN and other organisations to develop training for delivery to judges at national level. Online

<sup>74</sup> This score for the UK is a manual total of the CRIN scores for England and Wales, Northern Ireland and Scotland.

<sup>75</sup> The minimum criminal age of responsibility in Scotland is set to rise from 8 to 12 in the coming months - <https://news.gov.scot/news/minimum-age-of-criminal-responsibility>

<sup>76</sup> <http://www.abcjustica.pt/>

resources include a library of relevant legal instruments, EU and Council of Europe documentation, and jurisprudence; also training materials and audio and video clips in the relevant languages. In 2015 and 2016 seminars in participating states reached nearly 300 judges and other legal professionals.<sup>77</sup>

## Case Study – HELP Training for Criminal Justice Professionals

The European Programme for Human Rights Education for Legal Professionals (HELP) is a network of national training institutions for judges, prosecutors and lawyers in the 47 member states of the Council of Europe. It provides an e-learning platform with free on-line courses on human rights, and a human rights training methodology for legal professionals. The aim of the free online course on child-friendly justice is to strengthen and harmonise knowledge of the relevant ECHR and other international standards for the target group of legal and other professionals working with children. Albania, Georgia, Montenegro, Republic of Moldova, Romania and Ukraine have all participated.

The course was launched in Republic of Moldova in April 2019, in co-operation with the National Institute of Justice, the State University of Moldova and the National Institute of Magistracy of Romania.<sup>78</sup> It is now being piloted with a group of 30 judges and prosecutors, 4 representatives of the People's Advocate Office of the Republic of Moldova, 2 representatives of the Governmental Agent of the Republic of Moldova and 15 students of the Faculty of Law of the State University. Collaboration with the Romanian Institute of Magistrates is ensured in order to encourage cross-border co-operation between the national training institutions and legal professionals in the two countries.

In Ukraine, the HELP course has been included in the official training curriculum for judges and prosecutors as set in the Human Rights Action Plan. Following training of trainers in September 2017, the course on child-friendly justice was launched in January 2018. The pool of master trainers includes experts representing the Office of the Human Rights Commission for the President of Ukraine, lawyers and academia, with a view to ensuring a wider application of the course in future.<sup>79</sup> In March 2019, the first cohort of legal professionals in Georgia completed the HELP course on child-friendly justice. A pool of 20 prosecutors and 17 lawyers were awarded certificates by the Council of Europe, the General Prosecutor's Office of Georgia and the Georgian Bar Association in an official ceremony.<sup>80</sup>

## Case Study - Child Rights in Investigation and Prosecution

In Turkey, pre-service training courses for judges and prosecutors include an eight-hour session on child protection law and its implementation, and a visit to a monitoring centre for child victims of violence. The session covers topics such as offences committed through the Internet and Child Sexual Abuse Material (CSAM). In-service training courses include a specialist module on OCSEA for prosecutors and judges.<sup>81</sup> As of April 2017, Turkey also has 30 forensic interview rooms across the country which provide services to ensure

<sup>77</sup> [http://www.era-comm.eu/child\\_friendly\\_justice/](http://www.era-comm.eu/child_friendly_justice/)

<sup>78</sup> <https://www.coe.int/en/web/chisinau/-/help-course-on-child-friendly-justice-launched-in-the-republic-of-moldova>

<sup>79</sup> PMM ID 1328 final report

<sup>80</sup> <https://www.coe.int/en/web/children/-/first-prosecutors-and-lawyers-awarded-certificates-after-completing-the-help-course-on-child-friendly-justice-in-georgia>

<sup>81</sup> WeProtect Global Alliance (2018b) 12

that courthouses implement child-friendly criminal proceedings in line with the best interests of the child. Victims, witnesses and children are interviewed in an appropriate environment. Secondary victimisation is reduced, protection needs identified and referrals made to the required services. Efforts are underway to expand this approach and deliver more interview rooms in other provinces and courthouses.<sup>82</sup>

As will be evident from the examples above, criminal justice and victim support are closely related throughout the disclosure, investigative and judicial processes.

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<sup>82</sup> WeProtect Global Alliance (2018b) 13

## 6. Mechanisms to provide end-to-end support to child-victims of OCSEA

Articles 11 to 14 of the Lanzarote Convention set out the required support mechanisms for victims of CSEA. Articles 11 to 13 detail the necessary arrangements for first response, including the provision of hotlines for reporting illegal material (12), and helplines for children and their parents or carers (13). The table below shows the current provision of hotlines and helplines in Council of Europe member states:

Country	INHOPE Member Hotline <sup>83</sup>	Other Hotline	Child Helpline International (CHI) Member Helpline <sup>84</sup>
ALBANIA		✓ <sup>85</sup>	✓
ANDORRA			
ARMENIA		✓ <sup>86</sup>	✓
AUSTRIA	✓		✓
AZERBAIJAN	✓		✓
BELGIUM	✓		✓
BOSNIA AND HERZEGOVINA	✓		✓
BULGARIA	✓		✓
CROATIA	✓		✓
CYPRUS	✓		✓
CZECH REPUBLIC	✓		✓
DENMARK	✓		✓
ESTONIA	✓		✓
FINLAND	✓		✓
FRANCE	✓		✓
GEORGIA			✓
GERMANY	✓		✓
GREECE	✓		✓
HUNGARY	✓		✓
ICELAND	✓		✓

<sup>83</sup> <http://www.inhope.org/gns/our-members.aspx>

<sup>84</sup> <https://www.childhelplineinternational.org/child-helplines/child-helpline-network/>

<sup>85</sup> Global Alliance 2014 progress report from Albania

<sup>86</sup> Global Alliance 2014 progress report from Armenia



IRELAND	✓		✓
ITALY	✓		✓
LATVIA	✓		✓
LIECHTENSTEIN			✓
LITHUANIA	✓		✓
LUXEMBOURG	✓		✓
MALTA	✓		✓
REPUBLIC OF MOLDOVA			✓
MONACO			
MONTENEGRO			✓
NETHERLANDS	✓		✓
NORTH MACEDONIA			✓
NORWAY			✓
POLAND	✓		✓
PORTUGAL	✓		✓
ROMANIA	✓		✓
RUSSIAN FEDERATION	✓		✓
SAN MARINO			
SERBIA		✓ <sup>87</sup>	✓
SLOVAK REPUBLIC	✓		✓
SLOVENIA	✓		✓
SPAIN	✓		✓
SWEDEN	✓		✓
SWITZERLAND			✓
TURKEY	✓		✓
UKRAINE		✓ <sup>88</sup>	✓
UNITED KINGDOM	✓		✓

Fig.5 Hotlines and helplines by Council of Europe member state

The vast majority of member states have some form of CSAM reporting hotline, and a helpline for supporting children, young people and their families. Together hotlines, helplines and awareness centres perform the function of Safer Internet Centres throughout the European Union and beyond.<sup>89</sup>

<sup>87</sup> <http://www.pametnoibezbedno.gov.rs/rs-lat>; contribution to EndOCSEA regional meeting, 16-17 May 2019

<sup>88</sup> Lanzarote Committee 2nd monitoring round report from Ukraine

<sup>89</sup> <https://ec.europa.eu/digital-single-market/en/safer-internet-centres>

## Case Study – Supporting Victims through Hotlines and Helplines

National hotlines for reporting and removing CSAM not only minimise access to illegal material and its distribution. They also uphold young victims' rights by reducing the recirculation of material depicting their sexual exploitation and abuse. In addition to all EU member states, the majority of focus countries report that they have a hotline for matters related to OCSEA. Bosnia and Herzegovina and Turkey are members of the International Association of Internet Hotlines (INHOPE) – indeed, Bosnia and Herzegovina chaired the association in recent years. INHOPE membership enables hotlines to benefit from training on issues such as trends in OCSEA offending and victimisation, wellbeing and resilience, and use of the ICCAM platform, which enables hotlines to share CSAM reports securely with each other and with INTERPOL.<sup>90</sup> Full membership also assures policy makers that the hotline adheres to certain standards as set out in INHOPE's Code of Practice.<sup>91</sup> As of January 2019, INHOPE has 46 members in 41 countries.

INHOPE comprises both the Association and the INHOPE Foundation.<sup>92</sup> The Foundation assists countries in establishing a hotline. Serbia currently participates in this programme, as well as several countries outside of Europe. The UK's Internet Watch Foundation (IWF) also operates a number of international reporting portals for countries that do not have a national hotline.<sup>93</sup> These portals enable reports from benefiting countries to be routed to UK analysts for assessment and removal.

While there are certain international standards, there is no single "right" way to establish and manage a hotline. Some hotlines are government sponsored and run. Others are operated by industry such as national ISPs. Yet others are NGOs that are sponsored by industry. Some hotlines are run by the same organisation as that which operates the national helpline for children and young people. Of note, all the focus countries have helplines that are members of Child Helpline International (CHI). CHI provides tools and training to helplines on the issue of child online protection.<sup>94</sup>

In Albania, the National Child Helpline (ALO 116) is an integral part of the reporting system for protecting children from online exploitation. Staff are specifically trained to meet necessary reporting and follow-up requirements. This has been achieved through four training sessions and a needs assessment conducted by the INHOPE Foundation, in collaboration with the Bulgarian Safer Internet Centre, as well as one training session on child-friendly communication and how to address the cases of violence in line with the new child protection legislation in place. During the October 2017 – May 2018 period, 38 online violence survivors (100 per cent of the reported cases that required psycho-social counselling) received psycho-social counselling by ALO 116. In addition, 807 children were provided with information and guidance on specific topics such as cyber bullying, online trolling, messages and offending posts, and child sexual abuse material.<sup>95</sup>

<sup>90</sup> For more on the ICCAM system, see <https://www.ziuz.com/products/iccam/>

<sup>91</sup> [http://88.208.218.79/Libraries/Best\\_Practice\\_Papers/Code\\_of\\_Practice.sflb.ashx](http://88.208.218.79/Libraries/Best_Practice_Papers/Code_of_Practice.sflb.ashx)

<sup>92</sup> <http://www.inhopefoundation.org/>

<sup>93</sup> <https://www.iwf.org.uk/what-we-do/how-we-assess-and-remove-content/our-international-reporting-portals>

<sup>94</sup> <https://www.childhelplineinternational.org/child-helplines/tools/>

<sup>95</sup> WeProtect Global Alliance (2018b) 13

## Assistance to victims

Article 14 of the Lanzarote Convention focuses on support for the recovery of victims of CSEA. Under the terms of the Convention, states parties are required to provide measures to assist in victims' physical and psycho-social recovery in the short and long term, cooperating with civil society in their delivery and taking steps to remove the victim from ongoing harm, where necessary.

Some Council of Europe member states have established a legal duty to provide support to victims of CSEA. In the Czech Republic, Act no. 45/2013 Coll. on Victims of Crime stipulates that children must be provided on request with psychological assistance, social assistance, legal information, restorative programs or legal aid. Such assistance is to be provided before, during and after criminal proceedings. The Danish Act on Social Services obliges municipalities in Denmark to offer support, assistance and psychological help to victims of CSEA free of charge. In Latvia, the Law on Social Services and Social Assistance and the Law on the Protection of the Children's Rights require that children who are victims of violence are provided with social rehabilitation. Recognising that long term recovery from sexual abuse can be resource intensive and costly, some states report that they provide financial compensation to victims of CSEA.<sup>96</sup>

## Multidisciplinary and Interagency (MDIA) services for child victims

As highlighted in Article 11.1 of the Lanzarote Convention, structures for responding to child victimisation need to be multidisciplinary in order to be truly effective. Capability 8 of the WeProtect Model National Response elaborates on this:

*“Close collaboration between law enforcement and those statutory agencies or NGOs whose primary remit is the care and welfare of children is fundamental to ensuring a comprehensive response for victims that is respectful of the full range of children's rights. This collaboration will assist with information-sharing, as well as access to specialist alternative care and the development of an end-to-end support plan. The type of specialist support services required could include medical support, emergency accommodation, financial assistance, education, therapeutic care and potentially longer-term assistance in moving to a different location. A support plan should consider and research the availability of these services from the outset.”*

Physically co-locating these services in a single response centre is one way to ensure that different services co-operate effectively. The Barnahus (“Children’s House”) model for multidisciplinary and interagency (MDIA) services has at its core the assumption that “the child’s disclosure is key both to identify and investigate child abuse for criminal and for protective and therapeutic purposes”.<sup>97</sup> As research for the

<sup>96</sup> Lanzarote Committee: 2nd monitoring round reports from Czech Republic, Denmark, Latvia.

<sup>97</sup> <http://www.childrenatrisk.eu/promise/wp-content/uploads/2017/06/PROMISE-European-Barnahus-Quality-Standards.pdf>

PROMISE project identifies, Barnahus style arrangements perform both functions of providing child-friendly justice, and multi-agency support to victims of CSEA.<sup>98</sup>

The Barnahus concept was developed in Iceland in the 1990s, and has assumed a key role in the criminal justice and child protection systems of Nordic countries. By 2015, Iceland's Government Agency for Child Protection estimated that there were 50 such houses in Iceland, Sweden, Norway, Denmark, Greenland and the Faroe-islands, employing hundreds of professionals full time and part time, and providing multiple services for tens of thousands of children suspected of being subjected to maltreatment and abuse.<sup>99</sup> In Iceland, all child victims of CSEA, including OCSEA, have the right to therapy provided by the Barnahus free of charge.<sup>100</sup>

Although there is currently no comprehensive data on MDIA responses in Council of Europe member states, it has been possible to identify that the majority of countries have implemented or are developing some form of Barnahus-style MDIA service.<sup>101</sup> A number of these are building their capacity in partnership or consultation with the PROMISE project, hosted by Children At Risk.<sup>102</sup> While countries may operationalise the MDIA response in different ways according to their national legal frameworks and political, legal, judicial, socio-economic and cultural contexts,<sup>103</sup> the European Barnahus Quality Standards are helpful in ensuring that children everywhere can benefit from the same level of support should they become victims of CSEA.<sup>104</sup>

## Case Study – Training Provision for Long-Term Support

In Azerbaijan, dedicated Parent and Child Centres bring together social workers, psychologists and educators, with a mandate to protect children and women victims of violence. There are 11 regional centres, one in each administrative region. Children and families are referred to the centres by school or police authorities, and the centres can also do 'on the spot visits' to families upon receiving information of concern. The centres implement multi-disciplinary case management and risk assessments. Regular monitoring group meetings enable staff from the centre to exchange information with representatives of central authorities, including education, civil status, youth workers, local police child protection officers, and health care providers. The legal department of the central State Committee provides support and advice to these regional centres. Centres are also equipped with bedrooms to provide crisis shelter on a short term basis until accommodation can be provided by the Ministry of Social Affairs.

As both the Lanzarote Convention at Article 14.1 and the WeProtect MNR emphasise, victims of CSEA may require long term assistance: "Longer-term support is essential as mental health issues can often

<sup>98</sup> <http://www.childrenatrisk.eu/promise/wp-content/uploads/PROMISE-Enabling-Child-Sensitive-Justice.pdf>

<sup>99</sup> Barnaverndarstofa, "Barnahus as implemented in Iceland", presentation to the Council of the Baltic Sea States and Council of Europe conference, Tallinn 19.-20. February 2015 - <https://rm.coe.int/1680700233>

<sup>100</sup> Lanzarote Committee, 2nd monitoring round report from Iceland

<sup>101</sup> The following countries have either reported having some form of provision, or are identified as participants in the PROMISE project: Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Ireland, Latvia, Lithuania, Luxembourg, Malta, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, Turkey, United Kingdom

<sup>102</sup> <https://www.childrenatrisk.eu/promise/wp-content/uploads/sites/4/2019/03/PROMISE-Network-Concept.pdf>

<sup>103</sup> See for example <http://www.childrenatrisk.eu/promise/wp-content/uploads/2016/06/114049-PROMISE-Web-versie1.pdf>

<sup>104</sup> <http://www.childrenatrisk.eu/promise/wp-content/uploads/2017/06/PROMISE-European-Barnahus-Quality-Standards.pdf>

follow, with the effects of abuse remaining with victims for many years beyond offending”.<sup>105</sup> While this can be resource intensive, it can be essential to victims’ successful and sustained recovery. Specialist therapeutic workforces are therefore required to provide this continued support to victims of CSEA, potentially throughout their lives.

## Case Study: Parent and Child Centres

The Marie Collins Foundation (MCF)<sup>106</sup> is a UK-based NGO that provides specialist training for professionals working with victims of CSEA where abuse has involved online activity. Starting from its findings that recovery starts at the point of discovery, and that the impacts on victims and families are different where CSEA has an online element, MCF has developed the Click: Path to Protection model of how to carry out interventions in a way that is supportive of the needs of the children and their families. The stated vision of the model is that all children who suffer sexual abuse via the internet and mobile technologies are enabled to recover and live safe and fulfilling lives, and its aim is to ensure that the response is based on sound, evidence based practice. An important feature of the model is the identification of future support needs including reparation, compensation, therapy, reconciliation and future harm reduction.

The Click: Path to Protection programme is open to professionals from any country.<sup>107</sup> On successful completion of training and online evaluation, professionals have access to an online forum for continuing development, and downloadable materials. Assisted by a grant from the Global Partnership to End Violence Against Children, MCF is also rolling out the Global Protection Online Network (GPON).<sup>108</sup> This is a groundbreaking new network dedicated to building the capacity of all professionals across the globe to better respond when working with children who have been sexually abused or exploited online.

<sup>105</sup> WeProtect Global Alliance (2015) 16

<sup>106</sup> <https://www.mariecollinsfoundation.org.uk/>

<sup>107</sup> <https://www.mariecollinsfoundation.org.uk/cpp>

<sup>108</sup> <https://www.mariecollinsfoundation.org.uk/gpo>

## 7. Education and awareness raising initiatives to prevent OCSEA in member states

Articles 6 to 8 of the Lanzarote Convention set out the requirements for education and awareness raising to prevent OCSEA. States parties should ensure children in primary and secondary education receive information on the risk of CSEA, and on the means to protect themselves, especially when using online communication technologies (Article 6). States parties should also provide access to intervention and prevention programmes for persons who fear they may be at risk of committing CSEA (Article 7), and should also work to improve awareness of the phenomenon among the general public (Article 8).

In line with the public health approach to combatting OCSEA,<sup>109</sup> education and awareness has several targets. Capability 13 of the WeProtect MNR recommends

*“ A national education programme to raise awareness of CSEA (both offline and online) empowering children, young people, parents, guardians, caregivers and practitioners with information about CSEA; their rights to protection; where to find help and support, and report sexual exploitation and abuse. ”*

Good practice cited includes the use of media opportunities such as Safer Internet Day (SID), and the European Day on the Protection of Children against Sexual Exploitation and Abuse, celebrated on 18th November each year.<sup>110</sup> According to information at [www.betterinternetforkids.eu](http://www.betterinternetforkids.eu), SID 2019 was celebrated as follows in Council of Europe member states:

Country	Safer Internet Centre <sup>111</sup>	Safer Internet Day 2019 <sup>112</sup>
ALBANIA	✓ <sup>113</sup>	✓
ANDORRA		
ARMENIA	✓ <sup>114</sup>	✓
AUSTRIA	✓	✓
AZERBAIJAN		✓
BELGIUM	✓	✓
BOSNIA AND HERZEGOVINA	✓	✓
BULGARIA	✓	✓

<sup>109</sup> For more on this, see Baines (2018).

<sup>110</sup> WeProtect Global Alliance (2015) 24; for more information on the European Day, see <https://www.coe.int/en/web/children/end-child-sex-abuse-day>, <https://www.coe.int/en/web/children/2017-edition> and <https://www.coe.int/en/web/children/2019-edition>

<sup>111</sup> <https://www.betterinternetforkids.eu/web/portal/saferinternet4eu/sics>

<sup>112</sup> <https://www.saferinternetday.org/web/sid/country>

<sup>113</sup> <https://www.crca.al/en/news/national-safe-internet-centre-opened-albania>

<sup>114</sup> Global Alliance 2014 Report from Armenia; <http://safe.am/indexeng.html>

CROATIA	✓	✓
CYPRUS	✓	✓
CZECH REPUBLIC	✓	✓
DENMARK	✓	✓
ESTONIA	✓	✓
FINLAND	✓	✓
FRANCE	✓	✓
GEORGIA		✓
GERMANY	✓	✓
GREECE	✓	✓
HUNGARY	✓	✓
ICELAND	✓	✓
IRELAND	✓	✓
ITALY	✓	✓
LATVIA	✓	✓
LIECHTENSTEIN		Awaiting report at <a href="http://www.saferinternetday.org">www.saferinternetday.org</a>
LITHUANIA	✓	✓
LUXEMBOURG	✓	✓
MALTA	✓	✓
REPUBLIC OF MOLDOVA	✓	✓
MONACO		
MONTENEGRO		Awaiting report at <a href="http://www.saferinternetday.org">www.saferinternetday.org</a>
NETHERLANDS	✓	✓
NORTH MACEDONIA		✓
NORWAY	✓	✓
POLAND	✓	✓
PORTUGAL	✓	✓
ROMANIA	✓	✓
RUSSIAN FEDERATION	✓	✓
SAN MARINO		
SERBIA	✓	✓
SLOVAK REPUBLIC	✓	✓
SLOVENIA	✓	✓
SPAIN	✓	✓
SWEDEN	✓	Awaiting report at <a href="http://www.saferinternetday.org">www.saferinternetday.org</a>
SWITZERLAND		Awaiting report at <a href="http://www.saferinternetday.org">www.saferinternetday.org</a>

TURKEY	✓	✓
UKRAINE		✓
UNITED KINGDOM	✓	✓

Fig.6 Safer Internet Centres and Safer Internet Day 2019 celebration by Council of Europe member state

The WeProtect MNR also cites the Insafe network of Safer Internet Centres as good practice in promoting safer internet use.<sup>115</sup> The chart above therefore also lists the centres in Council of Europe member states.

## Case study – using technology to reach children and families

A number of Council of Europe member states are using popular technologies to engage with children and young people. The Austrian Federal Ministry of Families and Youth has complemented its workshops for young adults on sexuality and digital media ([www.sextalks.at](http://www.sextalks.at)) with broadcasts on WhatsApp, and a chat tool with weekly advice from its experts. In Spain, since October 2015 a special WhatsApp channel, “Canal Joven” provides information and guidance on issues relating to the privacy of minors in response to questions raised by children and their parents, guardians, teachers and schools. In Denmark, the Ministry of Education launched a youth-to-youth campaign on YouTube in November 2016. In ten videos, well-known YouTubers addressed the problems associated with sharing images and online communication. The campaign was developed in co-operation with Save the Children Denmark, the Danish Family Planning Association and Children’s Welfare in Denmark.<sup>116</sup>

Some countries report that they have developed apps to help children and families use the internet safely in real time. In Azerbaijan, the Kidsafe app enables families to apply parental controls to children’s online activities. In Montenegro, UNICEF has launched NET Prijatelji (NET Friends).<sup>117</sup> This is a game based app, aimed at preventing online violence against children and cyberbullying. Intended for children aged 9 to 11, it is formatted as a quiz with multiple choice answers. Through ten scenarios, it introduces a variety of potential situations showing children using the Internet on a daily basis. Virtual characters are the heroes of each story, as they deal with everyday situations. In Serbia, the Safer Internet Centre’s Net Patrola app enables members of the public to report suspected CSAM to the national hotline.

## Case Study – A single national centre for CSAM reporting, a child helpline and awareness

Since its launch by 11 European countries in 2004, the Insafe network of has grown to encompass national awareness centres, helplines and youth panels in 28 EU member states plus Iceland, Norway, Russia and

<sup>115</sup>WeProtect Global Alliance (2015) 25

<sup>116</sup> Lanzarote Committee: 2nd monitoring round reports from Austria, Denmark and Spain

<sup>117</sup> <https://www.fleka.me/en/portfolio/net-friends>



Serbia.<sup>118</sup> Under the framework of the European Commission’s Safer Internet Programme, INHOPE and Insafe have worked together for the last fifteen years to ensure a better and safer internet for young people. These combined strands are commonly referred to as Safer Internet Centres (SICs), operating in 30 European countries.<sup>119</sup>

Bosnia and Herzegovina’s IFS-Emmaus established a national CSAM hotline in 2010 with support from Save the Children and the Oak Foundation. In 2012, the hotline became a permanent member of the INHOPE network. By 2013, the hotline manager had become an INHOPE Board Member, serving as President of the association from 2014 to 2016. From the outset, the hotline was also involved in delivering education workshops to children, parents, and teachers. Incorporating the hotline, helpline and Safer Internet Centre into a single organisation brings a number of benefits. Costs are reduced, since the three functions can rely on the same infrastructure. Information can be shared easily between functions. For example, a call from a child or family to the helpline can result in the hotline acting to review and remove CSAM. Trends identified in reports to the hotline and calls to the helpline can be fed into educational materials and events, while information gained in the course of awareness raising can improve the knowledge and operating procedures of the hotline and helpline. The Safer Internet Centre provides a dedicated platform with vetted access for teachers and educators, from where they can download resources and materials.

## Case Study – National And International Awareness and Education Campaigns

Both Ukraine and the Republic of Moldova have used existing video materials from EUROPOL’s “Say No” sexual extortion prevention campaign, translating the content into their respective languages.<sup>120</sup> Both countries also made use of mainstream media, Ukraine working with morning TV shows and ensuring video material was broadcast during prime time, the Republic of Moldova securing both TV and cinema broadcasts, and display of awareness material on public transport. In this way, the Republic of Moldova and Ukraine sensitised the general public, as well as engaging in prevention activities with the target group of children and young people.

In the Republic of Moldova, internet safety is a mandatory part of the national school curriculum, with dedicated classes on protection of personal data and personal security. In Ukraine, the Office of the Commissioner for Human Rights for the President of Ukraine has launched the #stop\_sexting information campaign. This campaign includes a step by step lesson and discussion plan for teachers of young people aged 13 to 18. Internet service providers and mobile operators Kyivstar, Vodafone and Datagroup.

Securing community engagement in awareness raising can be challenging. For the #stop\_sexting campaign, the Office of the Commissioner for Human Rights for the President of Ukraine worked with the Ministry of Education to involve teachers throughout the country. The Ministry of Education in turn sent letters to the regional Departments of Education, urging them to use the materials developed in lessons.

<sup>118</sup> <https://www.betterinternetforkids.eu/documents/167024/184597/Joint+Insafe-INHOPE+Annual+Report+2014/c8be5b66-fedb-46e4-8b39-a0cadf401089>; <https://www.betterinternetforkids.eu/documents/167024/184597/Better+Internet+for+Kids+%28BIK%29%20project+-+2015-16+in+review/8d07bb3f-ad62-4c3f-b68c-3c75264e2cdb>;

<sup>119</sup> <https://www.betterinternetforkids.eu/web/portal/policy/insafe-inhope>

<sup>120</sup> The materials are also available in Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Norwegian, Polish, Portuguese, Romanian, Slovak, Slovenian, and Spanish - <https://www.europol.europa.eu/activities-services/public-awareness-and-prevention-guides/online-sexual-coercion-and-extortion-crime>

The Commissioner's Office also sent letters to the heads of regions, stressing the campaign's importance. Schools were incentivised to submit feedback on the programme: among the 700 items received were requests to develop materials for smaller children, children with disabilities, and parents. Some teachers reported that the programme had increased the level of trust between them and their students.

21,000 children were reached in the first round of training, and there were 300,000 views of the "Say No" video. A second set of materials includes a multi-media quest on grooming, sexting and sexual extortion for young people aged 13-14 and 15-18. An English version has been produced for volunteers who teach English in schools, and there are plans to share the materials in all summer camps in Ukraine.

A number of Council of Europe member states have delivered education programmes that specifically target young people's sharing of images produced by others. In 2017, the Danish Family Planning Association launched a campaign targeting schools with the theme "Rights offline-online", raising awareness about the issues raised by self-generated sexually explicit images and promoting the message "Ask before you share". In Latvia, The State Inspectorate for Protection of Children's Rights created a video campaign, "It's not funny if it hurts another";<sup>121</sup> while the NGO Centrs Dardedze organised a campaign named "I only forwarded it", to raise awareness among young people about the impact of sharing nude pictures of others on their mobile devices. In Norway, the Police's education programme for 13 to 16 year olds is called "Delbart?" ("Shareable?"). Its goal is to provide youth with knowledge about both the legal aspects and the personal consequences of sharing sexually explicit images, videos or content, and to improve their ability to make informed choices for themselves and others. Delbart also aims to teach youth how to help a friend by giving good advice concerning what to do in scenarios involving the sharing of sexually explicit images, videos or content.<sup>122</sup>

Based on information supplied in response to the second monitoring round of the Lanzarote Committee, it would appear that the majority of states parties have education and awareness raising campaigns aimed at parents and carers. Of note, programmes in Latvia and Norway seek to help parents explore internet safety with their children. The State Police in Latvia have issued an interactive workbook for parents that contains tips for explaining safety issues, and probing questions they can ask when talking to their children.<sup>123</sup> As part of its "Delbart" initiative, the Norwegian Police has produced an interactive game – "Snakke", meaning "Talk" – in which parents can practice talking about sensitive issues with children.<sup>124</sup>

In 2017, to celebrate the annual European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse, the Council of Europe published a series of video tutorials for parents on subjects such as the online protection of children, sexual extortion, self-generated sexually explicit images, grooming, and sexualised images used in revenge; a brochure on parenting in the digital age was also published.<sup>125</sup>

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<sup>121</sup> <https://www.youtube.com/watch?v=s-WedRyhCEw>

<sup>122</sup> Lanzarote Committee: 2nd monitoring round reports from Denmark, Latvia, Norway

<sup>123</sup> <http://www.vp.gov.lv/pasaka/>

<sup>124</sup> Lanzarote Committee: 2nd monitoring round reports from Latvia and Norway

<sup>125</sup> <https://www.coe.int/en/web/children/2017-edition>

## Prevention for Offenders and Potential Offenders

Although specified in Article 7 of the Lanzarote Convention, and reinforced in the WeProtect MNR as Capability 15 (Offender Support Systems), there are few preventative intervention programmes for people with a sexual interest in children. In response to the Lanzarote Committee's first monitoring round, Austria has reported that its Federal Ministry of Economy, Family and Youth provides funding for "Men counselling centres", offering advice and therapy to any man who fears that he might commit one of the offences mentioned in the Convention.<sup>126</sup> In Finland, Save the Children has partnered with the Criminal Sanctions Agency and the Hospital District of Helsinki and Uusimaa (HUS) to create the otanvastuun.fi ("I take responsibility") self-help programme for adolescents and adults who are concerned about their sexual interest in children.<sup>127</sup>

In Germany, Jugendschutz.net and Google have worked together to deliver a preventative response to web searches that indicate an affinity for CSEA. These trigger a notice to the user of the possibility of offences being reported to the authorities, while also signposting the therapeutic offer available from the prevention network "Kein Täter werden" ("Don't become a perpetrator").<sup>128</sup> Also in Germany, Project Dunkelfeld provides free and confidential outpatient preventative therapy to self-presenting paedophiles and hebephiles in twelve locations.<sup>129</sup> In The Netherlands, forensic psychiatry centre De Waag provides a similar service.<sup>130</sup>

In the UK, the Lucy Faithfull Foundation provides this type of programme, and also operates the StopItNow! helpline for adult abusers and those at risk of abusing;<sup>131</sup> family and friends concerned about an adult displaying worrying sexual thoughts or behaviour towards a child; and parents and carers concerned about a child or young person with worrying sexual behaviour. The aims of the service are to:

- Assist callers to identify the nature and seriousness of their concerns
- Provide information and support to callers to help them clarify their thinking
- Explore options available, including referral to the Foundation's follow-up service or to another agency
- Advise callers about further actions to consider
- Agree one or more protective actions the caller will take.<sup>132</sup>

Research evaluations have demonstrated both the value of and demand for these resources.<sup>133</sup> Furthermore, economic analysis has estimated that the UK helpline generates benefits in savings to the taxpayer of at least £425k per annum in terms of CSEA offences prevented.<sup>134</sup> The Lucy Faithfull Foundation can provide advice and assistance to countries looking to establish this capability. StopItNow! helplines and online resources have been established also in Belgium (Flemish community) and The Netherlands.<sup>135</sup>

<sup>126</sup> Lanzarote Committee: 2nd implementation report - <https://rm.coe.int/2nd-implementation-report-protection-of-children-against-sexual-abuse-/16808d9c85>

<sup>127</sup> Lanzarote Committee: 2nd monitoring round report from Finland; <https://www.pelastakaalapset.fi/en/our-work-in-finland/child-protection-and-finnish-hotline/otanvastuun/>

<sup>128</sup> Lanzarote Committee: 2nd monitoring round report from Germany

<sup>129</sup> <https://www.dont-offend.org/>

<sup>130</sup> <https://dewaagnederland.nl/nieuws/de-waag/stop-it-now-evaluatie/>

<sup>131</sup> <https://www.lucyfaithfull.org.uk/>

<sup>132</sup> <https://www.stopitnow.org.uk/how-the-helpline-works.htm>

<sup>133</sup> <https://www.dont-offend.org/documents/000/000/095/the-german-dunkelfeld-pr2014.pdf>; [https://www.stopitnow.org.uk/files/overview%20of%20study\\_complete%20web.pdf](https://www.stopitnow.org.uk/files/overview%20of%20study_complete%20web.pdf)

<sup>134</sup> <http://natcen.ac.uk/media/338803/stop-it-now-economic-analysis.pdf>

<sup>135</sup> <https://stopitnow.be/>; <https://downloaders.stopitnow.nl/>

## 8. Child participation in the development of policies and practices to prevent and combat OCSEA

Article 9.1 of the Lanzarote Convention states that

*“ Each Party shall encourage the participation of children, according to their evolving capacity, in the development and the implementation of state policies, programmes or others initiatives concerning the fight against sexual exploitation and sexual abuse of children. ”*

This requirement aligns with Capability 14 of the WeProtect Model National Response (MNR). As the MNR's explanatory guide notes,

*“ The requirement to ensure the ethical and effective involvement of young people flows from a country's international legal obligations under the UN Convention on the Rights of the Child (UNCRC). All states parties to the Convention have committed to ensuring that children's views will be sought and given due consideration in all matters affecting them, in accordance with the children's age and maturity (see Article 12 of the UNCRC). This acknowledges and respects children's dignity and agency. ”*

The Council of Europe's Child Participation Assessment Tool provides indicators for measuring progress in promoting the right of children and young people to participate in matters of concern to them.<sup>136</sup>

The Council of Europe Recommendation on participation of children and young people under the age of 18 (CM/Rec (2012)2) recognises respect for the views of the child (Article 12) both as a fundamental right and as a general principle of the UN Convention on the Rights of the Child.<sup>137</sup> The recommendation covers the rights of children and young people to be heard in all settings, including in schools, in communities and in the family as well as at the national and European level. It also contains guidelines for member states to follow in implementing the Recommendation such as protecting children and young people's right to participate, promoting and informing children and young people about participation, and creating spaces for participation. The Council of Europe Child Participation Assessment Tool provides specific and measurable indicators to measure progress in implementing the Recommendation on the participation of children and young people under the age of 18.

Children participated in the drafting process of the Council of Europe Committee of Minister's Recommendation on Guidelines to respect, protect and fulfil the rights of the child in the digital environment (CM/Rec(2018)7). The findings and opinions of the children were taken into consideration by the expert drafting group, and in some instances resulted in the wording of the recommendation being strengthened to better protect and uphold the rights of the child in the digital environment in line with the

<sup>136</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806482d9>

<sup>137</sup> [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805cb0ca](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cb0ca)

Opinions and needs of the children who had participated in consultations.<sup>138</sup>

The right to be heard drives child participation in some research on OCSEA, most notably the Global Kids Online initiative. Originating at the London School of Economics (LSE) as EU Kids Online, the research “gathers global evidence on children’s online rights, opportunities and risks”. Global Kids Online (GKO) is now led jointly by LSE and UNICEF Office of Research – Innocenti. Specifically, seeks to answer the following questions:

- When and how is internet and mobile use problematic in children’s lives – amplifying a range of risks of harm that undermine their well-being and infringe their rights if they are not protected?
- When and how does internet and mobile use benefit children’s lives – providing opportunities to learn, communicate and participate in ways that enhance their well-being and rights?<sup>139</sup>

It does so by asking children themselves about their online experiences, as well as parents and educators. Albania, Montenegro and Serbia participate. Research findings from the project help us understand that, for instance, in 2016 7% of Montenegrin children surveyed had received sexual messages online in the last twelve months,<sup>140</sup> and that girls in Serbia reported being more upset than boys by sexual content.<sup>141</sup>

In the context of the Lanzarote Committee’s second thematic monitoring round on the protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies, guidelines for the implementation of child participation workshops were developed to encourage child and youth participation in the responses from Council of Europe member states.<sup>142</sup> Organisations from ten states parties had contributed child participation reports to be taken into consideration during the second monitoring round. The 2019 edition of the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse is dedicated to child participation.<sup>143</sup>

Child and youth participation can therefore lead to more effective responses to OCSEA. As reported by the WeProtect Global Alliance:

**“** *In Albania, findings of a national research study on children’s online experiences have reaffirmed that children tend to rely on the views, counsel and advice of their peers over other influencers when it comes to their online experiences. A manual for peer educators is being prepared in collaboration with National Authority for Electronic Certification and Cybersecurity (AKCESK). Ministry of Education, Sports and Youth and UNICEF, and about 200 peer educators will be trained to educate over 10,000 children through information sessions across seven regions in Albania on online threats and on how to identify and prevent online violence. Moreover, the findings of the National Survey on Children’s Experiences Online will inform the scope, key knowledge gaps, attitudes and practices that will be addressed through education and awareness-raising activities for children including through peer educators.”* **”**<sup>144</sup>

<sup>138</sup> <https://rm.coe.int/it-s-our-world-children-s-views-on-how-to-protect-their-rights-in-the-/1680765dff>

<sup>139</sup> <http://globalkidsonline.net/about/why-global-kids-online/>

<sup>140</sup> [globalkidsonline.net/wp-content/uploads/2016/10/ida-presentation-for-website-final.pptx](http://globalkidsonline.net/wp-content/uploads/2016/10/ida-presentation-for-website-final.pptx)

<sup>141</sup> [http://globalkidsonline.net/wp-content/uploads/2016/05/Country-report\\_Serbia-final-26-Oct-2016.pdf](http://globalkidsonline.net/wp-content/uploads/2016/05/Country-report_Serbia-final-26-Oct-2016.pdf)

<sup>142</sup> <https://rm.coe.int/guidelines-for-implementation-of-child-participation-in-the-2nd-monito/16808a3956>

<sup>143</sup> <https://www.coe.int/en/web/children/2019-edition>

<sup>144</sup> WeProtect Global Alliance (2018b) p.14

## Case Study: Youth Councils

A number of focus countries have established youth councils or advisory panels, to ensure that children's views inform policy making and response delivery. The National Council of Children and Youth of Ukraine (NCCY) is a non-governmental organisation, founded with the support of the Office of the Commissioner for Human Rights for the President of Ukraine on the vision that children and youth are agents of change who participate on an equal basis with adults. It aims to help children and young people realise the right to participate, and creates a platform for them to develop the necessary competencies and gain practical experience. There are currently 60 members, including leaders of school councils and young people who have been through the institutional care system from all 25 regions. In December 2018, the council held its first national forum to create its strategic plan. The four strategic areas of activity are bullying and violence prevention, volunteering, reform of institutions for children and inclusion. The council is actively supported by the Ministry of Youth and Sports and the Ministry of Education and Science.

In Bosnia & Herzegovina, the Safer Internet Centre's Youth Panel participate in developing the awareness materials produced by the centre, and take part in public events to promote child online safety. In June 2019, Youth Panel members developed and led a workshop during a press conference to promote the activities of the Safer Internet Centre.<sup>145</sup> The centre has drafted terms of reference for children and teachers, so that everyone involved knows what is expected of them, and what they can expect.

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<sup>145</sup> <https://www.facebook.com/sigurnodijete/videos/1060039874384584>

## 9. Concluding Remarks

The task of this exercise has been to identify promising practices and common challenges. Across the Council of Europe member states, challenges are evident in the provision of legislation to combat online grooming that keeps pace with changing trends in OCSEA. Legislation that requires there to be an intention to meet for offline sexual activity does not provide for the increasingly common scenario in which a child is groomed entirely online to produce and send CSAM, without any offline contact.

At the same time, few States have established national research and analysis capabilities, management regimes for OCSEA offenders or support services for offenders and potential offenders that can prevent OCSEA. In a number of the ten focus countries, there appears to be an additional challenge in relation to law enforcement capacity and expertise. With the scale of OCSEA challenging even the best resourced law enforcement agencies around the world, the absence in some countries of teams dedicated full-time to OCSEA and with access to the requisite tools and information, hinders law enforcement's ability to safeguard children in a timely manner. There is therefore an opportunity for law enforcement in these countries to avail themselves of the assistance on offer from the international organisations identified.

At the same time, promising practices abound. It is clear that engagement in multi-disciplinary and interagency (MDIA) services for child victims is increasing in Council of Europe member states, as evidenced in levels of participation in the PROMISE project. In the ten focus countries, stakeholders have assumed global leadership roles in the provision of CSAM reporting and removal mechanisms, have successfully incentivised the education sector to contribute to awareness raising campaigns, and have optimised collaboration between hotlines, helplines and Safer Internet Centres. They are working to systematically improve justice professionals' expertise in relation to OCSEA and to make justice more child friendly. They use cutting edge application development to deliver assistance to children and families within the technology they use, and they are leading the way in youth participation in policy and operational responses.

The challenge of resourcing a comprehensive multi-stakeholder response to OCSEA remains, and is a cross-cutting issue that affects all Council of Europe member states. Nevertheless, there is much about which to be hopeful. It is therefore recommended that member states continue to strengthen holistic, multi-disciplinary responses to prevent and combat online child sexual exploitation and abuse at national level and by strengthening co-operation with the international mechanisms available.

## Research Limitations

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This report is the result of a rapid baseline mapping exercise that has drawn mostly on publicly available information. Unless otherwise stated in the text, it does not include sensitive data or proprietary data from privileged sources. Equally, an eight-week open source data collection cannot hope to uncover all promising practices in the ten countries, let alone across forty-seven Council of Europe member states. It can therefore be assumed that accuracy and completeness would be improved with more comprehensive data collection, including regular monitoring of developments at national level and direct access to all relevant stakeholders. Wherever possible, data obtained has been checked for accuracy. Given the limited data collection period, some data may be incomplete, particularly for those Council of Europe member states that were not among the ten focus countries for this exercise. Data obtained was also subject to manual collation and cleansing in a number of cases. The author will gratefully receive any suggested corrections to the data presented.



# Appendix 1 - Bibliography

## International Legal Instruments and Documentation

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# Appendix 2 - The WeProtect Global Alliance Model National Response

Enablers	Capabilities	Outcomes	
Cross sector, multi-disciplinary collaboration	<b>Policy and Governance</b> 	<b>1 Leadership:</b> An accountable National Governance and Oversight Committee	<b>Highest level national commitment to CSEA prevention and response</b>  Comprehensive understanding of CSEA within the highest levels of government and law enforcement. Willingness to work with, and co-ordinate the efforts of, multiple stakeholders to ensure the enhanced protection of victims and an enhanced response to CSEA offending.
		<b>2 Research, Analysis and Monitoring</b> National situational analysis of CSEA risk and response; measurements/indicators	
		<b>3 Legislation</b> Comprehensive and effective legal framework to investigate offenders and ensure protection for victims	
Willingness to prosecute, functioning justice system and rule of law	<b>Criminal Justice</b> 	<b>4 Dedicated Law Enforcement:</b> National remit, trained officers, proactive and reactive investigators, victim-focused, international cooperation	<b>Effective and successful CSEA investigations, convictions and offender management</b>  Law Enforcement and judiciary have the knowledge, skills, systems and tools required to enable them to perform victim-focused investigations and secure positive judicial outcomes. CSEA offenders are managed and reoffending prevented.
Supportive reporting environment		<b>5 Judiciary and Prosecutors:</b> Trained, victim focused	
		<b>6 Offender Management Process:</b> Prevent re-offending of those in the criminal justice system nationally and internationally	
		<b>7 Access to Image Databases:</b> National database, link to Interpol database	
Aware and supportive public and professionals, working with and for children	<b>Victim</b> 	<b>8 End to End Support:</b> Integrated services provided during investigation, prosecution and after-care	<b>Appropriate support services for children and young people</b>  Children and young people have access to services that support them through the investigation and prosecution of crimes against them. They have access to shelter; specialised medical and psychological services; and rehabilitation, repatriation and resocialization services.
Sufficient financial and human resources		<b>9 Child Protection Workforce:</b> Trained, coordinated and available to provide victim support	
		<b>10 Compensation, remedies and complaints arrangement:</b> Accessible procedures	
		<b>11 Child Helpline:</b> Victim reporting and support, referrals to services for ongoing assistance	
National legal and policy frameworks in accordance with the UNCRC and other international and regional standards	<b>Societal</b> 	<b>12 CSEA Hotline:</b> Mechanism for reporting online CSEA content, link to law enforcement and Internet Service providers	<b>CSEA prevented</b>  Children and young people are informed and empowered to protect themselves from CSEA. Parents, carers, teachers and childcare professionals are better prepared to keep children safe from CSEA, including addressing taboos surrounding sexual violence.
		<b>13 Education Programme:</b> For children/young people, parents/carers, teachers, practitioners, faith representatives	
		<b>14 Child Participation:</b> Children and young people have a voice in the development of policy and practice	
Data and evidence on CSEA	<b>Industry</b> 	<b>15 Offender Support Systems:</b> Medical, psychological, self-help, awareness	<b>Industry engaged in developing solutions to prevent and tackle CSEA</b>  Industry has the power and willingness to block and remove online CSEA content and proactively address local CSEA issues. Industry proactively reports online CSEA.
		<b>16 Takedown Procedures:</b> Local removal and blocking of online CSEA content	
		<b>17 CSEA Reporting:</b> Statutory protections that would allow industry to fully and effectively report CSEA, including the transmission of content to law enforcement and another designated agency	
Data and evidence on CSEA	<b>Media and Communications</b> 	<b>18 Innovative Solution Development:</b> Industry engagement to help address local CSEA issues	<b>Awareness raised among the public, professionals and policy makers</b>  Potential future offenders are deterred. CSEA offending and reoffending is reduced.
		<b>19 Corporate Social Responsibility:</b> Effective child focused programme	
		<b>20 Ethical and Informed Media Reporting</b> Enable awareness and accurate understanding of problem	
		<b>21 Universal Terminology</b> Guidelines and application	





This report provides an overview of responses to prevent and combat online child sexual exploitation and abuse in member states. Analysis is based on the Council of Europe Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Council of Europe Convention on Cybercrime (Budapest Convention), as well as selected capabilities identified in the WePROTECT Global Alliance Model National Response.

The report provides useful insights into the challenges and opportunities faced by member states to protect children against sexual exploitation and sexual abuse. Offering concrete examples of promising practices to inspire stakeholders and professionals to strengthen mechanisms to identify, rescue and support child victims; ensuring that harmful content is removed from the world wide web without delay and that electronic evidence is secured to ensure that perpetrators are apprehended and prosecuted.

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