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LANZAROTE CONVENTION

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

Comments on the replies to the thematic questionnaire

FINLAND

SAVE THE CHILDREN FINLAND and
CENTRAL UNION FOR CHILD WELFARE

2nd thematic monitoring round

“The protection of children against sexual exploitation and
sexual abuse facilitated by information and communication
technologies (ICTs)”

Replies registered by the Secretariat on 11 January 2018

Save the Children Finland and Central Union for Child Welfare would like to thank the Lanzarote Committee for raising up this important topic, since the digital media has become a crucial part of children's everyday lives.¹

Awareness raising and curriculum

As mentioned in the state's reply, there are many different activities produced by NGOs, funded by the state, for children's media use, safety, and bullying. In addition, Finnish national curriculum includes health education, which, as mentioned in the reply of the State "touches upon sexuality, various aspects of sexual health and the diversity of sexual development." There is also "discussion of sexuality and bullying/harassment in other subjects such social studies, ethics, psychology and biology in the curriculum." However, this kind of "fragmentation" of learning involving multiple learning providers and delivery models creates a situation where it is unclear how much children are being taught about sexual exploitation, abuse and harassment.

To protect children from all kinds of sexual exploitation, abuse and harassment both online and offline, a comprehensive and strategic approach to this specific topic is required. Children should be taught to recognize sexual abuse and harassment, to enhance their own capacities to recognise possible risks, and to be familiar with the help and support services. Most vulnerable children, such as children with different abilities, children placed in alternative care or children in social protection services, need additional support. A comprehensive approach requires human rights education, media education and sexual education, especially about safety skills.

Higher education curriculum and continuous training

The state has the responsibility to protect children from sexual exploitation, abuse and harassment under the Lanzarote Convention but also under the Convention of the Rights of the Child (art. 19). Because of the independency of universities, the amount and the quality of education about sexual exploitation, abuse and harassment against children varies. Capacity building in schools and in school staff is needed to create equal knowledge and support to all children. Higher education requires a strategic approach to fully equip future teachers about the topic as well as train current teachers about new trends related to sexual abuse and harassment in rapidly changing digital media.

Research

According to National School Health Promotion Study and Child Victim Study experiences of sexual harassment among youth are decreasing in Finland. Although, studies do not give information about all forms of sexual harassment and abuse happening online. EU Kids Online also underlines: higher the use, higher the possibilities to face risks online. Sexual

¹ EU Kids Online, 2017. <https://isedesignunit.com/EUKidsOnline/html5/index.html?page=1&noflash>

harassment and abuse against children are hidden crimes. It is common, that a child or a young person does not understand being a victim of harassment or abuse.²

Based on the work of Finnish Hotline Nettivihje, we estimate that clear majority of children are producing and sharing nude images or explicit nude images in Finland. So-called sexting, sending and receiving nude images, could be part of relationships and expressing one's sexuality. Although, among young people, social acceptance of peers or peer pressure can also be the reason of producing and sharing self-generated nude / explicit nude images. There might also be unwanted consequences in sexting, e.g. bullying or even sexual harassment or sextortion.

There is one extremely serious case known in Finland, where young girl killed herself in the end of sextortion. Other cases related to sextortion, sharing nude images in the purpose of revenge, bully or humiliate someone is also known by analysts working in Finnish Hotline Nettivihje.

More comprehensive research data about the harassment and abuse among children in Finland is needed to fully understand the phenomenon. More research is needed about the experiences and behaviour of children online to better protect children from sexual exploitation and abuse and in order to develop a national action plan to protect children, national curriculum, early childhood education and services for victims of abuse.

In 2018, Save the Children Finland is conducting a survey about peer-based online sexual harassment amongst children and youth. The goal is to have more information about the topic as well as about obstacles in reporting about harassment or abuse.

Protection

In Finland, related to the implementation of Istanbul Convention, new Seri Support Centres for victims of sexual abuse have been established and more centres are planned to be open in other cities as well.³ Although, services are offered only for 16 years old and older. This creates a situation, where help services for adults are, in fact, much better than services for children in Finland. Even though, the Istanbul Convention concerns also all children under the age of 18 (art. 3f) and Lanzarote Convention requires effective and multidisciplinary support for child victims of abuse. In addition to this, there is no official Current Care Guidelines about the treatment and care of child victims of sexual exploitation and abuse in Finland.

² For example: Humpi, S-M. & Ellonen, N. 2010. Lapsiin kohdistuva väkivalta ja hyväksikäyttö; Saunders, B.E. & Adams, Z. W. 2014. Epidemiology of Traumatic Experiences in Childhood. Child and Adolescent Psychiatric Clinics of North America. April 23(2): 167–184.

³ Seri Support Center.

<http://www.hus.fi/en/medical-care/hospitals/womens-hospital/outpatient-clinics/Pages/Seri-Support-Center.aspx>

Lack of resources in Finnish National Bureau of Investigation, especially in the CAM Group, (in the state's reply q 13.2) as well as in the prosecution phase is violating child victim's right to protection (CRC, art. 39; CRC – OP2, art. 8). Lack of resources influence the length of the criminal proceedings, which are often unnecessary long. More focus need to be on victim identification in the cases related to child sexual abuse material (CSAM).

Save the Children Finland (In state's reply q. 2.1 ja 6.1) is hosting Finnish Hotline Nettivihje⁴, which is a web-based service for public to anonymously report especially child sexual abuse material. Nettivihje is a member of INHOPE and ECPAT. The cooperation with the Finnish National Bureau of Investigation (in states 13.2, p. 22) has been in place over fifteen years.

In order to tackle online child sexual exploitation and abuse, the comprehensive national action plan against sexual violence of children is required, including e.g. A Model National Response⁵ where Finland is also committed. Online related sexual crimes also require effective cooperation between the state, NGOs as well as ICT-industry. (In state's reply, q. 16).

A comprehensive approach to tackle online child sexual abuse in Finland also requires, as mentioned in the in the Lanzarote Convention (art. 7), effective preventative intervention programs for persons sexually interest in children. In 2015, Save the Children Finland published the first self-help material for people who are sexually interested in children. This material has been widely used amongst professionals working in the field. The self-help material won the National Crime Prevention Price in 2015. In January 2018, new self-help material will be published in Mental hub webpage. Save the Children Finland developed the material in cooperation with the Criminal Sanctions Agency and the Hospital District of Helsinki and Uusimaa. The material is targeted for adults and adolescents worried about their sexual interest in children. In Finland, help-programs are mostly targeted for those already committed a crime. Although, there is positive development since Sexpo Foundation, Välitä! –project and Serita project received funding to offer support and therapy for people worried about their sexual interest in children. Still, there are no support and therapy services available outside Tampere, Helsinki and Oulu for potential offenders.

Legislation

In order to fight against the dissemination of illegal child sexual abuse material online, all kind of websites related to sexual abuse or offering an access to illegal material (e.g. "gateway sites") need to be confirmed as illegal activity under the Finnish law. As mentioned in the Declaration on web addresses advertising or promoting child sexual abuse material or images or any other offences established in accordance with the Lanzarote Convention (2016). As well as in the Directive 2000/31/EC (e-commerce): In order to benefit

⁴ Finnish Hotline Nettivihje, Save the Children Finland. <https://www.pelastakaalapset.fi/en/our-work-in-finland/children-and-digital-media/finnish-hotline-nettivilhje/>

⁵ <http://fund.end-violence.org/sites/default/files/WePROTECT%20-%20Model%20National%20Response.pdf>

from a limitation of liability, the provider of an information society service, consisting of the storage of information, upon obtaining actual knowledge or awareness of illegal activities has to act expeditiously to remove or to disable access to the information concerned; the removal or disabling of access has to be undertaken in the observance of the principle of freedom of expression and of procedures established for this purpose at national level; this Directive does not affect Member States' possibility of establishing specific requirements which must be fulfilled expeditiously prior to the removal or disabling of information. (art. 46).

There are also images that are not illegal child sexual abuse material under the Finnish law, but are clearly violating the rights of the child. Such images, so called Grey Area –images, are often posed depictions or everyday depictions of a child in a sexualised context.⁶ As noticed recently, the phenomenon is rapidly growing and more and more of children's everyday depictions end up in websites used for people sexually interested in children. All images clearly violating the rights of the child need to be addressed as illegal.

Recommendations

Save the Children Finland and Central Union for Child Welfare recommends that the state of Finland makes proceedings:

- To secure equal safety skills education for all children. A new approach is needed in the Curriculum as well as in the early childhood education, where sexual education and media education both include safety skills, human rights education about a child's rights and responsibilities in digital media. Higher education requires a strategic approach to fully equip future teachers about the topic as well as train current teachers about new trends of sexual abuse and harassment in rapidly changing digital media;
- To start A National Action Plan of Actions for implementation of Lanzarote Convention and protection of children from all kind of sexual violence;
- To act in order to facilitate equal care and treatment services for all child victims of sexual violence and abuse despite the residency;
- To add financial resources on the investigation of sexual crimes against children and the identification of child victims as well as into prosecution phase in order to solve sexual crimes against children avoiding unnecessary delay;
- To make necessary legislative changes to effectively tackle sexual abuse and exploitation against children online, especially website connected to CSAM and everyday depictions of children used for sexual purposes;

⁶ I-Kiz, 2016. Combat of the Grey Areas of Child Sexual Exploitation on the Internet. http://www.i-kiz.de/wp-content/uploads/2016_I-KiZ_Grey_Areas.pdf; IL (5.1.2018) Poliisilta varoitus lasten nettikäytöksestä: Selfie-kulttuuri sataa suoraan pedofiilien laariin. https://m.iltalehti.fi/digi uutiset/201801052200647897_dx.shtml?orig_ref=https%3A%2F%2Ft.co%2F1zfyEYwik e

- To further strengthen the cooperation between the state, NGOs and ICT-industry in protecting children from all kinds of sexual exploitation and abuse.

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