

Version 17 February 2021

Online training course for the candidate magistrates in Turkey on countering online child sexual exploitation and abuse

Provided jointly by three Council of Europe Projects, *iPROCEEDS-2*, *EndOCSEA@Europe* and *Strengthening the Criminal Justice System and the Capacity of Justice Professionals on prevention of the European Convention on Human Rights Violations in Turkey*

Online, Kudo platform 23 – 25 February 2021

Outline

Background and Justification

Due to the ongoing Covid-19 pandemic, many businesses and institutions changed their activities from physical presence to an online environment, thus relying even more on technology. As criminals are adaptable by nature to the ongoing changes in a society, they also shifted their activities to the online world and preyed on the increasing number of internet users worldwide.

Children are particularly vulnerable to the increasing online threats while being more present on the Internet due to the fact that their education has also moved to online studies. According to Europol's Director, Catherine De Bolle, the European Union Agency for Law Enforcement Cooperation detected increased online activity by "those seeking child sexual abuse material" in these times of coronavirus pandemic. In their statement on the protection of children against sexual exploitation and abuse in times of the Covid-19 directed at State Parties, Mr George Nikolaidis, Lanzarote Committee Chairperson and Ms Christel De Craim, Lanzarote Committee Vice-Chairperson, pointed out the importance of implementing the Council of Europe Convention on the protection of sexual exploitation and sexual abuse (the Lanzarote Convention) to guarantee that "all children are confined in safe environments" where they are protected from online threats determined by an increase in screen time, including, but not limited to grooming, sexual extortion and/or "other sexual exploitation facilitated by information and communication technologies."

Further knowledge on the specificity of this type of criminal activity is of particular importance for candidate magistrates in order to investigate and prosecute and judge effectively such crimes while putting the best interest of the child at the center at each step of criminal proceedings.

Further to the previously online training course that was provided to acting magistrates in Turkey and based on its success, the need to provide a similar training to candidate magistrates was raised in order to enhance their capabilities in handling this type of criminal activity.

Under result 6, *Judicial training on cybercrime and electronic evidence*, the iPROCEEDS-2 Project is therefore organizing an online training course, in collaboration with the Council of Europe project to end online child sexual exploitation and abuse (EndOCSEA@Europe) and the EU/CoE Joint Project on “Strengthening the Criminal Justice System and the Capacity of Justice Professionals on Prevention of the European Convention on Human Rights Violations in Turkey (Criminal Justice System II)” which supports notably training and improved capacities of law enforcement officials, judges and prosecutors and promote multi-disciplinary interagency cooperation for end-to-end support for victims.

The course will focus amongst others on several topics of importance in relation to online child sexual exploitation: legislation on OCSEA, collection and handling of electronic evidence when dealing with this type of criminal activity, standards and procedures when dealing with the child victim and the protection of the child victim in criminal proceedings.

Objectives

Carried out under result 6 of the iPROCEEDS-2 project (*Judicial training on cybercrime and electronic evidence and related financial investigations and anti-money laundering measures with a focus on data protection and rule of law safeguards*), under result 2 of the Criminal Justice project (*to enhance knowledge and skills of the Turkish legal professionals to apply European human rights in the field of criminal justice*) and within the framework of the second objective of the project EndOCSEA@Europe *to enhance the knowledge, skills and capacities for effective and successful investigation, prosecution and conviction of online child sexual exploitation and abuse*, the online training for the judicial sector in Turkey on OCSEA aims to cover various topics from legislation to executive powers, electronic evidence and procedures and systems for international cooperation.

It will more specifically offer a set of information related to the legislative framework that covers this type of crime in light of the Council of Europe Conventions on Cybercrime, the Lanzarote Convention and European Convention on Human Rights, the particularities of electronic evidence in relation to OCSEA and ways to secure it and provide the means to protect the child victim throughout the proceedings.

Expected Outcomes

The training course is expected to provide candidate magistrates with further knowledge on the international legislation and the reactive measures that are used in investigations of OCSEA but

also to the particularities of this type of criminal activity. The training course will be further adapted into Turkish legal context, addressing both legislative and practical challenges in that regard.

As this type of online crime has as victim the child, the training course is also expected to provide the Turkish representatives with information on how to protect this particularly vulnerable subject throughout the respective trial.

In a broader sense, the outcome of this training course will be an enhancement of the capabilities of the judicial sector in Turkey in dealing with the criminal activity of online child sexual exploitation. The output will be in line with iPROCEEDS-2 result 6, delivering a specialized and targeted training course, but also with the project's specific objective that is related, amongst other issues, to securing electronic evidence, as well as in line with EndOCSEA@Europe objective to deliver support to focus countries of the project, including Turkey.

Finally, the Justice Academy will benefit from the online interactive methodology applied during the course delivery.

Participants

The event will be attended by Turkish candidate judges and prosecutors.

Administrative arrangements

The training course will take place in an online environment and will be delivered through the KUDO platform with provided translation from/to Turkish/English. It will be organised for three days, in the period of 23-25 February 2021 with 14:00 as starting and 17:00 as ending hours (Turkey time, UTC+3h).

Programme

Tuesday, 23 February 2021

IDENTIFYING OCSEA OFFENCES IN PRACTICE

14h00	<p>Opening remarks</p> <ul style="list-style-type: none">• Muhittin OZDEMIR, President of the Justice Academy;• Cristian URSE, Head of Office, Council of Europe Programme Office in Ankara;• Virgil SPIRIDON, Head of Operations, Council of Europe Cybercrime Programme Office (C-PROC); <p><i>Moderators:</i> Stéphanie BUREL, Project Manager EndOCSEA@Europe Alexandru CRISTEA, Project Manager iPROCEEDS-2 Elena JOVANOVSKA-BREZOSKA, Project Coordinator, Human Rights National Implementation Division</p>
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14h15	<p>Session 1: Introduction to legislation on OCSEA/Overview of OCSEA substantive offences of the Lanzarote convention</p> <p>What the Lanzarote Convention says, discussion of offences relating to child abuse, child pornography and corruption of children - Articles 18, 20, 21 and 22.</p> <p><i>Rajka VLAHOVIC, Council of Europe independent expert</i></p> <p>Illustrative case studies and discussion of relevant Turkish national law <i>Rajka VLAHOVIC, Council of Europe independent expert</i> <i>Leyla KESER, Council of Europe national consultant</i></p> <p>Q&A Session</p>
15h30	Short break
15h45	<p>Discussion of offences relating to child prostitution and online solicitation of children - Articles 19 and 23.</p> <p>Illustrative case studies and discussion of relevant Turkish national law <i>Rajka VLAHOVIC, Council of Europe independent expert</i> <i>Leyla KESER, Council of Europe national consultant</i></p> <p>Q&A Session</p>
16h30	<p>Obtaining electronic evidence - introduction to the procedural provisions of the Budapest Convention - discussion of procedural and investigative provisions - BC Articles 16 - 21</p> <p><i>Rajka VLAHOVIC, Council of Europe independent expert</i></p>
16h55	Final Q&A session
17h15	End of day 1

Wednesday, 24 February 2021

EFFICIENT REACTIVE INVESTIGATIONS - IDENTIFICATION OF OFFENDERS, SAFEGUARDING OF VICTIMS AND OBTAINING SUITABLE EVIDENCE

14h00	<p>Overview of relevant national laws, current practices and challenges in light of current proposals of legal reforms concerning e-evidence</p> <p><i>Kaan YUKSEL, Trainer of the Turkish Justice Academy</i></p>
14h20	<p>Session 3: Electronic Evidence and Analyzing Images</p> <p>Electronic Evidence and Analysing images: standards and procedures</p> <p>Case study and discussion <i>Andrea BRADLEY, Council of Europe independent expert</i> <i>Kaan YUKSEL, Trainer of the Turkish Justice Academy</i></p> <p>Q&A session</p>
15:45	Short break
16:00	<p>Session 4: Dealing with Child Victim: standards and procedures</p> <p>Case study and discussion <i>Andrea BRADLEY, Council of Europe independent expert</i> <i>Kaan YUKSEL, Trainer of the Turkish Justice Academy</i></p> <p>Q&A Session</p>
17h30	End of day 2

Thursday, 25 February 2021

PROTECTING THE CHILD VICTIM OR WITNESS THROUGHOUT CRIMINAL PROCEEDINGS

14h00	<p>Session 6: Recognizing harm caused to victims and protecting children during and after criminal proceedings</p> <p>Case study, international and CoE standards <i>Maria Andriani KOSTOPOULOU, Council of Europe Independent Expert</i></p> <p>Overview of current challenges in Turkey to assist and protect children who are victims or witnesses throughout criminal proceedings <i>Hatice KAYNAK, Council of Europe national consultant</i></p> <p>Q&A Session</p>
15h10	Short break
15h20	<p>Session 7: Sex offender management and screening of professionals</p> <p>International and CoE standards <i>Maria Andriani KOSTOPOULOU, Council of Europe Independent Expert</i></p> <p>Presentation of the current situation in Turkey: overview of the current legal framework and practices <i>Hatice KAYNAK, Council of Europe national consultant</i></p> <p>Q&A Session</p>
16h10	<p>Session 8: Online Child Sexual Exploitation Capacity Building</p> <p><i>Guillermo GALARZA, Director, International Law Enforcement Training & Technology International Centre for Missing & Exploited Children</i></p> <p>Q&A Session</p>
16:45	<p>Discussion and way forward</p> <ul style="list-style-type: none">• Council of Europe• Turkish Justice Academy• Experts• Participants
17h15	End of training course

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