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## **LANZAROTE COMMITTEE / COMITE DE LANZAROTE**

### **Compilation of Replies to Question 6 (Assistance to victims)**

of the Thematic Questionnaire on the protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)

### **Compilation des réponses à la Question 6 (Assistance aux victimes)**

du Questionnaire Thématique sur la protection des enfants contre l'exploitation et les abus sexuels facilités par les technologies de l'information et de la communication (TIC)

**Question 6. Assistance to victims**

6.1. What specific reporting mechanisms, including helplines, are in place to ensure that child victims of exposure online of:

- a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
- b. self-generated sexual content are provided with the necessary support, assistance and psychological help?

6.2. What legislative or other measures have been taken to ensure that child victims of online exposure of:

- a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
- b. self-generated sexual content are provided with the necessary support, assistance and psychological help?

→ Please provide, if any, information on the number of victims who received support, assistance and psychological help in the above mentioned specific contexts (questions 6.1 and 6.2).

**Question 6. Assistance aux victimes**

6.1. Quels mécanismes de signalement et/ou services d'assistance téléphonique ont été mis en place pour veiller à ce que les enfants victimes d'une exposition en ligne à :

- a. des images et/ou des vidéos sexuellement explicites autoproduites puissent bénéficier de l'aide, de l'assistance et du soutien psychologique nécessaires ?
- b. des contenus à caractère sexuel autoproduits puissent bénéficier de l'aide, de l'assistance et du soutien psychologique nécessaires ?

6.2. Quelles mesures législatives ou autres ont été prises pour veiller à ce que les enfants victimes d'une exposition en ligne à :

- a. des images et/ou des vidéos sexuellement explicites autoproduites puissent bénéficier de l'aide, de l'assistance et du soutien psychologique nécessaires ?
- b. des contenus à caractère sexuel autoproduits puissent bénéficier de l'aide, de l'assistance et du soutien psychologique nécessaires ?

→ Veuillez indiquer, le cas échéant, le nombre de victimes ayant reçu une aide, une assistance et un soutien psychologiques dans les contextes particuliers évoqués ci-dessus (questions 6.1 et 6.2).

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## COMPILATION of replies / des réponses<sup>1</sup>

### ALBANIA / ALBANIE

#### State replies / Réponses de l'Etat

##### Question 6.1.a. and b.

The Law 18/2017 "On the Rights and protection of the child" has introduced the obligation of everyone to report cases of abuse and violence against children, even when there is a reasonable doubt. The obligation is for the whole public, however it is more specifically directed to professionals, who may incur penalties if failing to report such cases.

The National Platform for Child Safety Online ([www.ISIGURT.al](http://www.ISIGURT.al)) is a tool for reporting illegal or unsafe content for children and young people or any incidents. The National Platform is accompanied by a Mobile App (called ISIGURT) that has direct links to reporting incidents or calling directly child helpline services.

ALO 116-111 (the Albanian National Child Helpline) provides free of charge 24/7 access to children and young people to report any incidence or ask for information on internet safety, personal safety etc.

A counselling website has been launched in 2016: [www.nukjevetem.al](http://www.nukjevetem.al) where children and young people can seek advice on issues that concern them.

The State Agency for the Protection of Children's Rights has established memorandum of understanding and protocols with both these services (helpline and website) to ensure timely and effective reporting to authorities of cases of child abuse. The State Agency for the Protection of Children's Rights signed in April 2016 the cooperation agreement with the National Children's Counseling Line Alo 116 111. This agreement aims to improve the referral system for children at risk, through increased cross-sector co-operation and co-ordination work between public and non-public structures. The agreement also aims to improve the data collection, analysis and reporting system as well as the broader awareness of children and the public in general about the rights and protection of the child.

The National Police Authority also provides a free phone number (112) and a web-based reporting when it comes to cybercrimes, but not specifically for children and young people.

##### Question 6.2.a. and b.

Law no. 18/2017 "On the Rights and Protection of the Child" provides for the protection of children from any form of violence and abuse, including those form of violence and abuse facilitated by the digital environment. It also provides protection against Trafficking and any Form of Sexual Exploitation and Abuse of (Article 26) and Protection of the child from access to materials of harmful or illegal content on Internet (Article 27).

This law provides a good entry point for taking action to block content that can be inappropriate or is illegal for children and young people. The new law stipulates that Internet providers, educational institutions and any other public or private institution providing Internet access shall apply technical tools and other measures for the protection of children from access to materials of harmful or illegal content on the Internet, according to the legislation in force.

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<sup>1</sup> The full replies submitted by States and other stakeholders are available at / Les réponses intégrales des Etats et autres parties prenantes sont disponibles ici : [www.coe.int/lanzarote](http://www.coe.int/lanzarote)

Most importantly the law establishes the legal framework for an integrated child protection system, which provides assistance and support to all children at risk. Children that are victims of exposure of self-generated sexually explicit materials are subject to the protection granted from this law. The law has established child protection workers and units in all municipalities, that adopt a case management approach, i.e. evaluate and establish an individual protection plan based on the needs and the risk situation of each specific child. The law has also introduced a multi-agency approach to child protection obliging other professionals to collaborate in the case management and service provision for each child as per the child protection plan.

However, difficulties have been encountered in cases of children victims of sexual abuse, in providing adequate and quality psychological support. This is due to the profession of the psychologist being a very new profession in Albania, and lack of professionals at the local level.

In 2016, the "Child Safety Cooperation Agreement on the Internet" was signed between the four ministries: the Ministry of Innovation and Public Administration, Ministry of Education and Sports, Ministry of Social Welfare and Youth and Ministry of Internal Affairs. This agreement was supported by UNICEF Albania and a local NGO, CRCA. Based on this agreement, the signatories undertake to strengthen the right legal framework, protect victims of online sexual abuse and exploitation, identify abusers and establish a constant dialogue with civil society actors and communication industries and the online child safety online. An action plan has been drafted to implement the agreement but not yet officially approved.

In 2017, the Albanian government adopted the National Agenda for the Protection of Child Rights 2017-2020. One of the key objectives of the Agenda is to strengthen the protection of the children online through the strengthening of legislation and policy framework, and adoption of standards for safe internet, capacity building of professionals, monitoring and inspection.

Another important development in the framework of improving the legislation in the last year is the approval of the legal package on the justice reform, where emphasize the adoption of the Juvenile Justice Codes (Law No. 37/2017) as very important. This law contains several instruments and more safeguards for child protection and makes a fuller adjustment to many aspects of juvenile justice. Along with the package of other adopted laws as well as the other steps of reform on justice, it is expected that there will be a direct impact on child protection in court proceedings where they are involved.

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Current data from the child protection structures show that no such specific cases have been identified or referred to the referral system related to the specific issues covered in this questionnaire.

### **Comments sent by / Commentaires envoyés par ECPAT, CRCA, ALO 116 and / et ANYN**

#### **Question 6.1.a. and b.**

**The National Platform for Child Safety Online** ([www.ISIGURT.al](http://www.ISIGURT.al)) is the designed tool for anyone to report illegal or unsafe content for children and young people or any incidents. The National Platform is accompanied by a Mobile App (called ISIGURT) that has direct links to reporting incidents or calling directly child helpline services.

**ALO 116-111** (the Albanian National Child Helpline) provides free of charge 24/7 access to children and young people to report any incidence or ask for information on internet safety, personal safety etc.

The National Police Authority also provides a free phone number (112) and a web-based reporting when it comes to cybercrimes, but not specifically for children and young people. The capacities of the Police

are limited only to illegal content and because the legislation in Albania is limited to such protections, often they find themselves unable to protect children and young people from online abuse or exploitation.

#### **Question 6.2.a. and b.**

Albania has limited legislative and institutional capacities to protect children from online abuse and exploitation. Despite the efforts to work seriously on these issues, there is an immense difference between the reality of the online threats against children and young people and what the Government, Police and Justice System does to protect them.

The Albanian Criminal Code provides little protection to almost nothing when it comes to crimes committed online against children. The Criminal Code lacks basic concepts and protections for any form of online abuse and exploitation, unless it is child pornography. However, the Code doesn't cover crimes committed against children online such as grooming, sexting, identity theft, sexual content and chatting etc.

CRCA Albania during 2016 drafted legal recommendations to amend the Criminal Code and submitted them for consideration and approval to the Albanian Parliament. As of October 2017, the recommendations haven't been taken yet in consideration.

The new law on Child Rights and for Child Protection in Albania (of 2017) provides a good entry point for taking action to block content that can be inappropriate or is illegal for children and young people. However due to the fact that content is regulated also by the freedom of information legislation, new methodologies, guidelines and bylaws may be needed to be developed and approved by the National Council for Child Rights and Child Protection in Albania.

Finally, Albania it does a lesser faire legislation when it comes to the regulation of ISPs and the content they maintain or keep online. The National Authority of Communications and Posts doesn't have (unless is related to cyber security or child pornography) any regulations when it comes to blocking access to certain types of online information or imagery. The lack of regulations has made it almost impossible to block content that could present a real danger or risk to children and young people.

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ALO 116-111 in Albania provides assistance to almost 100 children and young people every year. Meanwhile, there are more than 1,000 children and young people in a year that would call ALO 116-111 to ask for information on these issues.

## **ANDORRA / ANDORRE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Le Protocole d'assistance pour les enfants en danger (PACIP, *Protocol d'actuació en casos d'infants en perill*) établit que lorsque la situation d'une éventuelle victime mineure est détectée, les différents niveaux du Protocole doivent être activés en fonction du risque correspondant.

En cas d'une éventuelle situation d'exploitation en ligne, le niveau 1 doit être activé : à ce moment-là, le Service Spécialisé pour la Protection de l'Enfance (SEAI) accompagne à la fois le mineur et sa famille, et met en œuvre toutes les ressources pour aider à la fois l'enfant et sa famille.

À part l'activation du PACIP, les possibles situations d'enfants en danger peuvent également être notifiées par le biais d'un courrier électronique à destination de la Section d'Assistance aux Enfants et Adolescents ([infancia@govern.ad](mailto:infancia@govern.ad)) qui est publié sur le site du Département des Affaires sociales, ou en

appelant le numéro de téléphone de ce même Département (+376874800).

Les Forces de Police d'Andorre disposent également d'un site web à travers lequel n'importe quel citoyen peut, de façon anonyme, faire des réclamations, des suggestions, apporter des informations et, bien évidemment, émettre des plaintes de toutes sortes qui seront d'abord traitées par la police comme des informations et non pas comme des plaintes officielles mais qui, une fois analysées et vérifiées, pourront donner lieu à l'ouverture d'une enquête.

**Question 6.2.a. and b.**

La loi 6/2014 du 24 avril sur les services sociaux expose le besoin de créer un service de soutien aux victimes d'abus et principalement d'abus sexuels. Il est prévu d'introduire un changement dans le PACIP : le Service d'Information et d'Orientation pour les Victimes et les Familles (SIOVF).

Ce service est composé de spécialistes appartenant à la Section d'Assistance aux Enfants et Adolescents, dont le but est de garantir les droits et le rétablissement des victimes et des familles concernées. Cette intervention est effectuée dans le contexte de la déclaration de cas d'abus sexuel et de violence physique, lorsque le mineur présente une vulnérabilité.

Les fonctions correspondant à ce service sont les suivantes :

- Accompagner la victime et la famille lors des actions policières et judiciaires engagées, suite à la plainte déposée pour ces raisons.
- Informer la famille des actions qui seront menées tout au long du processus.
- Assurer les droits de la victime, activation des ressources sociales nécessaires pour obtenir une aide psychosociale ou psychologique gratuite visant le rétablissement de la victime, dans le cas où la famille n'aurait pas les moyens financiers pour faire face à ces dépenses ou à d'autres ressources qui pourraient être nécessaires.

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No reply to this question / Pas de réponse à cette question

**AUSTRIA / AUTRICHE**

**State replies / Réponses de l'Etat**

**Question 6.1.a. and b.**

Child victims of online exposure of self-generated sexual content are provided with the necessary support, assistance and psychological help by the general helpline for victims 0800 112 112, which is accessible cost-free twenty-four-seven. Furthermore in addition to regular police reporting systems and the right to get proper support for victims, the Interior Ministry did supporting and working close together with an external helpline called "Rat auf Draht" as well as with "Safer Internet". Both Organizations are aiming at providing support and sharing information about issues like the mentioned ones. "Rat auf Draht" is a helpline especially for kids, also with psychological trained persons while "Safer Internet" is dealing with the whole range of risks and chances online, for kids as well as for adults.

In each of the nine federal states of Austria an "Ombuds office for Children and Youths" (kija) has been legally established. They can be contacted in cases e.g. of conflicts with parents, teachers, friends and colleagues, violence or sexual assault or the breach of law. Their task is also to help the children by giving assistance and counsel to them. Concerning assistance provided by the "Länder" e.g. according to § 2 Tiroler Kinder- und Jugendhilfegesetz (TKJHG), LGBl. Nr. 150/2013 idF LGBl. Nr.32/2017, social services of the child- and youth welfare offer help for parents, young people, and minors. The service offering



covers among others consultation for minors, school social work and child protection institutions. The Tyrolean regional authority has to provide for the necessary social services (§ 18 TKJHG). Article 13 of the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (Lanzarote Convention) lays down that the member states shall take the necessary legislative or other measures to encourage and support the setting up of information services, such as telephone or internet helplines, to provide advice to callers, even confidentially or with due regard for their anonymity. The child protection institutions which are spread throughout Austria have the appropriate information structure. The "Tiroler Kinder und Jugend GmbH" offers free personal and telephone advice for children and young people.

The purpose of school social work is consultation and assistance relating to students in coordination with measures of the school administration (§ 20 para 2 TKJHG). The costs of the school social work are financed by the Tyrolean regional authority and the municipalities (§ 15 para 7 TKJHG).

In the context of school social work the social workers directly take action in the area of schools. They operate as a kind of "turntable" because they help to find the appropriate help system for the prevailing target group. The activity focuses on prevention in terms of new media (e.g. information and communication technologies), violence and sexuality. § 37 Bundes-Kinder- und Jugendhilfegesetz 2013 (B-KJHG 2013) lays down that in case of a reasonable suspicion of a threat to the child welfare the local child- and youth welfare services has to be informed about that and a written report has to be sent. There is a duty to report among others for professionals, public authorities and other facilities. This regulation is directly applicable federal law for the Tyrol. Further to that, the "Children's and Young People's Advocacy" ("Kinder- und Jugendanwaltschaft Tirol") is one of the first places to go when children need help and support. This also includes victims of exposure online of self-generated sexually explicit images/videos or self-generated sexual content.

#### **Question 6.2.a. and b.**

A variety of victim support organisations, e.g. women shelters, violence intervention centres, women- and men counselling centres and the "white ring" offer counselling and support for victims of violence. The helplines mentioned under point 6.1. inform children about the possibilities of support and put them in touch with the victim support organisations.

Children that have become victims of crimes can get psycho-social or legal assistance during civil and criminal proceedings. The psycho-social and legal assistance is carried out by victim organisations that have a treaty with the ministry of justice for that service. These organisations are specialised in those areas and the persons, carrying out the psycho-social and legal assistance are specially trained for the support of children.

There are numerous measures to protect victims in criminal proceedings regardless of the age of the victim. Besides that, the Code of Criminal Proceedings Amendment Act No I 2016 (Federal Law Gazette I No 26/2016), which entered into force on 1 June 2016, strengthened the protection both of victims and witnesses of criminal offences aged between 14 and 18 year.

According to Sec. 65 para. 1 of the Code of Criminal Proceedings (CCP) a victim is

- a) any person who could have been exposed to violence or dangerous threat or whose sexual integrity could have been compromised through an intentional criminal offence or whose personal dependence was exploited by such a criminal offence,
- b) the spouse, life companion, relative in a direct line, brother or sister and other dependents of a person whose death could have been caused by a criminal offence, or other relatives, who were witnesses of the criminal offence,

c) any other person who could have suffered damage caused by a criminal offence or who could have otherwise been affected with respect to his/her interests protected by criminal legislation.

Pursuant to Art. 66 para. 2 CCP, victims as defined in Art. 65 para 1 lit. a or b CCP shall be granted psycho-social or legal assistance during criminal proceedings upon their request, insofar as this is necessary for reasons of protecting the procedural rights of victims, taking their specific consternation into consideration. Victims whose sexual integrity might have been violated and who are under 14 years old are granted psychosocial assistance in any case. Psycho-social assistance during criminal proceedings comprises the preparation of the affected person for the proceedings and for the emotional burden related to it, as well as accompanying the person to the hearings during preliminary proceedings and the trial. Legal assistance during the criminal proceedings encompasses legal advice and representation by an attorney. The Federal Minister of Justice is authorized to delegate contractually provision of assistance to victims during criminal proceedings, as defined under Art. 65 para 1 lit. a or b CCP to suitable experienced institutions.

All victims under the age of 18 years are considered to be particularly vulnerable victims and are therefore regarded as “victims with specific protection needs” (Art. 66a para. 1 subpara. 3 CCP). Thus, they are provided with special rights during the criminal proceedings in addition to the general victims rights, namely (Art. 66a para 2 CCP):

- to be interviewed during the investigation proceedings by a person of the same sex if the victim so wishes and if possible;
- to refuse to answer specific questions regarding details of the criminal act if the victim considers the answer unbearable or concerning his or her personal sphere (Art. 158 para. 1 subpara. 2 and 3, para. 2 CCP);
- to be interviewed during the investigation and the trial phase in a protecting manner upon request (Art. 165, 250 para. 3 CCP), namely a minor victim who could have been injured in his or her sexual sphere by the offence which the accused person is charged with in any case in the manner described in Art. 165 para. 3 CCP, if necessary by an expert;
- to exclude the public from the trial upon request (Art. 229 CCP);
- to be immediately informed ex officio of the release or escape of the accused person from custody (Art. 172 para 4, 177 para. 5, 181a CCP);
- to be interviewed in the presence of a person of his/her trust (Art. 160 para. 2 CCP).

According to Art. 66a para. 3 CCP, the public prosecution service or the criminal court have to initiate the appointment of a curator (i.e. special representative) for the minor victim if a legal representative of the minor victim is suspected of having committed the criminal offence or if there is a risk of a conflict of interests between the minor victim and his/her legal representative otherwise or if no legal representative can assist the minor victim in criminal proceedings.

In order to avoid secondary victimisation as well as the direct contact of the witness and the accused person, Art. 165 and 250 CCP provide for the possibility of an adversary questioning of every witness (irrelevant of whether he/she is a victim). With regard to particularly vulnerable victims (Art. 66a CCP) or other witnesses to whom the criteria mentioned in Art. 66a CCP apply (i.e. also minor witnesses), the participation at the interrogation of other participants in the proceeding may be limited either on request by the public prosecutor or ex officio by the use of technical means of audio and visual

transmission for following the interrogation and the right to ask questions being exercised without being present at the interrogation. Especially if a witness is particularly vulnerable, it is possible to appoint an expert to conduct the interrogation. In any case, care shall be taken to avoid a possible encounter of the witness with the accused person and other participants in the proceedings. In any case, persons who have not yet turned eighteen and who could have been victims of a sexual offence shall be interrogated in the aforementioned manner. Since 1 June 2016, in cases of sexual offences the accused person does not have the right to get a copy of a DVD of the questioning of the victim (Art. 165 para. 5a CCP).

If an adversary questioning has taken place in accordance with the above mentioned provisions, the witness is released from the obligation to further testify and the protocol of the adversary questioning can be read in the trial (Art. 252 para. 1 subpara. 2a CCP).

Besides the assistance in criminal and civil proceedings, victim protection and assistance measures are carried out by the Länder. E.g. in Tyrol § 35 B-KJHG 2013 read in conjunction with § 11 TKJHG is the statutory basis for the "Children's and Young People's Advocacy". It is an independent office created by the regional authority to act as an ombudsman in protecting the rights and interests of children and young people in the Tyrol. The Children's and Young People's Advocacy offers consultation for minors and support in administrative procedures, administrative penalty proceedings and court procedures. All services are available unbureaucratically, anonymously and for free.

Furthermore § 22 B-KJHG 2013 read in conjunction with § 37 TKJHG statutes an evaluation process concerning the youth welfare service, which has to evaluate all relevant facts and subsequently examine, whether there exists a specific danger for children and young people to initiate appropriate supporting measures. In addition, one measure, which was introduced through the above mentioned "Children's and Young People's Advocacy", is the psychosocial and legal facilitation for children.

Vienna offers a wide range of counselling and therapy to overcome family problems and crises. The psychology service of the MA 11 (Vienna) offers not only preventional but also curative psychological counselling and treatment for children, also in cases of exposure online in the context of sexting (in this respect especially the online counselling service "talkbox.at" should be mentioned).

## **BELGIUM / BELGIQUE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

En Communauté germanophone, un double signalement est possible et est utilisé habituellement si nécessaire : d'un côté via une plainte à la police et de l'autre côté le signalement aux services compétents donc soit de l'aide à la jeunesse ou de l'aide ou assistance aux victimes. Ces derniers s'occupent automatiquement du soutien ou de l'aide aux enfants. Une consultation téléphonique, en anonyme est possible en allemand chez « Child Focus » qui a engagé un collaborateur qui maîtrise la langue allemande.

En Communauté flamande, les jeunes (12 à 18 ans) qui sont victimes ou qui ont des questions à propos d'abus sexuels peuvent dialoguer via la chatbox <http://www.nupraatikerover.be>.

L'objectif de cette chatbox est d'informer, de soutenir, de conseiller et, si nécessaire, d'apporter une aide.

L'intégration dans le fonctionnement du Vertrouwenscentrum Kindermishandeling (centre de confidentialité maltraitance) permet d'emblée d'apporter une aide avec la clarté nécessaire et la centralisation de la protection du mineur concerné.



La ligne d'aide 1712 pour toutes, les formes de violence. Voir <https://www.1712.be/> avec des informations à destination respective des enfants, des jeunes et des adultes.

Des procédures sont à disposition des écoles et des centres d'accompagnement des élèves afin d'assurer un suivi adéquat à toutes les personnes concernées par une situation de comportement ou d'abus douteux (sexuel). Pour l'enseignement, il s'agit d'une mission récurrente des centres psycho-médico-sociaux. Voir aussi la question 3.

En Communauté française, ce type de situation relève de la compétence des équipes SOS Enfants chargées d'assurer la prévention individuelle et le traitement des situations de maltraitance sexuelles notamment.

Il existe également la Ligne « Ecoute-enfants » 103.

#### **Question 6.2.a. and b.**

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En Communauté germanophone, le Service d'Aide à la Jeunesse et le Service de Protection Judiciaire sont instaurés via le décret de l'aide à la Jeunesse de la communauté germanophone datant de l'année 2008. Ce décret donne le droit aux enfants de bénéficier d'une aide, d'un soutien quiconque en cas où leur évolution est mis en danger.

L'accueil des victimes au sein des maisons de justice assure également un accompagnement aux enfants victimes.

Depuis avril 2001, les enfants victimes tout comme toutes personnes physiques ou morales ayant subi un dommage résultant directement d'une infraction pénale ou d'un fait susceptible d'être qualifié comme tel ainsi que leurs proches bénéficient via l'intervention de la Maison de Justice et/ou des services d'assistance policière aux victimes, d'un soutien et d'une aide psychologique gratuite dans un service d'aide spécialisé reconnu par la Communauté germanophone.

In the Flemish Community, the Flemish Agency for Persons with a Disability (an Agency of the Flemish Ministry) has allocated for several years now a yearly subvention of 13.000 euro to the organisation 'Het Vertrouwenscentrum Kindermishandeling Vlaams-Brabant' (confidentiality centre against child abuse) for supporting people with a disability (PWD) staying in residential settings, and the professionals working there, in the case of sexual trespassing behaviour.

This subvention has been formalised by decision of the responsible Minister of Well-being, Health and the Family, of 29 March 2017.

Pour le rôle et les missions des « vertrouwenscentra kindermishandeling », voir:

<http://www.kindermishandeling.be/>.

En ce qui concerne l'établissement de lignes directrices ou de procédures pour les écoles sur la sexualité et la réponse à la violence et aux abus sexuels, on peut se référer au Cadre d'éducation sur la sexualité et les politiques élaboré en collaboration avec Sensoa et Child Focus. Le cadre offre les bases aux écoles afin qu'elles puissent analyser, affiner et / ou ajuster leurs politiques sur la sexualité et l'intégrité physique. Ceci se fait dans une vision cohérente et intégrée, une politique de qualité large et une politique de précaution et d'intervention. Il y est entre autre souligné l'importance d'élaborer un protocole d'action et un code de conduite que tout le monde devrait connaître à l'école. Un protocole d'action décrit les étapes qu'un employé peut prendre lorsqu'il y a suspicion, divulgation ou détermination d'abus sexuels à l'intérieur de l'école. Les rendez-vous avec le Centre d'orientation des étudiants sont très importants ici, ceux-ci pouvant, à leur tour, prendre des dispositions avec le Vertrouwenscentrum Kindermishandeling.

Tous les établissements scolaires doivent respecter la Loi sur le bien-être. Celle-ci stipule que des mesures doivent être prises pour prévenir et traiter les comportements indésirables, en particulier en ce qui concerne le personnel, mais la loi punit également un comportement indésirable entre un adulte et un étudiant.

<https://www.vlaanderen.be/nl/publicaties/detail/beleidsplan-voor-welzijn-en-welbevinden>  
<https://onderwijs.vlaanderen.be/nl/psychosociale-risicos-wat-moet-je-bestuur-doen>)

En ce qui concerne la mise en place de procédures, etc. au sein des écoles, il est important de préciser que le gouvernement peut faciliter cela, mais en fin de compte, ce sont les conseils scolaires qui le font eux-mêmes en tant qu'employeurs.

En Communauté française, il n'y a pas de mesure législative spécifique mais un décret datant de 2004 portant sur l'aide aux enfants victimes de maltraitance.

### **Comments sent by / Commentaires envoyés par ECPAT and / et Child Focus**

#### **Question 6.1.**

Question 6.1: Child Focus could be added among initiatives in this respect. Child Focus is the Belgian Safer Internet Centre and has a 24/7-hotline where children, their parents or anybody can report such problems and get the help they require, especially if there are problems with online sexual abuse, which is how Child Focus labels "sexting gone wrong".

#### **Question 6.2.**

It could be added that in 2017 Child Focus treated 144 cases of children encountering problems online, of which 110 were about self-produced images that children initially sent out voluntarily in a sexting-scenario.

### **BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE**

#### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Specific mechanisms for reporting of violence are: filing of criminal reports to the competent institutions by the victim directly, that is, by the parent or guardian and knowledge / notification of other competent authorities, institutions or natural persons. Reporting of violence in Bosnia and Herzegovina is possible in several ways: Police - 122, via [www.sigurnodijete.ba](http://www.sigurnodijete.ba) website, hotlines (No. 1265 for the Federation of Bosnia and Herzegovina and 1264 for the Republika Srpska), Blue phone 080 05 003 05, addressing The Ombudsman for Human Rights of Bosnia and Herzegovina and the Ombudsman for Children of the RS.

In the period 2009-2013, the MFS-EMMAUS NGO, in cooperation with the Ministry of Security of BiH / Department for Combating Trafficking in Human Beings, Save the Children and OAK Foundation implemented „A Comprehensive Approach to Solving Child Pornography in BiH" Project. The main activities of the project were: the establishment of an online hotline for reporting abuse cases, establishing and managing a web site [www.sigurnodijete.ba](http://www.sigurnodijete.ba) for children and teenagers, parents and teachers. Familiarization of these groups with useful information about forms of abuse and prevention possibilities, as well as educational workshops for children, parents and teaching staff in schools throughout BiH as well as continuous prevention and raising awareness about the problem of child pornography and paedophilia in BiH and abuse of children facilitated by information and communication technologies in general. All activities of this project were carried out in cooperation and with the support of the Ministry of Security of BiH / Department for Combating Trafficking in Human Beings, i.e. competent law enforcement agencies, ministries of education and educational and pedagogical

institutes. As a result of the selfless dedication and persistent efforts of EMMAUSA to protect children from all forms of abuse facilitated by information and communication technologies and excellent cooperation with the relevant institutions in this field, the Ministry of Security of BiH / Department for Combating Trafficking in Human Beings and law enforcement agencies make recommendations for inclusion of MFS-EMMAUS in the European Commission's Safe Internet Program.

On the initiative of the Ombudsman for Children of Republika Srpska, on 20 November 2012, a Protocol on Acting in Case of Violence, Abuse or Neglect of Children<sup>2</sup> was signed and it:

- establishes binding standards of acting by all authorities in case of reporting or knowing about violence against children, including sexual violence and violence facilitated by the Internet,
- obliges the competent services and institutions to have continuous cooperation and coordination,
- sets an obligation to keep appropriate records of all cases, including records of sexual violence and violence facilitated by the Internet,
- sets an obligation to prepare an annual report on various forms of violence, abuse and / or neglect of children.

On the recommendation of the Ombudsman for Children of the RS<sup>3</sup> to take necessary measures to establish a child protection centre in the Republika Srpska, the Children Support Centre was established in Foca. This centre was established to support and help children with different traumatic experiences in order to provide multidisciplinary treatment and diagnosis of problems of each child, plan the best possible treatment and enable individual treatment according to the needs of the child.

The Republika Srpska Ombudsman for Children cooperates with NGOs and other civil society representatives on training, prevention and treatment of cases of all types of violence, including sexual violence and violence facilitated by the Internet.

In the Republika Srpska, the centres and / or services for social and child protection provide psychological support to victims from the moment of reporting violence, taking statements, participating in court proceedings and providing psychological assistance and support to the victim and his/her family. The centres and / or services for social and child protection in the Republika Srpska are available to citizens and children 24 hours a day, such as: official telephones, electronic address, professional associates, police phones etc. In such cases, depending on the established factual situation, actions are taken in accordance with positive legal acts and in cooperation with the competent protection entities (police, schools, health and educational institutions) and, in accordance with the competences of the centres / services, a comprehensive individual plan of protection, support, care and custody of the victim child is developed. In addition to regular assistance, support and psychological assistance to victims during working hours in centres / services, some centres / services have set up a system for reporting children's exposure to inappropriate Internet (sexually explicit images, videos or content) through a 24-hour telephone line and professionals of the centres / services on stand-by.

#### **Question 6.2.a. and b.**

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Through [www.sigurnodijete.ba](http://www.sigurnodijete.ba), MFS-EMMAUS manages the hotline for reporting cases of abuse and

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<sup>2</sup> Recommendation by the Ombudsman for Children for adoption of the Protocol on Acting in Case of Violence, Abuse or Neglect of Children (Ministry of Education and Culture, Ministry of Youth and Sports, Ministry of Health and Social Protection and Ministry of Internal Affairs).

<sup>3</sup> Recommendation by the Ministry of Health and Social Protection No.1335-21-PŽS-27/15 dated 13 October 2015.

exploitation of children facilitated by ICT and other inappropriate content at ICT. Through this hotline, MFS-EMMAUS received over 660 reports of sexual abuse of children facilitated by ICT, use of children for generating pornographic material, identity, images and personal data thefts, and cyberbullying activities (online child abuse), grooming (false communication with a child by a stranger and a gradual preparation of the child for abuse), sexting (exchanging of sexually explicit images and inappropriate messages) and similar actions.

All the three Laws on the Protection and Treatment of Juveniles in Criminal Proceedings and the Law on Social Protection provide for psychological and social worker's support in the course of criminal proceedings.

In the Republika Srpska, special legislative and other measures to assist victims of violence are implemented through:

- ratified international conventions and other acts in the area (providing protection to children victims of all forms of violence, including sexual exploitation and abuse), such as the UN Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, the Convention on the Protection of Children against Sexual Exploitation and Abuse, the European Convention on Human Rights and Fundamental Freedoms, the Universal Declaration of Human Rights and others,
- in order to provide adequate protection of the rights and interests of the child, domestic regulations, laws and bylaws prescribing the protection of children victims of all forms of violence, including sexual exploitation and abuse, such as: the Republika Srpska Criminal Code<sup>4</sup>, the Law on Social Protection<sup>5</sup>, the Family Law<sup>6</sup>, the Law on Protection against Domestic Violence<sup>7</sup> and the Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings<sup>8</sup>,
- the valid protocols: the Protocol on Acting in Case of Violence, Abuse or Neglect of Children<sup>9</sup> and the Protocol on Acting in Case of Peer Violence among Children and Youth in the Educational System of the Republika Srpska, signed by all relevant institutions (canters for social work, police, primary and secondary schools, health canters, courts and prosecutor's offices).

In the Republika Srpska, all authorities, organizations and individuals are obliged to notify the police and the social protection service without delay of the violation of rights of the child, especially when it comes to violence, abuse, sexual abuse and neglect of the child. Upon receipt of the notification, the centres / services are obliged to immediately investigate the case in cooperation with the police and other entities and take measures to protect the rights of the child.

## **BULGARIA / BULGARIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

##### **Ministry Education and Science:**

The Ministry Education and Science disseminates information about the free telephone line for children at risk 116 111 maintained by the State Agency for Child Protection, the telephone numbers of the

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<sup>4</sup> RS Official Gazette, 64/17

<sup>5</sup> RS Official Gazette, 37/12, 90/16

<sup>6</sup> RS Official Gazette, 54/02, 41/08, 64/14

<sup>7</sup> RS Official Gazette, 102/12, 108/13, 82/15

<sup>8</sup> RS Official Gazette, 13/10, 61/13

<sup>9</sup> RS Official Gazette, 82/13



National Commission for Combating Trafficking in Human Beings and the Victim Information and Support Facility or children at risk from the National Mobile Group for Psychological Support at the MES.

**State Agency for Child Protection:**

The SACP maintains a free of charge, 24 hour telephone hotline for children financed by the national budget with a common European number 116 111. In case, when children are at risk, give consultation and transfer the information to the relevant national institutions. The hotline is managed by the “Animus” association which has excellent expertise in assisting child and women victims of violence. This is a good example of a successful relationship between State institutions and civil society organisations.

**Foundation: Animus Association:**

The Foundation manages several relevant social services. Alerts to child protection or police departments, as well as primary consultation can be provided by:

1. The consultants of The National Telephone hotline 116 111
2. National hotline for people affected by violence by telephone numbers - 080018676 and 02/98117686. This line is supported by the Ministry of Justice.
3. Children's Center for Advocacy and Support Zone "Protection". This centre provides services to children who have survived violence and their families by introducing a specialized approach and services that combine good legal, medical, psychological and social practices with child-friendly procedures and environments. The centre provides on-going support throughout the entire case-by-case process, from the moment of the report of the violence and the start of the investigation to the completion of the recovery process. It is carried out with the support of UNICEF Bulgaria.

**Ministry of Labour and Social Policy:**

According to the Child Protection Act, any person who becomes aware that a child needs protection is obliged to immediately notify the Social Assistance Directorate, the State Agency for Child Protection or the Ministry of Interior. The same obligation has a person to whom this has become known in connection with the profession or activity pursued by him, even if he is bound by professional secrecy.

**Question 6.2.a. and b.**

**Ministry of Labour and Social Policy:**

The Child Protection Act is the main specialized law in the Bulgarian legislation regulating the state policy towards children at risk. The law guarantees the right of the child to protection against involvement in activities unfavourable to his/her physical, mental, moral and educational development. Every child has the right to protection against his/her dignity methods of upbringing, physical, psychological or other violence and forms of influence contrary to his / her interests.

It is essential to ensure the protection of the child victim of various forms of violence and abuse by the comprehensive efforts of all child protection bodies which, within the sphere of their competencies, take appropriate action to prevent the consequences of the experience and to cooperate timely assistance and protection. In this connection are the responsibilities of all child protection bodies, which are obliged to provide protection and care, are laid down in the Child Protection Act and its Implementing Regulations of the same Act, taking all necessary legislative and administrative measures in due time.

An Agreement on cooperation and coordination of the work of the territorial structures of child protection bodies was signed in March 2010. The Agreement has the specific engagement and engagement obligations of the involved authorities. The rules for the practical implementation of the Agreement are described in the Coordination Mechanism for Interaction in Child, Victim or At Risk

Violence, and for Interaction in Crisis Intervention. The process involves team discussion of the case by a multidisciplinary team, identifying specific activities, carrying out expert assessments, taking decisions and following up on the case, according to the competence of each participant. By implementing the Coordination Mechanism, rapid response and cooperation between the responsible institutions is achieved in case of a child at risk or a victim of violence.

It is important to note that in 2010 the Coordination mechanism for referral and care for cases of unaccompanied children and child victims was updated in order to better identify, target, protect and support child victims of trafficking and implement a multidisciplinary approach of traffic coming back from abroad. The objective of the mechanism is to ensure effective coordination in the implementation of the specific engagement obligations of the parties involved in the return from abroad and the provision of support to unaccompanied minors and children who are victims of trafficking.

The Child Protection System provides assistance, protection and support to child victims of violence and takes action to prevent child involvement in adverse activities and to overcome the trauma of the experience. In the case of detection of violence and / or other risks for the child, appropriate protection measures under the Child Protection Act shall be taken in order to protect his/her life, health and safety and guarantee his/her rights and interests. In working with child victims of violence, individual psychological work and counselling of the child must be carried out in order to improve his/her psycho-emotional state and overcome the trauma of the experience.

One of the key options for supporting children, victims of violence and trafficking, is the Crisis Centre social service. The service is a complex of social services for children and / or victims of violence, trafficking or other forms of exploitation that are provided for a period of up to 6 months and are aimed at providing individual support, meeting daily needs and legal advice to consumers or socio-psychological assistance when immediate intervention is required, including through mobile crisis intervention teams.

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No reply to this question / Pas de réponse à cette question

## **CROATIA / CROATIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a and b.**

The Croatian criminal legislation prescribes behaviours described in the point a) as criminal offences unlike behaviours described in the point b) that do not fulfil the requirements to be considered a criminal offence. Given that at the moment of reporting it is not clear if the reported behaviour meets the requirements to be considered a criminal offence, we are providing an answer to the question in the points a) and b) in relation to the reporting procedure.

In this respect, as a competent authority for detecting and investigating criminal offences, the Ministry of the Interior developed a special web application that enables “online” reports of internet contents that are related to various types of sexual exploitation or abuse of children, including publishing sexually explicit images or video recordings or other self-generated contents. The application is primarily intended for the child victims, but also for all the other persons who have the knowledge about child abuse or contents of sexual abuse of children on the internet. The web application can be found at <https://redbutton.mup.hr>. The reporting procedure is simple and specifically adapted to children and it also reduces fear and psychological pressure caused by the reporting procedure.

Furthermore, the NGO Safer Internet Centre has a free telephone line 0800 606 606 intended for children, youth and parents with an aim of raising awareness of citizens about the violence among the youth and educate children, youth and parents about services of the anonymous and free telephone for

help and support and the ways of reporting unacceptable behaviour. Children, youth and parents can also contact the Centre through its official web pages [www.cnzd.org](http://www.cnzd.org) and [www.csi.hr](http://www.csi.hr), profiles on social networks (Facebook, Twitter, ask.fm), via chat and e-mail.

Besides the abovementioned, we point out that there is a number of other civil society organisations in the Republic of Croatia of non-profit nature with the aim of helping and supporting abused children and their parents, as well as fighting against unacceptable behaviour of children and youth such as: Hrabri Telefon and Plavi Telefon with open telephone lines at the number: 116 11 or 483 3888.

The action protocol in case of sexual violence (that includes actions described in a) and b)) provides important information about actions of educational institutions (kindergartens, primary and secondary schools and student dormitories) in case of sexual violence experienced by students of educational institutions. In that regard, a procedure of submitting a report was prescribed in a way that the educational worker to whom the child confided in or who witnessed sexual exploitation and abuse of a child is required to report it to parents, the Ministry of Science and Education through an online form, social services department and the police.

After a child, parents or a third party in any abovementioned way reports behaviour described in the points a) and b), the report is forwarded to public attorney as a competent prosecutor for further actions.

Criminal legislation of the Republic of Croatia prescribes everyone's duty to report a criminal offence they were informed of or that they found about for which the procedure shall be instituted ex officio. Given that behaviour described in the point a) would meet the requirements to be considered as a criminal offense of Exploitation of children for pornography under Article 163 of the Criminal Code, we emphasise that if an official or responsible person (e.g. doctor, social services department employee, educational institution principal) does not report such criminal offense, it would be considered as a criminal offence of failure to report the commission of a criminal offence under Article 302 para 2 of the Criminal Code.

#### **Question 6.2.a.**

In 2014 the Government of the Republic of Croatia has brought the Protocol on the Treatment of Child Abuse and Neglect. The term abuse also includes sexual exploitation and sexual abuse. The purpose of the Protocol in relation to the treatment in the health system is to provide the child with the victim of abuse overall health care with a view to preserving both physical and mental health as well as rehabilitation of injuries and psychotrauma.

Health institutions are required to:

- a) provide trained and qualified staff for the purpose of screening in case of abuse children 24 hours a day,
- b) carry out continuous specialized training on child abuse professional staff,
- c) designate a person coordinating the protection and assistance of children to victims of abuse,
- d) Ensure co-operation and implementation of multidisciplinary team work (pediatrician, family physician, gynecologist, psychologist, social worker, police, etc.) to avoid further traumatizing the child by repeated repetition of traumatic experience.

Victims whose images are published on the Internet or who have independently produced sexual content receive assistance at the Polyclinic for the Protection of Children and Young People of the City of Zagreb, a specialized institution for providing help to psychotraumatized children.

The Centre for Missing and Exploited Children has an established co-operation with national authorities and civil society organisations, especially when children and youth victims are in question. The Centre provides services of direct psychosocial counselling, offers emotional support and practical information as a part of work of the Children, Youth and Family Counselling Centre and via the telephone number 0800 606 606. If it is contacted or addressed by a child or young person for which the professional workers estimate that he needs professional assistance or support, he is sent to other organisations and institutions that can provide the said support and help. The Centre established co-operation with the Independent Service for Victim and Witness Support operating within the Ministry of Justice in a way that informational materials about the work and services of the Centre were forwarded to police officers and employees of other relevant institutions so they could refer a child or young person to free help and support provided by law.

With the aim of securing the required support, counselling and psychological help to children victims whose sexually explicit contents were published on the internet, during police conduct, every child victim is handed a written notice about their rights and its key part is a list of authorities, organisations or institutions for helping criminal offence victims. In order for a child victim to exercise his right to efficient psychological and other professional assistance and support in accordance with the law, all police departments made a list of central government bodies and civil society organisations that provide support and protection to victims on national and regional levels. Furthermore, flyers of the Victim Support Office and flyers of the Independent Service for Victim and Witness Support and UNICEF brochures for children and brochures for parents that also include information about the way and scope of help a child can receive are available for children victims at police facilities. When processing victims from particularly vulnerable groups, all police departments are required to consistently apply standard procedures defined by the Protocol of Procedures in Sexual Violence Cases, Family Violence Procedure Protocol, Protocol of Identification, Assistance and Protection of Victims of Human Trafficking, Protocol on the Procedure in Case of Abuse and Neglect of Children and Protocol on the Treatment of Unaccompanied Children - Foreign Nationals. Notices about rights are available on the web pages of the Ministry of the Interior where the links to sites of non-government organisations that deal with support for abused children can be found.

Concerning the part of the question about support and legal aid for the child victim described in the point a), we point out that during the criminal procedure he has rights established by the Criminal Procedure Code of which some belong to the child victim during the procedure preceding the institution of criminal proceedings such as the right to access support services for victims of criminal offences and the right to an efficient psychological and other expert help and support of the authority, organisation or institution for aiding victims of criminal offences.

Furthermore, besides the abovementioned rights, the child victim of a criminal offence is entitled to: a legal representative at the expense of the budget funds, confidentiality of personal data, request the exclusion of the public at the hearing, talk to a counsel at the expense of the budget funds before the interrogation, be interrogated by a person of the same sex from the policy authority and State's Attorney's Office and to be interrogated by the same person in case of a repeated interrogation, refuse to answer the questions related to the strictly private life of the victim and request to be interrogated via an audio-video device. The interrogation shall be carried out in the absence of the judge and parties in the room where child is situated through audio and video devices, with the assistance of a psychologist, educator or other expert person. The interrogation of a minor as a witness shall be carried out by the investigating judge. Paying special attention to the protection of the minor, the interrogation shall be carried out via an audio-video device. This type of interrogation of a child victim is established to avoid visual contact with the perpetrator and prevent secondary victimization.

**Question 6.2.b.**

Croatian criminal legislation does not prescribe actions described under the point b) as a criminal offence. Consequently, the child victim is not entitled to rights prescribed by the Criminal Procedure Code listed in the answer to the question 6.2.a. However, regardless of the rights from the criminal procedure, the child will be provided with support and psychological aid for actions described under the point 6.2.b. for example in a way presented in actions of the Polyclinic for the Protection of Children and Young People of the City of Zagreb and Centre for Missing and Exploited Children.

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Regarding the number of victims for actions described under 6.1.a and 6.2.a, we are stating that between 2014 and 2016 there is a total of 464 children victims of criminal offence.

According to the data of the Centre for Missing and Exploited Children it can be concluded that the Centre provided help and support to four children victims whose explicit images and/or video recordings were published on the internet or whose self-generated sexual contents were published on the internet in 2017.

**CYPRUS / CHYPRE****State replies / Réponses de l'Etat****Question 6.1.a. and b.**

There are available both governmental and non-governmental reporting platforms in relation to child sexual exploitation. The following links can be used:

[https://cybercrime.police.gov.cy/police/CyberCrime.nsf/subscribe\\_gr/subscribe\\_gr?OpenForm](https://cybercrime.police.gov.cy/police/CyberCrime.nsf/subscribe_gr/subscribe_gr?OpenForm)

<http://internetsafety.pi.ac.cy/help-line>

<http://www.cyberethics.info/>

<http://uncrcpc.org.cy/gr/>

In the Republic of Cyprus, the following help lines operate:

1440 – Help line for victims of domestic violence. It operates by the Association for the Prevention and Handling of Violence in the Family. It operates from 08:00 am to 22:00 pm daily and from 10:00 am to 22:00 pm on weekends and holidays. Calls are free of charge.

116 000 – European help line for missing children. It operates by the Association for the Prevention and Handling of Violence in the Family and Hope for Children UNCRC Policy Center on a 24 hour basis. Calls are free of charge.

1460 – The Citizen Communication Line, operates by the Police on a 24 hour basis. Calls are free of charge.

1480 – Helpline and Hotline (see Q.2)

The National Strategic and Action Plan for the Protection and Prevention of Child Sexual Abuse and Exploitation and Child Pornography and the related legislation framework provide that State authorities should implement prevention projects and programmes in cooperation with other services/NGOs/private sector.

The Ministry of Education and Culture and the Police cooperate with an NGO for the training of

parents and teachers.

During the period 2014-2017, the Ministry of Education and Culture, has organised and carried out multi-level actions to promote awareness of the harmful effects of Child Sexual Abuse:

- The "*Coordinating Committee of Protection and Prevention of Child Sexual Abuse*" and the Pedagogical Institute have organised specialized trainings for strengthening teachers in their work of protecting children by early detection of signs of sexual abuse (including child prostitution and child pornography) and intervention as early as possible.
- A specialized training has also been organised for Educational Psychologists and school counselors as this personnel is the people in the "*first line*" of contact and should have the appropriate skills to recognize cases of Child Sexual Abuse (including child prostitution and child pornography) and to effectively handle child support and protection, as well as providing guidance to the schools in their management. EPs deal with referrals from schools in relation to child pornography or sexual abuse incidents through the internet and they cooperate with the school, the family and the relative Police Department which is responsible for reporting and dealing with these matters.
- A teachers' manual about Child Sexual Abuse will be distributed to all schools with more information about the issue in order to help teachers recognise signs of sexual abuse and act to support child victims.
- The most important action for primary prevention of Child Sexual Abuse concerns the education and awareness-raising among children from an early age.
- The sexuality education lessons are included in the curriculum of the Health Education subject, the objective of which is to foster attitudes, behaviours and skills with the aim of enhancing individuals' self-esteem, developing personal and social skills, building values and attitudes, as well choosing goals and decision making.
- The Coordinating Committee and the Pedagogical Institute organise training for special needs teachers in order to help them in their work of strengthening pupils with special needs to protect themselves from sexual violence and sexual abuse. As part of this training, the educational programme "*Keep me safe*" will be used in cooperation with the NGO Cyprus Family Planning Association.

Furthermore, the Republic of Cyprus uses national as well as European funds, along with the support of companies from the private sector, semi-governmental organisations, other public bodies, academia, and non-profit organisations to implement awareness content, tools and activities. Collaboration with the media also allows a broader awareness approach with short video clips, discussions and presentations, especially during the Safe Internet Day activities that take place in February.

Since 2016, a helpline (1480) and a hotline (1480) have been established through the SafeWeb project coordinated by the University of Cyprus and funded by the European Safe Internet Programme. The Helpline is targeted at children, teenagers, and their families, providing advice and support on topics related to the safe, responsible and ethical use of the Internet by qualified and trained personnel in real time, while on the other hand, the Hotline offers a direct, easily accessible and responsible point of contact for users to report illegal content or actions related to illegal child pornography, racism and xenophobia. Events are promptly forwarded to the appropriate authority for further investigation and action. Under the same project awareness

raising activities were implemented.

All professionals working with children, according to legislation in cases where they have suspicions that a child is a victim of sexual exploitation or sexual abuse, have to report to the Police.

According to L.91(I)/2014, anyone who ommits to report a case, coming to his/her knowledge, where a child has been sexually abuse and/or exploited and does not report such a case, commits an offence with a sentence of imprisonment up to 15 years or a fine of 20,000 euro.

According to the Violence in the Family (Prevention and Protection of Victims) Laws of 2000 to 2015, it is the responsibility of every citizen to report any case of violence against a minor or a person having severe mental or psychological deficiencies, which came to his/her knowledge, otherwise he/she commits an offence and in case of conviction, shall be liable to imprisonment up to 2 years or to a fine or to both such penalties.

#### **Question 6.2.a. and b.**

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Usually, referrals are made by the Police to the Social Welfare Services which provide the child and the family with appropriate information and assistance. The case is evaluated in a multidisciplinary approach and the child is usually referred to the Mental Health Services for psychological support.

Relevant tools are:

- the manual of interdepartmental procedures for handling cases of domestic violence (multidisciplinary approach).
- Both Violence in the Family (Prevention and Protection of Victims) Law of 2000-2017 and L.91(I)/2014 provide for a multidisciplinary approach in the handling of child sexual abuse cases. Both Laws provide for psychological support to the child victim and his/her family.

## **CZECH REPUBLIC / REPUBLIQUE TCHEQUE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

The criminal offence may be reported with any police authority and any public prosecutor both in writing and orally. These authorities are obliged to deal with the report as soon as possible. The public prosecutors are obliged to prosecute all criminal offences that they learn about. A special hotline of the Police of the Czech Republic has been established in order to facilitate reporting of cybercrime, including cases of sexual exploitation online. Reporting by means of this helpline is direct, anonymous and safe. Child victims of sexual exploitation online may take advantage of numerous helplines, such as Crime Victims Helpline 116 006 operated by Bílý Kruh Bezpečí, Linka bezpečí 116 111 or general helplines of the police 158 and 112. Necessary support, assistance and psychological help is provided to child victims by numerous private entities, which are as a rule filed in the Register of providers maintained by the Ministry of Justice, and by the public Probation and Mediation Service.

Ministry of Justice of the Czech Republic has in its competencies also to grant a compensation to crime victims according to the Act No. 45/2013 on crime victims, to (art. 24)

d) a victim of a crime against human dignity in a sexual area ..., who suffered non-pecuniary damage, or

a) a victim suffering injury to health in consequence of a criminal act.

The compensation according to the d) is linked for compensation of expenses relating to provision of psychotherapy and physiotherapy or other technical services aimed at rectifying occurring non-pecuniary damage, up to a total amount of CZK 50,000.

In a case of health injury (or serious health injury), incl. mental one, a victim can also obtain a compensation in a lump sum of CZK 10,000 (and CZK 50,000 for serious health injury) or in an amount representing the victim's proven loss in earnings and proven costs affiliated with treatment, decreased by the sum of all amounts which the victim has already received as compensation for damage; monetary assistance may not exceed a total amount of CZK 200,000.

#### **Question 6.2.a. and b.**

Child victims are considered particularly vulnerable under the Act no. 45/2013 Coll., on Victims of Crimes, as amended, and therefore they enjoy particular enhanced rights. If requested, they must be provided with assistance which is free of charge, regardless of whether such assistance consists in psychological assistance, social assistance, legal information, restorative programs or legal aid. Such assistance is provided before commencement of the criminal proceedings, during its course and after its conclusion. Child victims may also request certain measures protecting them from secondary victimization, such as prevention of contact with person indicated as the offender. Children must be interrogated in an especially sensitive manner and in such way that the interrogation does not need to be repeated. Their interrogation in the pre-trial proceedings is conducted by a person with relevant training in rooms adjusted for this purpose. The Act on Victims of Crimes elaborates in detail on right to information of the victims, including those not speaking Czech. All information necessary to fully exercise rights of the victim should be available.

**Act No. 359/1999 Coll., on social and legal protection of children**, regulates the provision of social and legal protection, for which social and legal protection bodies of children are responsible. This law regulates only certain actions aimed at protection of children, other actions are specified in numerous legal regulations targeted at specific areas. These include, inter alia, Civil Code, Civil Procedure Code, Criminal Code, Rules of Criminal Procedure, Act No. 108/2006 Coll., on Social Services, Act No. 45/2013 Coll., on Victims of Crime, Act No. 372/2012 Coll., on Health Services, and others.

From the above specified legal regulations the below stated key principles of legislation in the sphere of social and legal protection of children may be derived:

- Priority factor of providing social and legal protection to children consists in the best interest, prosperity and well-being of children.
- Social and legal protection shall be afforded to all children in general, without any discrimination based on grounds of race, colour, gender, language, religion, political or any other opinion, national, ethnic or social origin.
- Social and legal protection shall be granted to all children below the age of eighteen years unless they attain majority earlier.
- The state shall be responsible for the protection of children from physical or mental violence, for the protection of their healthy development in physical, mental and moral terms and the protection of other aspects of integrity of a child as a holder of rights guaranteed by the Constitution and the Charter and rights ensuing from international commitments of the Czech Republic. However, the state shall neither substitute for discharge of parental obligations and responsibilities nor intrude into the position of parents as holders of parental responsibilities, unless the child's rights or development are at risk.



- The bodies having general jurisdiction in the sphere of child's protection are courts and entities specified by the Act No. 359/1999 Coll., i.e. the Ministry of Labour and Social Affairs, regional and municipal authorities and in the sphere of foreign affairs the Office for International Legal Protection of Children, seated in Brno. Tasks in the field of social and legal protection of children are also accomplished by regions and municipalities with separate powers and natural and legal persons, if authorized to exercise of social and legal protection.

Under section 8 of the Act No. 359/1999 Coll. of every child, including children sexually abused or exploited, shall have the right to ask social and legal protection authorities and social and legal protection facilities, government authorities that are also responsible for the protection of rights and justified interests of children under special legal regulations, schools, schooling facilities, other legal entities and individuals charged with the performance of social and legal protection, and healthcare service providers for help in protecting his or her life and safeguarding his or her other rights; these authorities, legal entities and individuals and shall be obliged to provide the child with adequate assistance. A child shall have the right to ask for help even without the knowledge of his or her parents or other persons responsible for the child's upbringing.

The municipal authorities of a municipalities with extended powers are obliged to provide the necessary assistance, counselling and support to the child, especially through social service providers under Act No. 108/2006 Coll. (for example Facilities Providing Professional Advisory Related to Caring for Children, early intervention services, protected and supported housing and others), health service providers under Act No. 372/2011 or specialized providers of assistance to victims of crimes under Act No. 45/2013 Coll.

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There is no specific information available.

## **DENMARK / DANEMARK**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

The Government provides permanent funding to support the NGO Save the Children Denmark's operation of a national helpline which provides support and advice for children and young people who are victims of online exposure of self-generated sexually explicit images and/or videos or self-generated sexual content or who experience other forms of online sexual abuse or sexually offensive behaviour. Children and young people can reach the helpline online or by phone to receive support and assistance, e.g. on how to ensure that the images and/or videos are deleted from social media and how to get in contact with relevant authorities.

Children and young people who are victims of online sexual abuse or sexually offensive behaviour are offered psychological help based on their needs by municipal social services.

The Danish Regions are responsible for "Children's Houses". In these houses different authorities cooperate to take care of children that are/possibly are victims of violence and/or sexual abuse. These houses aim at ensuring coordinated initiatives to help the child and refer it to relevant help and/or authorities when needed.

The general practitioner may refer persons who have been victims for incest or other sexual abuse before turning 18 years old to a psychologist with reimbursement.

### **Question 6.2.a. and b.**

Pursuant to the Danish Act on Social Services, Danish municipalities are obliged to offer the necessary support to any child or young person who is in need of specialised support. Hence, any child or young person who is in need of support, assistance or psychological help due to online sexual abuse or sexually offensive behaviour has the right to receive the necessary support, assistance and psychological help from municipal social services free of charge.

Regarding screening of children and adolescents under the age of 18 years, the Danish Paediatric Society has published a national guideline (2015). The national guideline aims to ensure optimal professional and relevant treatment for children, who have been abused, or in cases where abuse is suspected.

In accordance with Danish law, citizens of Denmark have a duty to report to the social authorities if they become aware of children or adolescents under the age of 18 years being exposed to violence or abuse. The duty to report is further strengthened for professionals working with children, e.g. doctors, teachers, midwives, school psychologist and others, cf. § 153 of the Social Service act. When in service, these professions must notify the social authorities if they have reason to believe that a child or young adult under the age of 18 years has been exposed to violence or abuse.

With regards to psychological help please the answer to question 6.1.

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No reply to this question / Pas de réponse à cette question

## **ESTONIA / ESTONIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

- Web-constables: <https://www.politsei.ee/en/nouanded/veebikonstaablid/>
- If you wish any advice from the Police;
- if you have questions related to law;
- if you wish to send a hint or information to the Police;
- if you suspect that someone is operating under your name in internet;
- if you have fallen a victim to teasing/abuse;
- if you wish to notify about sexual or other abuse.

People contact web-constables by means of different portals as well as by e-mail. Some issues are solved by advising only, but there are also such notifications that are forwarded for information or proceeding to relevant police stations.

It is recommended to send one's question or letter to one web-constable, not to all at a time. Most common questions and answers have been brought forth in section of recommendations. In cases requiring urgent response of the Police, it is necessary to dial number 110. The purpose of web-constables is to advise, they do not proceed offences themselves. If you know that you would like to submit an application to the Police, then more detailed information can be found here.

- **Victim Support Service:**  
<https://www.sotsiaalkindlustusamet.ee/et/ohvriabi-huvitis/ohvriabi-ja-lepitusteenus#Ohvriabi>;  
<https://www.facebook.com/Sotsiaalkindlustusamet-Ohvriabi-428290230664457/>
- **Child helpline 116 111:**  
<http://www.targaltinternetis.ee/en/the-child-helpline-service/>;  
<http://www.lasteabi.ee/en/home/>

The objective of the Child Helpline Service 116111 is to provide everyone a possibility to report a child in need of assistance, to ensure that information received is communicated to appropriate specialists, and to offer children primary social counselling on child related matters.

**CALL 116111, From abroad call +372 634 6631. The helpline service operates 24/7, No charges apply.**  
**E-mail** [info@lasteabi.ee](mailto:info@lasteabi.ee); **skype:** Lasteabi\_116111; **online counselling** on website "Ask for help"; **app** "Lasteabi"; **Facebook:** "Lasteabi".

- **Vihjeliin** (inform about illegal content): <http://vihjeliin.targaltinternetis.ee/en/>
- **The police**, different contacts and reporting: <https://www.politsei.ee/en/kontakt/>  
  
Police for children, child's corner (on the web-page of the police):  
<https://www.politsei.ee/et/lastenurk/>
- **Barnahus pilot project:** [https://www.sotsiaalkindlustusamet.ee/sites/default/files/content-editors/Lastekaitse/lastemaja\\_eng.pdf](https://www.sotsiaalkindlustusamet.ee/sites/default/files/content-editors/Lastekaitse/lastemaja_eng.pdf)

The Children's House service will be provided in Tallinn at the Children's Mental Health Centre

(Tervise 28, Tallinn). Registration and additional information: Mon–Fri 9 a.m.–5 p.m. by telephone 5361 1602 or e-mail to, [anna.frank-viron@sotsiaalkindlustusamet.ee](mailto:anna.frank-viron@sotsiaalkindlustusamet.ee)

- **Child protection and regional units of child protection:**  
<http://www.sotsiaalkindlustusamet.ee/et/lapsed-ja-pere/lastekaitse/lastekaitse-osakonna-kontaktid>
- **Peaasi.ee** for psychological help and counselling (anonymous, low threshold help). Ask for advice /from a counsellor/psychologists: <http://peaasi.ee/kysi-noustajalt/>
- **Lahendus.net** for psychological help and counselling (anonymous, low threshold help)

#### **Question 6.2.a. and b.**

Sub-goal 2 of the Strategy for Preventing Violence for years 2015-2020 is "Protection and support of violence victims corresponding to their needs is better ensured". Sub-goal 3 of the same strategy: "Proceedings of violence cases are more victim-friendly". (See also above.) The strategy also has an implementation plan, which is reviewed and amended every year.

In 2016, Estonia transposed the EU directive on Victims' Rights, which brought about new requirements to proceedings and a systematically different approach by way of individual assessment of victims.

Parallel to this process, the Victim Support Act<sup>10</sup> was amended: the definition of a sexually abused child was extended in terms of the Victim Support Act.

Child sexual abuse is one of the fields where the integrated support system needs to work at its best. The integrated child protection system guarantees, that the officials, specialist and departments work together, to create a protective environment for the child and around the child, in order to guarantee the well-functioning information sharing concerning the case.

**Chancellor of Justice (also ombudsman for children) office has created a guideline for “Informing of the child in need and data protection”<sup>11</sup>**

According to the Child Protection Act:

§ 27. Notification of child in need of assistance

(1) All persons who have knowledge of a child in need of assistance are required to notify of the child in need of assistance

(2) A child in need of assistance must be immediately notified of to the local government or to child helpline service 116 111.

(3) The authority or official having received the notice of a child in need of assistance, except for the local government of the child’s residence entered in the population register or the child protection official thereof, shall be required to forward the notice immediately to the local government of the child’s residence entered in the population register.

(4) If the local government of the child’s residence entered in the population register is unknown or it cannot be ascertained, the notice of a child in need of assistance shall be immediately forwarded to the local government where the child is staying.

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<sup>10</sup> (13) For the purposes of this Act, a sexually abused minor is a person under the age of 18 in the case of whom criminal proceedings have been commenced with regard to the criminal offence committed against him or her based on the elements of criminal offence specified in §§ 141 to 145<sup>1</sup>, 175<sup>1</sup> or 178 to 179 of the Penal Code.

[RT I, 04.11.2016, 2 - entry into force 01.01.2017]

(1<sup>4</sup>) If the age of the person who is a victim of trafficking in human beings or sexual abuse is unknown and there are reasons to believe that the person is under the age of 18, the person is deemed to be a minor until the contrary is proved.

[RT I, 04.11.2016, 2 - entry into force 01.01.2017]

(2) Provision of victim support services includes:

1) counseling of victims;

2) assisting victims in communicating with state and local government authorities and legal persons.

3) ensuring safe accommodation;

4) ensuring catering;

5) ensuring access to necessary health services;

6) providing necessary material assistance;

7) providing necessary psychological assistance;

8) enabling necessary translation and interpretation services for receiving the services provided within the framework of victim support services;

9) providing other services necessary for physical and psycho-social rehabilitation of victims.

[RT I, 18.04.2013, 2 - entry into force 28.04.2013]

(2<sup>1</sup>) Victims of trafficking in human beings and sexually abused minors have the right to receive the services specified in clauses (2) 3) to 9) of this section. The services are provided until the need for the services ceases to exist.

[RT I, 18.04.2013, 2 - entry into force 28.04.2013]

<https://www.riigiteataja.ee/en/eli/502012017002/consolide>

<sup>11</sup> <http://www.oiguskantsler.ee/sites/default/files/IMCE/Abivajavast%20lapsest%20teatamine%20ja%20andmekaitse%20-%20juhend.pdf>

(5) The identity of the person having notified of a child in need of assistance or the fact of notification shall not be disclosed, except for in proceedings of an offence. The person notifying of a child in need of assistance shall have the right not to disclose his or her data upon notification for his or her own protection or the protection of his or her family.

#### § 31. Notification of child in danger

(1) All persons who have knowledge of a child in danger shall be required to notify of the child in danger.

(2) A child in danger shall be immediately notified of through the emergency call number 112.

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In 2014, 142 sexual offences against a child with a physical contact were registered; additionally, 125 sexual offences against a child without a physical contact were registered, most of them committed through e-means.<sup>12</sup>

In 2015, 204 sexual offences against a child with a physical contact were registered; additionally, 216 sexual offences against a child without a physical contact were registered, most of them committed through e-means.<sup>13</sup>

In 2016, 223 sexual offences against a child with a physical contact were registered; additionally, 211 sexual offences against a child without a physical contact were registered, most of them committed through e-means.<sup>14</sup>

## FINLAND / FINLANDE

### State replies / Réponses de l'Etat

#### Question 6.1.a. and b.

There are two routes for such reporting essential to the police. The police have *Nettivinkki* ("Internet Tips"; <https://www.poliisi.fi/nettip>) and Save the Children Finland maintains the aforementioned *Nettivihje* (see reply to Question 2.1.;

<https://www.pelastakaalapset.fi/tyomme-kotimaassa/lapset-digitaalinen-media/nettivihje/>, <https://www.pelastakaalapset.fi/en/our-work-in-finland/children-and-digital-media/finnish-hotline-nettivihje/>). The majority of hints obtained by the police come through Save the Children Finland as the threshold for reporting cases to it seems to be lower. In addition, Save the Children Finland has better channels to direct the victim to receive psychological help while the police are primarily responsible for pre-trial investigation.

In addition, the police have also online police activity relating to various issues. Young people can contact a policeman online, who discusses, gives guidance and assistance as well as directs to the right kind of assistance where necessary. Furthermore, several organizations and projects offer help also in the said matters, for example through voluntary work. Key actors in this field include, among others, Save the Children Finland and the Mannerheim League for Child Welfare.

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<sup>12</sup> Crime in Estonia, chapter 10:

[http://www.kriminaalpoliitika.ee/sites/krimipoliitika/files/elfinder/dokumendid/kuritegevuse\\_at\\_2015\\_0.pdf](http://www.kriminaalpoliitika.ee/sites/krimipoliitika/files/elfinder/dokumendid/kuritegevuse_at_2015_0.pdf).

<sup>13</sup> Crime in Estonia, chapter 8:

[http://www.kriminaalpoliitika.ee/sites/krimipoliitika/files/elfinder/dokumendid/kuritegevus\\_eestis\\_2015.pdf](http://www.kriminaalpoliitika.ee/sites/krimipoliitika/files/elfinder/dokumendid/kuritegevus_eestis_2015.pdf).

<sup>14</sup> Crime in Estonia, chapter 7:

[http://www.kriminaalpoliitika.ee/sites/krimipoliitika/files/elfinder/dokumendid/kuritegevus\\_eestis\\_est\\_web\\_0.pdf](http://www.kriminaalpoliitika.ee/sites/krimipoliitika/files/elfinder/dokumendid/kuritegevus_eestis_est_web_0.pdf).

In addition, *Nollalinja* ("Zero Line") is a nationwide free-of-charge helpline open 24/7 for anyone who has experienced violence or a threat of violence in a close relationship. *Nollalinja* is also available for family members of victims of violence and for professionals and officials who require advice in their work with customers. *Nollalinja* is staffed by trained and experienced health and social services professionals, who are there to listen, support and advise around the clock, on every day of the year. The service is available in Finnish, Swedish or English. *Nollalinja* is for talking about the situation, experiences and fears in confidence. The professionals are bound by confidentiality. It can be accessed anonymously, and the professional who the caller talks to will not see their phone number. The call to *Nollalinja* will also not show up on your phone bill. *Nollalinja* is not directed especially for children and young people, but is also available for them.

The Helsinki Police Department together with *Rikosuhripäivystys* (Victim Support Finland; RIKU) and Save the Children Finland have also developed a mobile application called *Help.some* <http://pelastakaalapset-netari.herokuapp.com/ohjaustajaneuvontaa/helpsome/>, which is directed especially at children and young people and offers assistance, for example, to recognize sexual harassment online and to get help. In 2016, the application assisted over 700 children. The application includes, *inter alia*, a chat and it is managed by experts from the NGOs. The application also contains quick guides to help solve different problematic situations including online exposure to SCAM. The application is available cost-free for several smartphones.

The Family Federation of Finland, *Väestöliitto*, maintains a popular telephone line and chat for boys called *Poikien Puhelin* ("Boys' Telephone"), which is operated by professionals, most often men. The idea of the helpline is to offer direct answers and support to questions from young boys, which often involve sex, as well as self-generated sexual content and its sharing. The telephone line is open from Monday to Friday between 1 p.m. to 6 p.m. and the chat between 1 p.m. to 3 p.m. Both the telephone line and the chat can be accessed anonymously. [http://www.vaestoliitto.fi/vaestoliitto/mita\\_vaestoliitto\\_tekee/palvelut/puhelinneuvonta/poikien\\_puhelin/](http://www.vaestoliitto.fi/vaestoliitto/mita_vaestoliitto_tekee/palvelut/puhelinneuvonta/poikien_puhelin/)

#### **Question 6.2.a. and b.**

Section 25 of the Child Welfare Act (*lastensuojelulaki, barnskyddslag*; 417/2007) contains an extensive duty to notify binding various authorities and other actors who have the duty, notwithstanding any provisions on secrecy, to notify immediately the municipal body responsible for social welfare if they have, in their work, been informed of a child whose need for care and welfare, or circumstances endangering his development or his own actions require ascertaining his need for child protection services. According to Section 15 (special health-care obligations) health centres and hospital districts must provide expert assistance in child-specific and family-specific child welfare and, where necessary, arrange an examination of the child and health-care and therapy services for the child. Services needed by children in connection with the investigation of suspected sexual abuse or assault must be arranged such that they can be provided urgently.

Moreover, the Social Welfare Act (*sosiaalihuoltolaki, socialvårdslag*; 1301/2014) requires officials to arrange support services for people with needs arising from intimate partner violence and domestic violence as well as from other types of violence. Under the same Act, municipalities must offer municipal residents guidance on parenting and family matters. This includes the provision of professional assistance and support on parenting and family matters as well as social, psychological and medical research activities and care that are designed promote children's welfare and development.

Under the Act on Status and Rights of Patients (*laki sosiaalihuollon asiakkaan asemasta ja oikeuksista, lag om klientens ställning och rättigheter inom socialvården*; 812/2000), the opinion of a minor patient on a treatment measure has to be assessed if it is possible with regard to his/her age or level of development. All treatment provided to minors within both the public and private health and social care

setting must be in the minor's best interest.

Parliament added EUR 500,000 to the budget for 2017 for the prevention of Internet crimes. The additional funds will be directed towards preventing sexual abuse of children online as well as the prevention and investigation of bullying taking place online. The actions will enhance the identification of sexual abuse victims.

The Government of Åland's legislative programme includes a commitment to preventing domestic and intimate partner violence. All children and young people must be offered protection from the effects of violence. Under the legislative programme, there is a focus on enhancing staff skills in this specialist area, including staff knowledge of preventative and early intervention models. The government will also coordinate and put in place formal arrangements for multi-agency joint working within child and youth services with a particular focus on the physical and mental health of children and young people.

The Provincial Act on the implementation of the Child Welfare Act in Åland (97/2009) establishes the obligation to provide support services within the community. The relevant agency responsible for providing social care services is required to offer support services within the community setting without delay if 1) a child's environment poses a risk to the child or fails to promote their health or development, or; 2) a child's own behaviour poses a risk to their health and development. Support services are offered within the community setting to promote and support child development and to enhance the parenting or child-rearing skills of the relevant adults such as parents, guardians or any other adults responsible for the child's care and upbringing. All support services are delivered in co-operation with the child involved as well as the child's guardian and any other adults responsible for the child's health and welfare.

The Provincial Act on the arrangements for monitoring the criminal records of persons working with children (3/2004) applies in Åland. The act applies to all adults working in social care, education and training, youth work and sports, including all persons providing care, education or other services to children under the age of 18, in a permanent or long-term capacity, where such services are performed without supervision by the children's parents or guardians. According to the Provincial Act on the Ålands ombudsman service (33/2014), the ombudsman must promote and protect the status and rights of children. Under this obligation, the ombudsman is required to assess how the rights and interests of children are being met in practice, to evaluate of children's living conditions and monitor how legislation and other public decision-making is used to protect and promote the status and rights of children.

In Åland, help is available to children, young people and their families. The services available include support from family support workers within the social care sector, school counsellors and psychologists as well as specialist psychiatric services for children and adolescents within the Åland health and social care sector.

Also under an agreement negotiated by the Government of Åland, children can contact the *Barnens hjälptelefon* (Children's telephone helpline), which is charged at the local rate. The service is delivered in collaboration with an NGO *Barnens rätt i samhället*. The BRIS telephone service also provides help and information for adults. In 2016, the Government of Åland entered into an agreement with a round-the-clock Swedish-language suicide helpline run by the charity Mind. This service can be reached 24/7 and calls are charged at the local rate. [www.ombudsman.ax](http://www.ombudsman.ax), [www.regeringen.ax/halsa-omsorg](http://www.regeringen.ax/halsa-omsorg). Also in 2017 a new multi-agency joint working model was launched in Åland. Known as the Barnahus (Children's House) model, it takes action in cases where there are grounds to suspect that crimes have been committed against children.

[www.regeringen.ax/halsa-omsorg/barn-unga/barnahusmodellen](http://www.regeringen.ax/halsa-omsorg/barn-unga/barnahusmodellen)

The **NGO Exit** considers that there are not enough resources for services directed at young people in cases of sexual exploitation, especially when it comes to commercial sexual abuse. Areal inequality exists also.

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The police have no statistics of their own on victims who have received assistance. The role of the police is to prevent, investigate and prosecute as well as, of course, to guide the victims to receive assistance and support. The aim is, however, to develop the measuring of the preventive measures of the police. The aim is also, when the effectiveness of the police is measured, to take into account, *inter alia*, cases where the police have directed persons to receive assistance.

As to the helplines and the like ran by the NGOs, *Nollalinja* has been operating for only eight 8 months so no official statistics have yet been published, but information from the service provider suggests that there are 600 to 700 calls per month. The *Help.some* –application has assisted about 700 children in 2016. The information on the number of callers and visitors in the *Boys' Telephone* is not available.

### **Comments sent by / Commentaires envoyés par Save the Children and / et Central Union for Child Welfare**

#### **Question 6.**

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.<sup>15</sup> 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.

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

- 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.

## **FRANCE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Des services d'assistance téléphoniques ont été mis en place pour veiller à ce que les enfants victimes d'une exposition en ligne à des images et/ou des vidéos sexuellement explicites autoproduites et/ou à des contenus à caractère sexuel autoproduits puissent bénéficier de l'aide, de l'assistance et du soutien

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<sup>15</sup> Seri Support Center.

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



psychologiques nécessaires.

Deux plateformes téléphoniques sont à disposition des mineurs victimes dont l'une leur est spécialement dédiée :

- Le Service National d'Accueil Téléphonique de l'Enfance en Danger (SNATED) « 119, Allô Enfance en Danger » est le numéro de référence en matière de protection d'enfants victimes de toutes formes de violences. Ce numéro est dédié à la prévention et à la protection des enfants en danger ou en risque de l'être. Il est joignable 24h/24 - 7j/7. Ce numéro d'appel est gratuit depuis tous les téléphones : fixe, mobile, cabine téléphonique. Il n'apparaît sur aucun relevé détaillé de communication téléphonique. Il est joignable de toute la France et des Départements d'Outre-mer (Guadeloupe, Guyane, Martinique, Mayotte, Réunion). Il respecte la confidentialité des appels en conformité. Il doit être affiché dans tous les lieux recevant des mineurs (établissements scolaires, centres de loisirs, cabinets médicaux ....). Chaque appel traité au « 119 » donne lieu à la rédaction d'un compte-rendu de l'entretien entre l'écoutant et l'appelant. Selon qu'un danger ou un risque de danger est évalué, cela peut donner lieu à plusieurs types de réponses de la part du SNATED. En cas d'absence de danger ou de risque de danger, pour toute demande de conseils et d'informations sur une problématique concernant l'enfant et/ou sa famille, est rédigée une « aide immédiate » (synthèse de la problématique, réponse apportée et orientation vers les structures compétentes de proximité à même de pouvoir répondre aux besoins de l'appelant). L'aide immédiate peut aussi quelquefois concerner une situation de danger ou de risque de danger pour laquelle l'appelant refuse de communiquer les éléments identifiants qui permettraient au département d'engager toute action visant à protéger le mineur concerné. Toutefois, en cas de danger grave et imminent, plus rare, le SNATED saisit directement le Parquet. En général, en cas de danger ou de risque de danger, une information préoccupante (IP) est décidée relatant les éléments de la situation et les identifiants (nom, adresse, école...) de l'enfant, destinée à être transmise à la cellule de recueil des informations préoccupantes (CRIP) pour évaluation et suite à donner. Dans tous les cas où une information préoccupante est transmise à la CRIP, celle-ci est tenue (dans un délai de 3 mois, parfois plus long) de transmettre au SNATED un retour d'évaluation afin de l'informer de toute mesure prise suite à l'évaluation d'un danger ou d'un risque de danger par les services départementaux (Aide sociale à l'enfance (ASE), service social, Protection maternelle et infantile (PMI)), ou de l'absence de danger pour l'enfant.
- En outre, le 08VICTIMES est le dispositif téléphonique national de prise en charge des victimes d'infractions pénales quelle que soit la forme de l'agression ou le préjudice subi. Il est géré par France Victimes (ex INAVEM), la fédération nationale des associations d'aide aux victimes et de médiation. Le 08VICTIMES fonctionne 365 jours par an, de 9 heures à 21 heures, et permet d'accueillir, d'écouter, de soutenir, d'informer et d'orienter toutes les victimes. En dehors des horaires d'ouverture, une messagerie est accessible pour laisser ses coordonnées afin d'être rappelés dès l'ouverture. Cette messagerie est également activée lorsque tous les postes sont occupés pour éviter aux appelants de patienter. Le 08VICTIMES est bien au-delà d'un simple numéro d'orientation car il offre aux victimes un espace de parole anonyme et confidentiel qui a pour objectifs de libérer la parole, d'évaluer les besoins et les difficultés rencontrées. Il propose une orientation personnalisée vers les associations d'aide aux victimes. En complément d'une orientation vers une association d'aide aux victimes, ou lorsque la situation n'entre pas dans son champ de compétences, le 08VICTIMES peut orienter vers un de ses partenaires. Ces derniers sont des associations spécialisées, des organismes publics, des Fédérations ou encore d'autres numéros nationaux. Une charte d'engagement est établie pour les associations partenaires afin de garantir leur sérieux et leur déontologie. Pour faciliter la mise en lien avec les associations d'aide aux victimes, les écoutants peuvent saisir l'association ou effectuer un transfert d'appel. Dans le cas d'une saisine, l'association fait elle-même la démarche de prendre attache avec la victime, dans le cas du transfert, la mise en relation se fait immédiatement à l'issue de l'entretien. Il s'agit d'une véritable prise en charge immédiate et facilement accessible pour toute victime. Les écoutants, spécifiquement formés, interviennent dans le respect de l'autonomie de la victime, du non-

jugement, de la bienveillance et de la juste distance. Sa large accessibilité permet de rompre l'isolement des victimes et diminuer le sentiment d'insécurité.

Les mesures 9 et 15 du plan interministériel de mobilisation et de lutte contre les violences faites aux enfants 2017-2019 visent à renforcer la visibilité du numéro 119 Allo Enfance en danger.

#### **Question 6.1.a. and b.**

La loi du 17 août 2015 a transposé la directive européenne « Victimes » n° 2012/29/UE du 25 octobre 2012 établissant des normes minimales concernant les droits, le soutien et la protection des victimes de la criminalité cette directive en introduisant un article 10-5 dans le code de procédure pénale, qui prévoit que « les victimes font l'objet d'une évaluation personnalisée, afin de déterminer si elles ont besoin de mesures spécifiques de protection au cours de la procédure pénale ». Le décret d'application, paru le 28 février 2016, achève la transposition de la directive.

En application des articles D. 1-3 et suivants du code de procédure pénale, la victime doit faire l'objet d'une évaluation le plus tôt possible, notamment dès sa première audition par les services enquêteurs.

Les travailleurs sociaux ou psychologues de la police ou de la gendarmerie peuvent être associés à cette première phase d'évaluation initiale permettant d'évaluer la vulnérabilité de la victime, ainsi que ses besoins éventuels de mesures de protection immédiats. Ainsi, en fonction de ces premiers éléments, l'autorité judiciaire apprécie l'opportunité de faire procéder par une association d'aide aux victimes et éventuellement par une unité médico-judiciaire requises à cette fin (art. 41 al. 10 du code de procédure pénale), à une évaluation approfondie et psychologique le cas échéant.

Un circuit de circulation de l'information doit permettre à l'association d'aide aux victimes de reprendre contact de manière proactive avec la victime pour la réalisation de l'évaluation approfondie. L'accord éclairé et exprès de la victime pour y participer est un préalable obligatoire. A l'issue, l'association communique un « avis » sur les besoins de protection spécifiques de la victime, qui n'est pas obligatoirement le rapport exhaustif de l'entretien réalisé dans la mesure où il est susceptible d'être joint à la procédure. L'évaluation devra être actualisée en cas de survenance d'éléments nouveaux, ce qui implique un suivi des victimes à moyen, voire à long terme par l'association.

Les mineurs victimes font l'objet d'une présomption de besoins spécifiques de protection.

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L'actuel outil statistique ne permet pas de disposer de données sur le nombre de victimes ayant reçu une assistance et un soutien psychologiques dans les contextes particuliers évoqués ci-dessus.

Toute victime ou personne souhaitant signaler une situation d'enfant en danger peut le faire en appelant le 119 (Service national d'accueil téléphonique de l'enfance en danger – SNATED – Tel : 119 (7j/7 - 24h/24) – Site Internet : <http://www.allo119.gouv.fr/>).

Spécifiquement sur le numérique :

« Net Ecoute » est une ligne d'écoute nationale destinée aux enfants et adolescentes confrontées à des problèmes dans leurs usages numériques - Tel : 0 800 200 000 (du lundi au vendredi de 9h00 à 19h00) - Site Internet : <https://www.netecoute.fr/> (service chat disponible). Cette ligne fait partie du programme Safer Internet de la commission européenne, tout comme le site de signalement en ligne Pointdecontact ([http://www.pointdecontact.net/traitement et suites](http://www.pointdecontact.net/traitement_et_suites)).

Le site PHAROS géré par la police nationale permet à chacun de signaler les contenus illicites se trouvant sur internet (<https://www.internet-signalement.gouv.fr>).

« E-Enfance » est une association reconnue d'utilité publique agréée par le ministère de l'éducation nationale qui a pour mission de protéger les mineurs sur internet et de conseiller parents et professionnel(les) de l'éducation : <http://www.e-enfance.org/>

Les jeunes peuvent également appeler le Fil Santé Jeunes, financé par le ministère de la santé, ou se rendre sur le site Je m'exprime mis en place par le ministère de l'éducation nationale.

#### **Comments sent by / Commentaires envoyés par Stop Aux Violences Sexuelles**

##### **Question 6.1.**

Les enfants ont le numéro de téléphone généraliste 119 (Enfance en Danger) et le serveur [www.netecoute.fr](http://www.netecoute.fr) plus spécifique des dangers du net.

##### **Question 6.2.**

Pas de mesure spécifique sur ces sujets et loi de 2011 non appliquée.

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Pas de mesure en France.

## **GEORGIA / GEORGIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1. and 6.2.**

Protection of children, who are subject to abuse, neglect, or any other type of violence, is a key objective of the Georgian Government.

In order to improve prevention, detection and protection mechanisms against violence, in 2016 Government adopted new child protection (referral) procedures, which has extended the list of responsible entities to refer the child violence cases to relevant agencies. The document clearly determines all forms of violence against child, describes competence and responsibility of each public agency and defines mechanism of separation of a child from an abuser. Ministry of work, health and social care provides special assistance to the child victims of violence and abuse regardless of the type of the violence used against the child.

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No reply to this question / Pas de réponse à cette question

## **GERMANY / ALLEMAGNE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

As part of the EMPACT Cooperation, the Federal Criminal Police Office (*Bundeskriminalamt* – BKA) in its function as the representative of Germany was the contact, for the Priority Cybercrime, Sub-Priority “Child Sexual Exploitation” (CSE), for the prevention campaign performed by EUROPOL on the phenomenon of “sexual coercion / extortion of children and adolescents on the internet.” In this context, EUROPOL created a prevention video with the objective of raising awareness among minors for the risks they run as victims within this sphere of offences, while reinforcing reporting mechanisms; this shows dramatized extortion scenarios in the form of online chatting between the perpetrator and the victim. The video was translated into all languages of the Member States and was published within the EUROPOL YouTube Channel and on the EUROPOL homepage. The video closes with the words “Get help.

Report it. We are here.” and refers viewers to the police of the respective Member State, which is “*Polizei 110*” for Germany. Moreover, depending on the concept pursued by the Member State, it is possible both in the YouTube video and in the media work done in the respective country to refer to NGOs as contacts, for example.

As coordinated with the counselling centres “*Nummer gegen Kummer e.V.*” (number against sorrow) and “*N.I.N.A. e. V.*”, they were linked in the description of the YouTube video along with an accompanying text. It is in this way that, in the end, the actual message of the overall campaign is transmitted, while making clear that anyone affected can seek help, whether from the police as a contact in situations of imminent danger, or in order to file a report, or from the NGOs in order to obtain counselling anonymously. The video was distributed on the one hand via the social media pages of the Federal Criminal Police Office, and on the other hand on the websites of the two counselling centres, respectively their pages on social media. The Criminal Police Offices of the *Länder* were informed by the Federal Criminal Police Office of the project and the prevention video was made available to them for their further use. Concurrently, it was suggested that a link be placed to the video / campaign as part of the programme *Polizeiliche Kriminalprävention* (ProPK, Police Prevention of Crime).

Moreover, there is Jugendschutz.net, a competence centre serving the protection of young persons regarding media on the internet that is supported by the Federation and the *Länder*, which lends support to children when they file a report with the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ). They will be given pointers on the next steps, and, where content is concerned that was made publicly available, they will be supported in their efforts at having it deleted.

Likewise, the “*Hilfetelefon Sexueller Missbrauch*” telephone hotline for sexual abuse provides advice to children as well as adults on the topic of sexual violence in digital media. The hotline is the point of contact throughout the Federal Republic for persons affected by sexual violence, for their relatives and for persons in the social environment of children, for specialist staff and for all interested parties; it is free of charge and anonymous. The hotline is an offering made available by the Independent Commissioner for Matters of Sexual Abuse of Children (UBSKM). The callers are served by employees of the specialist counselling service N.I.N.A. e. V. (National informational hotline, network, and point of contact concerning sexual violence against girls and boys).

The following offerings should be cited as well:

- *Nummer gegen Kummer e. V.*, further information under URL <https://www.nummergegenkummer.de/>
- juuuport e. V., further information under URL <https://www.juuuport.de/main/>
- N.I.N.A. e. V.; the “Save me online” service bears particular mention and is published under <http://www.nina-info.de/save-me-online/>

Moreover, the *Länder* report the following:

In **Baden-Württemberg**, the schools of the *Land*, pupils, and care guardians may avail themselves of the school psychological support system in place. The school psychological counselling centres form part of the *Staatliche Schulämter* (authorities supervising and running the state schools) of the *Land* of Baden-Württemberg and maintain offices at a total of 28 locations. A major aspect of their activities is to provide counselling to teachers, pupils, parents, and principals, as well as to the schools’ administrative services. In this context, the school psychologists are responsible for all types of schools, from elementary schools to vocational training centres. The counselling provided is governed by the principles

of confidentiality, voluntary contact, and neutrality.

The *Land of Lower Saxony* reports that victims of offences have the opportunity to turn to the foundation “*Opferhilfe Niedersachsen*” (Aid for victims in Lower Saxony), which was established in 2001 and which provides, by its offices and professional victim counsellors, advice and support to the victims of offences and looks after them in all of Lower Saxony. The foundation is available to people seeking support or information regarding suitable assistance, who may do so directly in person, in writing, by telephone, or via the online counselling service.

In **Saxony**, the following procedure applies once the relevant circumstances become known: It is first reviewed whether the matter should be investigated under criminal law and the Youth Welfare Office will be informed; depending on the circumstances, measures of victim protection will be taken. This includes, for example, the involvement of the *Opferschutzbeauftragter* (commissioner for victim protection) of the police station, who will provide information about available measures of support and assistance and will put victims in touch with the appropriate organisations. Moreover, the Police of Saxony have published a brochure “*Polizeilicher Opferschutz - Information für Betroffene*” (Protection afforded to victims by the Police – information for parties affected); this lists the counselling centres and their contact information and is made available to parties affected by crime.

#### **Question 6.2.a. and b.**

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Generally speaking, parties affected have access – should they require it – to counselling, support, and psychological help if they have fallen victim to a crime. This will be indicated to them by the police officers with whom they file a report, for example. The *Bundesministerium der Justiz und für Verbraucherschutz* (Federal Ministry of Justice and Consumer Protection – BMJV) has prepared an information sheet, together with the *Länder*, for the victims of a crime that provides a first overview of the bodies offering assistance for them and informs them about their rights. At present, the information sheet is available in a total of 23 languages. No numbers are available on how many victims have been provided with counselling, support, or psychological help under the circumstances listed above.

Inasmuch as the question addresses legislative measures, it is to be noted that the task of jugendschutz.net addressed under Item 6.1 above, to provide counselling and training courses, has been enshrined in the law by section 18 (3) of the *Jugendmedienschutz-Staatsvertrag* (JMStV, State Treaty on the protection of young persons regarding media). No statistics are available on how many victims have been provided with counselling, support, or psychological help under the circumstances listed above.

Moreover, it is to be noted that since 1 January 2017, victims requiring a particular degree of protection – this being, first and foremost, children and adolescents who have become victims of crimes of violence and sexual offences – are entitled to professional counselling and to being looked after during the entire course of the criminal proceedings pursued against the perpetrator. This legal right is termed “psycho-social counselling during court proceedings” (section 406g of the Code of Criminal Procedure (*Strafprozessordnung* – StPO)).

Psycho-social counselling during court proceedings is a particularly intensive form of looking after victims of offences before, during, and after the main hearing before the court. It comprises the qualified counselling, provision of information, and support during the criminal proceedings. In this way, it is intended to alleviate the strain placed on the victims. This process of looking after the victims does not constitute legal counselling and thus is an additional offering available to victims requiring a particular degree of protection. In other words, this psycho-social counselling during court proceedings does not replace an attorney. The provision of legal advice is the remit solely of attorneys, this remains the case unchanged.

The persons looking after victims in this way must meet high requirements in terms of their competencies. The Act on Psycho-social Counselling during Criminal Proceedings (*Gesetz über die psychosoziale Prozessbegleitung im Strafverfahren – PsychPbG*) provides for the minimum requirements that they must meet in terms of their qualifications. The *Prozessbegleiter* (victim counsellor for proceedings) must be qualified in terms of his or her expertise, personality, and range of interdisciplinary abilities. The *Länder* are responsible for executing the psycho-social counselling during court proceedings and also for deciding on which persons will be recognised as victim counsellors for proceedings.

In order to assert whether an entitlement is given to psycho-social counselling during court proceedings, an application must be filed with the court, which will then assign the victim counsellor for the proceedings, provided the pre-requisites therefor are met. In the event of such a counsellor being assigned by the court, this will be free of charge for the victim.

In those cases in which children and adolescents are afforded with psycho-social counselling during court proceedings, they will be concurrently entitled to having assigned to them, at the cost of the state, a so-called "*Opferanwalt*" (victim lawyer), regardless of their situation in terms of income or assets. Accordingly, they are provided with comprehensive support.

In **Lower Saxony**, the interministerial homepage <http://www.opferschutz-niedersachsen.de/> was instituted; this is maintained and updated by *Fachstelle Opferschutz* (Victim protection services). Via this website, victims of crimes can easily obtain access to valid information about first contacts for their needs, counselling centres, the claims to which they are entitled, and opportunities for support, as well as the allocation of tasks between the different professions involved in the various proceedings. This information is made available without any special obstacles needing to be overcome and has been written in an easily understood language.

## **GREECE / GRECE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

- Cyberalert 24/7 hotline of the Cyber Crime Division.
- Hotline of NGO "Hamogelo".
- Hotline of NGO "Safeline", member of InHope.

#### **Question 6.2.a. and b.**

- **Articles 352A** (psychodiagnostic examination and treatment of the perpetrator and the victim of crimes against sexual freedom and the economic exploitation of sexual life) and **352B** of the **Penal Code** (Protection of the private life of minor victim).

- **Law 4478/2017** (Incorporation of Directive 2012/29/EU, establishing minimum standards on the rights, support and protection of victims of crime), which specially provided for the creation of independent offices for the protection of minors victims "Houses of the Child" (articles 74, 75 and 77)

→

No reply to this question / Pas de réponse à cette question

## **Comments sent by / Commentaires envoyés par Stop Aux Violences Sexuelles**

### **Question 6.1.a. and b.**

‘The Smile of the Child’ operates the following three (3) helplines for the support and protection of child victims:

#### → National Helpline for Children SOS 1056

The recognized National Helpline for children SOS 1056 is operated by ‘The Smile of the Child’ and is available for every child and adult for the provision of support on issues of their concern. The 1056 Helpline plays a key role in addressing situations of violence that children are faced with (Physical, Sexual & Psychological Abuse, Neglect, Bullying and Trafficking). The 1056 Helpline is staffed exclusively by specialized Social Workers and Psychologists and is available throughout Greece on a 24-hour basis, 7 days a week, 365 days a year. For the provision of the above-mentioned services, vehicles of Direct Intervention and Mobile Medical Units of Intensive Care for newborns and children are at the disposal of the Helpline 24 hours a day. Emphasizing communication with children and adolescents, apart from the communication via a telephone call, children also have the possibility to “talk” to us via”: Email, Chat and Social Media. Furthermore, the Helpline 1056 is interconnected with the 112 European Emergency Number and participates in the Network of Child Helpline International (CHI).

#### → European Helpline for Children and Adolescents 116111

‘The Smile of the Child’ is the national operator of the European Helpline for Children and Adolescents 116111 providing counseling support for free to children and adolescents. A team of specialized psychologists and social workers are available to provide support to every child and adult on issues that concern them. The Helpline 116111 plays a crucial role in preventing phenomena of violence that children may encounter (Physical, Sexual and Psychological Abuse, Neglect, Bullying, Smuggling & Trafficking), as well as cases of missing children. The Helpline 116111 is staffed exclusively by specialized psychologists and is available nationwide, 24 hours a day, 365 days a year. Furthermore, the Helpline 116111 is interconnected with the 112 European Emergency Number and belongs to the Network of Child Helpline International Foundation (CHI). Calls to the Helpline 116111 are free of charge.

#### → European Hotline for Missing Children 116000

‘The Smile of the Child’ is the national operator for Greece of the 116000 European Hotline for Missing Children, providing free support to children who have disappeared and to their families. ‘The Smile of the Child’ receives daily reports and calls (anonymous or not) for assistance, on cases of children that have gone missing (teenager escape, kidnapping, parental abduction, alarming disappearance) which forwards to the competent authorities. The hotline 116000 is staffed exclusively by qualified social workers and psychologists and available nationwide, 24 hours a day, 365 days a year. Calls to the Hotline 116000, are free of charge.

Furthermore Line 116000 is interconnected with no. 112, the European Emergency Number, belonging to the International Network Telephone Lines (Child Helpline International).

At operational level, line 116000 is served all the 24 hours by:

- The Research and Rescue team « Thanassis Makris » with participation of certified dog lovers Groups
- A number of specialized logistics; (jeeps, ATV, motor vehicle, ambulances)
- The « Ulysses » Mobile Medical Unit

Emphasizing in communication with children and adolescents, in addition to telephone calls, the opportunity is given to children to "talk" with us via: Email, Chatting and Social Media.

## **HUNGARY / HONGRIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Victims can report directly to the Police by calling 112, the number of the Emergency Call Centre.

There are no central reporting hotlines specifically for the above mentioned activities, but victims can report offences or crimes to the police via helplines too (like the Internet Hotline operated by the NMHH, the biztonsagosinternet.hu operated by the National Infocommunications Service Company (NISZ), the "Blue Line" and Yelon). Both entities should inform the victim and the family on the available support, assistance and psychological help which is provided by law.

6.1.1. The **Internet Hotline** is available to the public for reporting online content that is illegal or harmful to minors, works closely with the Hungarian Police. There are 9 categories in which public can file reports: content made accessible without permission; harassment; paedophile content; racist or xenophobic content; sites portraying violence; data phishing sites, content infected with viruses, spyware or worms; site, invitation or request offering or aimed at the promotion of narcotics; content promoting, facilitating or inciting acts of terrorism; other content that may be harmful to the development of minors. The Internet Hotline regularly receives reports in connection with the consequences of sexting: photos or videos made accessible without permission. In these cases the complainants are typically adolescents and young adults. Once a report about content made accessible without permission (for example a self-generated sexual content) is filed, it will be evaluated by Internet Hotline personnel and if the reported content is found to be objectionable (it means somebody has misused the reported photo or video) the content provider or the affected host is notified to take the questioned content offline. The Internet Hotline always brings the infringement to provider's attention. The most cases the process of Internet Hotline is successful and providers remove the contested content. As you can see Internet Hotline can provide technical support for children if somebody misuses their self-generated sexually explicit images or videos or their self-generated sexual content, for example posting an intimate photo on Facebook or sending it as message.

The NMHH has to emphasize that the activity of the Internet Hotline is not an authority procedure but an activity undertaken by the NMHH in the name of corporate social responsibility. Lacking statutory powers, the Internet Hotline and its operator, the NMHH cannot require the deletion of any content or the inclusion of a warning of content detrimental to minors. The Internet Hotline may only request the removal of the contested content by citing that it infringes legislation however the procedure of hotline is very effective and successful.

In 2017, the NMHH received 108 reports about content made accessible without permission, among them there were 6 reports in connection with sexting.<sup>16</sup>

6.1.2. The **National Infocommunications Service Company (NISZ)** (biztonsagosinternet.hu) is authenticated by the international hotlines association, the INHOPE (Just like the one operated by the NMHH). It accepts reports of any kind of harmful and illegal contents. According to the statistics of NISZ, covering a yearly period between July 2016 and July 2017, most of the reports on online child sexual exploitation (images, videos) originated from Hungarian users; with this statistics, after Russia and the U.S., Hungary ranks the 3<sup>rd</sup> in the countries with the most numerous reporting of such content. (Table 1)

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<sup>16</sup> The reporting interface: <http://english.internethotline.hu/reporting/>



Table 1: The number of child sexual exploitation related reports, between 2016 July and 2017 July, countries' ranking (source: NISZ)

Ranking	Country	Occurrences
1	Russia	85
2	United States	45
3	Hungary	42
4	France	33
5	Netherlands	14
6	United Kingdom	3
7	Italy	2
8	Seychelles	2
9	Czech Republic	1
10	Germany	1
11	Iceland	1
12	Slovenia	1
13	Croatia	1
14	Canada	1

In the above mentioned time period (2016 July – 2017 July) NISZ processed 1,233 reports in Hungary, the vast majority of which was child sexual exploitation related (231+42+13=286; 23.2% - see Table 2). However, there is no statistical breakdown how many of these were peer-sexting-related.

Table 2: NISZ processed reports breakdown by type of content, between 2016 July and 2017 July, Hungary (source: NISZ)

Type of Content	Hotline Determination
Child Pornography	231
Child Erotica/Inappropriate Child-related images	42
Child Nudism	13
Child Grooming Activities	N/A
Child Trafficking	1
Child Sex Tourism	N/A
Adult Porn Accessible to Children	1
Adult Pornography	135
Extreme Adult Content	13
Racism and Xenophobia	2
Promoting Violence Against an Individual	8
Terrorism	N/A
Drugs	4
Spam not containing or referring to illegal content	16
Other Content or Not Illegal	375
Queries	27
Not Accessible	66
Not Found	103
Outside Hotline Remit	196
<b>Total Reports Received</b>	<b>1233</b>

Speaking of specific peer-sexting-related content, “Blue Line” and Yelon accepts reports.

6.1.3. The „**Blue Line**”<sup>17</sup> was founded in 1993, therefore it has a more than twenty years past experience. The primary task of the „Blue Line” is to listen to the children and young people and help those of them who are in need. It reaches their tasks among others by operating child helplines. It works on implementing the rights of children as defined by the United Nations. Its mission is to accomplish that adults, as well as professional and governmental bodies working with children serve the interests of children above all other interests. It fulfils its tasks by operating a child helpline (telephone and online availability), organizing activities, programmes, clubs for children, and providing training and services for professional staff working with children.

“Blue Line” has several helplines:

- Missing Children Hotline: The service offers emotional, social, legal and administrative support for parents and children in connection with child disappearances. The operation of the service is based upon the Guide for Hotline Operators identified by Missing Children Europe.
- Child Helpline and Internet Safety Helpline: The goal is to help children and young people in need of support, care, and protection; to improve callers' safety. The main activities include telephone support for children and young people in difficult situations, education and promotion efforts encouraging young people to seek help and use the helpline's services.
- These two helplines can be called free of charge, 24-hour a day, anonymously. The helplines are operated by trained volunteers during the day, and by professional staff during the night.
- It offers also e-mail service through kek-vonal.hu website (called EMIL), and chat service also through the website.
- Children's Lawyer: This service is operated by the specialized lawyer of the Foundation together with pro-bono lawyers and lawyer trainees. The “Blue Line” Children's Lawyer service helps those children, young people, parents and professionals who turn to us for help. The service can be used through e-mail to: [gyerekjogasz@kek-vonal.hu](mailto:gyerekjogasz@kek-vonal.hu).

116-111 is the number of Child Helpline and Internet Safety Helpline. The main activities include telephone support for children and young people in difficult situations, education and promotion efforts encouraging young people to seek help and use the helpline's services. It can be called free of charge, 24-hour a day, anonymously. The helplines are operated by trained volunteers during the day, and by professional staff during the night. Children can call the helpline in connection with self-generated sexually explicit images or videos and their self-generated sexual content.

„Blue Line” gets 40,000 calls a year; the first half of 2017 they got 23,378 calls, from which 6,526 were so called consulting calls, and 51 were immediate action requirement (or interventional) calls. In all the calls in 2017, 21 were sexual depictions AND peer related. Compared to the sum amount of calls, 21 is very few, but “Blue Line” expressed their concern that there might be much more cases in reality. A reason of this might be that most of such calls are registered as a wider category such as relational problem, peer-related problem, instead peer-related sexting. In the evolution of the cases, sexting emerges only as the final step, the conclusion of the harassment.

6.1.4. The **Yelon** is a sex education helpline launched by **Hintalovon Foundation**<sup>18</sup> in February 2017.<sup>19</sup> To this date, Yelon got 9 calls in child sexual exploitation cases, 3 of which needed service other than counselling – 2 cases psychological, 1 case psychological and legal aid. Yelon is an advocacy service run by adult professionals and youth volunteers, posting bulletin board briefs in youth sexuality and provides chat service for peers as well.

6.1.5. Victims can also call the 24/7, free of charge **helpline on 06-80-225-225 of the Ministry of Justice**. The staff informs all victims on the available options and procedures.

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<sup>17</sup> <https://www.kek-vonal.hu/index.php/en/>

<sup>18</sup> <http://www.hintalovon.hu/>

<sup>19</sup> <https://yelon.hu/>

6.1.6. Please, see ANNEX 2. for extracts from NAIH study “Key to the world of the net” Page 106-107.

**Question 6.2.a. and b.**

6.2.1. The **Act CVIII of 2001 on Electronic Commerce and on Information Society Services** transposed the E-Commerce Directive (Directive 2000/31/EC) into Hungarian law. According to this Act (Section 13, (13)) a child victim of online exposure of self-generated sexually explicit images or videos and self-generated sexual content has the right to notify the provider to remove the contested content. It is called **notice and takedown procedure**.

*Section 13 (23) of the Act says “Any minor whose personality rights are alleged to have been infringed upon by any information to which a service provider has given access - not including the standardized title of the information made available - (hereinafter referred to as “under-age data subject”), or the legal representative of an incompetent minor (hereinafter referred to as “legal representative”) shall be entitled to notify the service provider specified in Subparagraphs lb)-ld) of Paragraph l) of Section 2 in a private document representing conclusive evidence or in an authentic instrument, or by any other means with facilities for the identification of the under-age data subject or his/her legal representative, such as a certified postal consignment (hereinafter referred to collectively as “notice”) requesting to have the information alleged to violate the personality rights of the under-age data subject removed. In the case of any information alleged to violate the personality rights of an under-age data subject of limited legal capacity, the legal representative of such under-age data subject may also request the service provider to remove the information alleged to violate the personality rights of the under-age data subject. The notice shall elaborate the reasons as to why the content in question is considered to infringe upon the under-age data subject’s personality rights”*

If the provider does not comply with the request the minor or its representative can bring the case of alleged infringement of the minor’s personality rights before the Internet Roundtable on Child Protection (Section 13 (15)). The Roundtable was established by the NMHH, the purpose of the 21-strong advisory board is to encourage the protection of minors on the web. The Roundtable can also issue non-binding recommendations or public statements, especially if the raised issue represents a general problem.

6.2.2. Since **Act 31 of 1997 (Child Protection Act)** entered into force, a **child protection detection and signalling system** has been established by the local level of child welfare services for the aim to prevent endangerment and abuse of children and report these cases in the shortest time to the designed authorities. The members of child protection detection and signalling system, as defined by the Child Protection Act, are providers of health services, providers of personal care, public education institutions, the police, the prosecutor's office, the court, the probation officer, organizations established for the purpose of victim assistance and compensation, refugee reception stations, temporary accommodation for refugees, any associations, foundations and church legal entities, the labour authority, the reformatories, representatives of children's rights, the capital and county government departments acting in the field of child protection and guardianship.

The above mentioned institutions and persons are required to signal any case of child's endangerment to a child welfare service provider, and to initiate administrative proceedings in case of abuse or serious neglect, or other serious causes of danger, or the serious risk of self-inflicted behaviour of the child. With such an indication and initiative, practically any citizen and a social organization representing the interests of children can make signal to such institutions.

The detection and signalling system was transformed into a four level system, two of which were established on 1 January 2016:

- On a local level - the task of the Family and Child Welfare Service is to organize a local child protection signalling system, to formulate, operate and document cooperation forms. The signalling system's responder is responsible for signalling from the area on a weekly basis to the district's counselling counsellor. On the local level, organizing and convening the case conferences with the participation of the district level consultant (so he/she can find out about the circumstances and situation of a particular family prior to signing the protection proposal), as well as the organization of case discussions and annual professional meetings six times annually, where local issues and news are discussed. The district signalling consultant coordinates all inter-professional case discussions and professional meetings. The introduction of a local signalling action plan has been mandatory for the assessment of the functioning of the local child protection signalling system and the enhancement of its effectiveness.
- On the district level - the Family and Child Welfare Centre provides a continuous professional background for family caregivers working in the settlement level, responsible for signalling systems, receiving their signals and problems. The task of the district signalling consultant is to assist in the operation of the municipal level signalling systems and to provide professional support. He/she coordinates the work of the family caregivers of the settlement, and is responsible for organizing case discussions, inter-professional meetings organized for settlements, annual professional conferences.

Two further levels were set up as continuation of the signalling system reinforcement (at the former local and district level) since 1 January 2017:

- On the county/capital level - in the framework of the child protection detection and signalling system, in addition to the local and district level, tasks of the capital and county government departments acting in the field of child protection and guardianship have been set up to facilitate the functioning of the signalling system as specified by law. The Budapest and county government offices provide support to the problems, difficulties and management of the child protection signalling system, the members of the child protection detection and signalling system as well as child welfare service providers. Its basic task is to initiate, implement and provide technical assistance to the professional activities, measures to improve the operation and operation of the signalling system. It provides professional support to district signalling consultants of the Family and Child Welfare Centres, and convenes them annually, jointly evaluating the child protection signalling system of the county in their jurisdiction.
- At national level - National methodological task performance and nationwide child protection signalling number operation. Within the framework of the state's maintenance duties, the Directorate-General for Social and Child Protection is designed to provide the development of the efficient functioning of the signalling system. Its task is to provide nationwide professional support and development of the effective functioning of the child protection signalling system, to develop and organize trainings, to draft regulatory and modification proposals for sectoral management. In order to support the signalling system and the announcement of the child's vulnerability announcements, from January 1, 2017, a nationwide unified child protection signalling system number was set up.

6.2.3. There is no project or measure in Human Resources Operation Programme (HRDOP) directly connected this issue, however, there are measures where activities might be financed targeting protection of children producing or sharing materials. Relevant examples are as follows:

- EFOP 1.2.4 **Development of Crisis Management Services** (Kriziskezelő szolgálatok fejlesztése) - The aim of the call is to reduce the number and severity of related violence and other emerging crisis situations by improving the quality and availability of low-threshold services through the human resources and technical development of crisis services and telephone help services. (Key Project)

6.2.4. Victims of sexting related offences can ask for assertion of interests at the **Victim Support Service**. In these cases the service granted can mean emotional support especially. Victim Support Service provides victims with tailored information on their basic rights and the services available. If required, they assist victims with filling in forms, submitting applications, contacting other organizations that also offer services to victims, respectively.

Victims can also call the 24/7, free of charge helpline on 06-80-225-225 of the Ministry of Justice. The staff informs all victims on the available options and procedures.

In an ongoing criminal procedure victims can apply for a certificate of their victim status in order to get legal aid with more favourable conditions from the **Legal Aid Service**.

A special signalling system is in operation which aims to protect the child's best interest. Whenever the Victim Support Service gets information on a minor exposed to threats of crime, it shall immediately call the attention of the child welfare agency.

In Hungary, there is neither a law available specifically on providing psychological assistance to the underage victims of sexual violence, nor centrally (financially) supported institutional background therefore. The **victims' assistance code** (áldozatvédelmi törvény)<sup>20</sup> however orders to assist victims of crimes with "psychological trauma, emotional distress". However even this code lacks concretizing the forms of necessary assistance. Furthermore, there are European Union directives ensuring the special protection and rights of the victims of sexual crimes, of which the latest and most comprehensive is the directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA.

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No reply to this question / Pas de réponse à cette question

## **ICELAND / ISLANDE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

There are two 24/7 helplines operated in Iceland that children are encouraged to call in cases of emergency (112) or for counselling (1717). The former is operated by the State and receives reports that are forwarded to the Local Child Protection for the appropriate response. The latter is operated by the Red Cross which collaborates with the Safer Internet Centre and Safe the Children. Neither helplines address self-generated sexually explicit material per se. However, there members of the public are specifically encouraged to report child pornography on the internet and this disseminated to the National Police.

Children that are victims of online exposure of some kind have the right to support and assistance from the local Child Protective Services (CPS). Moreover, all child victims of sexual abuse of any form, including victims of exposure online, have the right to therapy provided by the Barnahus (i.e. Children's House) in Iceland. All measures provided by CPS and Barnahus are free of charge for the victims and their families.

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<sup>20</sup> 2005. évi CXXXV. törvény a bűncselekmények áldozatainak segítéséről és az állami kárenyhítésről (hereinafter victims' assistance code)

### **Question 6.2.a. and b.**

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According to Article 16, parag. 1 subparag. b of The Child Protection Act no. 80/2002 any suspicion that a child has suffered physical or sexual abuse must be reported to the CPS. The local CPS then has the legal obligation to investigate the case and if that suspicion is substantiated offer the child the support, assistance and help mentioned in answer to questions 6.1 and 6.2 (see Articles 21 – 22, 23 – 24 and 26 of The Child Protection Act).

According to numbers from Barnahus total of 34 children gave court testimonies that they sent or were coerced to take/send sexually explicit pictures or received such material in the years 2014-2016 (9 in 2014, 8 in 2015 and 17 in 2016). All those children were offered psychological help from Barnahus.

## **ITALY / ITALIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.**

The Italian legislation (Article 609-decies) states that when a trial is initiated for one of the offenses related to child pornography (Article 600ter - Article 600quater cp) - as well as for other crimes such as slavery, child prostitution, sexual tourism, trafficking, sexual violence, sexual acts with minors, corruption, solicitation) committed to minors, the prosecutor informs the juvenile court. This communication is aimed at activating protection and assistance for the minor victim, through the intervention of the Specialized Judicial Authority (Court for Minors). In the same cases, the rule states that "the emotional and psychological assistance of the offended minor is ensured in every stage and grade of proceedings by the presence of parents or other suitable persons designated by the minor, as well as groups, foundations, associations or non-governmental organizations with proven experience in the field of assistance and support for the victims of the above mentioned offenses listed in a special list of legal entities legitimated for this purpose, with the consent of the minor, and admitted by the judicial proceeding. In any case, the minor is provided with the assistance of the Juvenile Justice Service and the services provided by local authorities." The Judicial Authority may, however, use such services for the purposes of the Juvenile Justice Service and the services provided by the local authorities in each stage and grade of the proceedings.

In the Italian system, the responsibility for taking on the minor victims of abuse and sexual exploitation is up to the Regions. The Department for Equal Opportunities, in order to ensure the homogeneity of the assistance on the national territory and to provide specific guidance on the safeguards for the minor victims of sexual abuse and exploitation, has recently set - in collaboration with the members of the ' Observatory on Paedophilia and Child Pornography - Guidelines identifying the essential levels of protection and support for minors who are victims of abuse and sexual exploitation presented at the Plenary Meeting of the Observatory held on 15.09.2017.

As for the helpline, it should be noted first that by the Department for Equal Opportunities the Servizio 114 Emergenza Infanzia (telephon Emergency Childhood Service 114) is active, to which you can address to report any form of disease / danger related to a minor; This is a multilingual service, active 24 hours a day, seven days a week, free of charge, accessible both from home and mobile phones ([www.114.it](http://www.114.it)).

The State Police website (<http://www.commissariatodips.it>) is the Internet office managed by the Post and Communications Police to receive information or report offenses that occur on the Internet, including those linked to online paedophilia and other minor offenses related to the use of computer and communication technologies.

Special sections are in the other police Services websites

(Carabinieri: <http://www.carabinieri.it/cittadino/consigli/per-piu-piccoli>,

State Police: <https://www.poliziadistato.it/articolo/247> and <http://www.commissariatodips.it/dasapere.html>) dedicated to children and parents, containing practical advice (also in the form of fairy tales, stories and comics), also relevant to paedophilia, on-line temptation, protection of identity and online psycho-physical integrity, correct use of the media.

As for the data available, it should be noted that in the 2016 Report of the Emergency Childhood Service 114, cases of request for assistance for sexting phenomena are increasing: they were 3.7% of all calls received in 2013 for abuse and paedophilia, 5.2% in 2015 (2067 calls), and 7.1% in 2016 (1667 calls). Not so dissimilarly emerges from the 2016 Report of The Telefono Azzurro association, which runs the helpline 19696 - according to which sexting reports counted for 15.3% of abusive and paedophile calls in 2015 (total 2682), while in 2016 help requests related to sexting were 21.6% of calls (total 2315).

Further data - related to the year 2015 - are found through the Database of the Observatory for the fight against paedophilia and child pornography of the Department for Equal Opportunities: the Ministry of Home Affairs provides this database with data on reported offenses concerning child and adolescence abuse and about the reporting of victims of crime. The Ministry data are extracted from the SDI (Intermediate Information System) on the crimes reported by the police to the Judicial Authority. Even in this context, there are no specific data concerning the self-production of child pornographic material by children or their dissemination. In general, data from the Ministry of Interior reported 1,788 offenses in 2015 related to child abuse and maltreatment, with a contraction in 2014 when the reports were 2,011, and also compared with 2013 when they were 1,911. Compared to the offense of child pornography (art 600ter of the Penal code) we have 149 crimes in 2015, which is 8.3%, down from 2014 when they were 240 and also compared to 2013 when they were 178. After these types of crime, the Data of the Ministry report 105 offenses for minor corruption in 2015 (5.9% of the total), 90 offenses for child prostitution (5% of the total), 58 complaints for child pornography (3.2% of the total), 35 offenses for aggravated sexual violence, because committed in educational institutions (2% of the total) and 26 for group sex violence (1.5% of the total); Other crime typologies amount to a total of 18 reports (1% of the total). In 2015, reported victims of child abuse and ill-treatment are 1,813 with a reduction compared to 2014 when the reported victims were 2,020 and even compared with the year 2013 when 1,930 minors were reported to abuse and maltreatment.

With regard to the types of offense, for 2015, victims of child pornography are 150 (8.3%), with a contraction compared to 2014 when they were 241 and also compared to 2013 when they were 184. Victims of crimes of abuse and maltreatment related to the offense of minor corruption are 115 (6.3% of the total) in 2015, 90 are victims of child prostitution (5% of the total), 66 victims reported in connection with offenses related to detention of pedopornographic material (3.6% of the total), 35 reports for aggravated sexual violence because contracted at educational institutions (1.9% of the total) and 26 for group sex violence (1.4% of the total); the victims reported for the other types of crime amount to a total of 18 reports (1% of the total).

Moreover, as for the minors who have been assisted, more general data can be provided (not specific to the hypothesis dealt with in the questionnaire) about the taking over by the Social Services of Minority Justice of minors victims of sexual exploitation (abuse excluded) and maltreatment (including victims of crime related to the production / detention / trade / spread of paedophile material). The minor offenders of child prostitution, child pornography and possession of pornographic material, who were taken up for the first time by the Social Services for Minors in 2016, are 101 (93 males and 8 females). Data relating to victims of sexual offenses (other forms of exploitation and mistreatment or offenses provided for in Articles 572, 600, 600 bis, 600b, 600d, 601, 602, 609e, 612bc) which were taken up for the first time in 2016 by the Social Service, are the following at national level: 50 reported minors (including 24 males and 26 females) and 47 minors (22 males and 25 females) for whom actions have

been undertaken by the social services in 2016. In the same year 2016, 117 are the minors victims of these crimes who have previously been assisted by the juvenile justice services (including 58 males and 59 females).

With regard to the assistance of boys and girls at school it has to be noted that in the last years in Italy the use of psychologists has been widespread, especially in first and second grade secondary schools, as some of them have introduced a psychological front desk and projects of several hours of training courses for school staff and parents and / or discussion of child related issues through interactive lessons and group games. The psychological front desk generally involves a psychologist for at least once a week, it is addressed to students, teachers and parents, and it is a setting where one can talk about any worry, even if not related to school, and where the utmost privacy is guaranteed (unless serious emergencies concerning the child and requiring the involvement of the family). This is a tool which can be used by children who need listening and support for issues related to self-production and the spread of sexually explicit material.

Lastly, in the implementation of the National Plan for the Prevention and Fight against of Abuse and Sexual Exploitation of Children 2015-2017, the members of the Observatory for the fight against paedophilia and child Pornography have planned a Guidelines for taking care and treating of online victims and their families, in order to identify the appropriate support and treatments through a Committee of Experts and a comparison of ongoing programmes in various Italian regions to be evaluated by effectiveness. Cismai (Italian Coordination of Child Maltreatment and Child Abuse Services) has already started an ad hoc Scientific Commission leading an experimentation in some Italian Regions in its centers, working with Save the Children Italia and the Postal Police for the drafting of the guidelines.

## **LATVIA / LETTONIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

We point out, that several victim reporting mechanisms have been introduced in Latvia:

Victims can report about violations and receive psychological support by calling the State's Inspectorate for Protection of Children's Rights Free Children hotline 116111, as well as writing e-counselling. When receiving information about possible violations of children's rights in relation to child sexually explicit images/videos or self-generated sexual content of the child, the information is evaluated and, if necessary, it's handed over to the State police or to the State Inspectorate for Protection of Children's Rights or to the Latvian Safer Internet Centre or local government institutions – to the Social service office and to the Orphan's and Custody Court.

Latvian Internet Association is coordinating the work of Latvian Safer Internet Centre which is running a hotline to ensure possibility for public to report illegal content and receive support in problematic situations they have faced online. The hotline receives reports via online reporting form at [www.drossinternets.lv](http://www.drossinternets.lv) and through email [zinojumi@drossinternets.lv](mailto:zinojumi@drossinternets.lv). Reports are made by members of the public and INHOPE member countries and then assessed by hotline analysts. In addition to combatting online child sexual abuse material, the hotline also receives reports about racism/hate speech, adult pornography, bullying, fraud, and extreme violence/threats. When Drossinternets.lv receives a report, analysts review the reported material and attempt to identify a geographic hosting location for the material. If the material is hosted in Latvia, the report is forwarded to law enforcement and the appropriate hosting provider is notified to remove the content. If the content is hosted internationally, the report is inserted in database and forwarded via International INHOPE Association to the appropriate member country's hotline.



Main tasks of Latvian Safer Internet Centre Hotline are:

- to provide and ensure a mechanism for public to report suspected illegal content
- cooperate with law enforcement in the process of fighting against illegal internet content
- forward the report to the appropriate body for action (law enforcement, correspondent *INHOPE* hotline)
- inform internet users about the hotline and how to contact it
- deal rapidly with complaints received
- provide complying persons with guidance for further actions to stop violations.

On 1<sup>st</sup> of January 2016 entered into force the amendments in the Cabinet Regulations No. 869 "Regulations of the Legal Aid Administration", adopted on 15 November 2005, and accordingly to the delegation in the above Cabinet Regulations the association "Skalbes" on a basis of concluded a delegation agreement with Legal Aid Administration opened for operation the telephone number 116006 "Helpdesk for Victims of Crime", which provides victims of crime with emotional and psychological support and information on the victims' procedural rights and access to relevant organizations and information. An informational helpline is free of charge and is set up for anyone who is involved in a crime personally, in a family or in a circle of friends. It is a permanent phone line which operates every day from 7:00 until 22:00. The association website [www.skalbes.lv](http://www.skalbes.lv).

The victim support website [www.cietusajiem.lv](http://www.cietusajiem.lv) is designed to provide everyone with information about the institutions and organizations in which the victim, relative or witness can receive support, regardless of the type of offence time and time when it occurred and whether the crime has been reported or not. Website [www.cietusajiem.lv](http://www.cietusajiem.lv) was set up in 2012. The activities of website and its translation into Russian and English are provided by the association "Skalbes". The website provides general information on procedural rights of victims (for example, on the victims' procedural rights, the right to compensation for damage, state compensation, etc.) and information on existing victim support services.

In addition, Legal Aid Administration according to the law "On state compensation on victims" performing its main function helps people who are recognized as victims of the crime according the above-mentioned law. Every person can visit Legal Aid Administration website following this link <http://www.ipa.gov.lv/viegli-lasit-eng> and obtain free of charge information concerning victims of the crime. Furthermore, there is state guaranteed legal aid and free helpline for victims of crime at +371 80001801 that provides informational support. Victims of the crime can visit Legal Aid Administration to get some necessary information and receive the counselling free of charge sessions.

In addition, The Cabinet Regulation No. 24 "The Procedure for Ensuring the Safety of Students in Educational Institutions and Measures Organized by them", adopted on 24 November 2009, provides for the functions of the direction of educational institution, as well as to plan and organize educational activities on the safety of educatee, including on issues of violence. Whereas, the rules of the internal regulations of the educational institution determine the actions of the director and teachers if physical or emotional violence against the educatee is detected.

According to the Medical treatment law, if a medical treatment institution provides assistance to an under aged patient and there are grounds for considering that the patient has suffered from the lack of sufficient care and supervision or other violation of the rights of the child, the medical treatment institution shall notify the State Police thereof without delay but not later than within 12 hours.

The Cabinet Regulations No 1613 "Procedures describing the order in which the necessary assistance is provided to a child who has suffered from illegal activities" determine if a medical treatment institution provides assistance to the child to whom consequences of probable violence have been detected, the medical treatment institution shall notify the police and the self-government social service without delay.

**Question 6.2.a. and b.**

In addition to information provided for question 6.1., we inform that Law On Social Services and Social Assistance and the Law on the Protection of the Children's Rights provides for that children who are victims of violence are provided with social rehabilitation. The social rehabilitation is obligatory. The victims of violence include: victims of criminal offences, exploitation, sexual abuse or any other illegal or cruel acts as well as acts that offend the child's dignity. The provision of services is organized by the nongovernmental organization "Latvian Children's Fund" (Latvijas Bērnu fonds). Since 2000 the fund is working on the development of a joint system of the rehabilitation of child victims of violence for Riga and the regions. The rehabilitation centres established by the fund are providing timely and quality rehabilitation and medical services for children victims of violence and their families, by providing support and practical assistance. In addition seminars, lectures, trainings and other informative and educational activities are being organized for professionals and general public about matters related to violence.

In the reference period no changes have taken place in the substance of the service or in the procedure on the acquisition of the service for children victims of violence established by the Cabinet Regulations No 1613 "Procedures for providing the necessary assistance to a child who has suffered from illegal activities", adopted on 22 December 2009.

A child who has suffered from violence shall be provided the necessary health care services, including medical rehabilitation, in accordance with the laws and regulations regarding the procedures for organising and financing health care. If assistance has been provided at a medical treatment institution to a child to whom consequences of probable violence have been detected, the medical treatment institution shall, without delay, notify the police and the social service office of the local government.

If the Orphan's and Custody Court has suspicions that a child has suffered from parental abuse, it shall inform the social service office of the local government and send the child, after he or she has received the necessary treatment and medical rehabilitation, to a psychologist or a social worker who shall evaluate and determine whether the child needs social rehabilitation.

If there are suspicions that the child has suffered from violence at a childcare institution, educational institution of social correction, or place of imprisonment (hereinafter – institution), the head of the institution, parents, foster family or guardians of the child shall inform the Orphan's and Custody court, social service office of the local government thereof and shall request an opinion of a psychologist or a social worker regarding the abused child.

A psychologist or a social worker shall, within 10 days, provide an opinion upon request of the parent or guardian of the abused child, the head of the institution, the foster family, or the Orphan's and Custody Court. The following information shall be indicated in the opinion:

- whether the child has signs of psychological trauma;
- the necessary social rehabilitation measures;

- whether it is preferable to receive social rehabilitation at the place of residence of the child (hereinafter – place of residence) or at the institution, or at a social rehabilitation institution;
- whether the child needs a social rehabilitation course up to 30 days or a complex social rehabilitation course up to 60 days in a social rehabilitation institution;
- whether it is necessary that a family member of the child or a person who takes care of the child stays at the social rehabilitation institution together with the child, taking into account the psychological state and age of the child.

If, according to the opinion of a psychologist or a social worker, it is necessary that a family member of the child or a person who takes care of the child stays at the social rehabilitation institution, the stay of such person in the relevant institution shall be financed from the funds from the State budget.

Social rehabilitation services shall be provided at the place of residence or the institution in the form of consultations (not more than ten consultations 45 minutes in duration each) or in the form of a social rehabilitation course at a social rehabilitation institution.

Upon a justified submission of the provider of social services to the Latvian Children's Fund the social rehabilitation course up to 30 days or a complex social rehabilitation course up to 60 days may be extended. Social rehabilitation services shall be provided as close to the place of residence as possible.

Provision of social rehabilitation services shall be co-ordinated by the Social service office of the local government, on the basis of the following documents:

- a submission of the parent or guardian of the child, the head of the institution, the foster family, or the Orphan's and Custody Court regarding the necessity to grant social rehabilitation services to the child, specifying the type of violence from which the child has suffered, and where it has taken place;
- an opinion of a psychologist or a social worker;
- an extract from the inpatient or outpatient medical treatment card (Form No. 027/u) regarding the treatment and medical rehabilitation received (if provided).

The social service office of the local government shall:

- accept the afore mentioned documents and register them in a special register;
- within three working days after receipt of the documents:
- issue a reference to the head of the institution, the parent, foster family or guardian of the child, or the Orphan's and Custody Court for social rehabilitation of the child at any of the following places:
  - at the place of residence or the institution at the provider of services with whom the local government has entered into a relevant contract. The service to be provided, its extent and conformity with the laws and regulations regarding providers of social services, the contract sum, the procedures for providing the service, as well as the time of providing the service shall be indicated in the contract;

- at a social rehabilitation institution indicated by the Latvian Children's Fund for a social rehabilitation course up to 30 days long;
- at a social rehabilitation institution indicated by the Latvian Children's Fund for a complex social rehabilitation course up to 60 days long;
- control the fulfilment of the contract and the conformity of the amount of the social service provided with the contract entered into;
- after completion of the service provided by the service provider and acceptance of the service, but not later than until the fifth date of the following month, submit a report to the Latvian Children's Fund on children who have received the social rehabilitation service at the place of residence or the institution, and send documents regarding payment for such services from the funds from the State budget;
- if necessary, organise the conveyance of the child to the provider of social services;
- inform residents of the local government regarding the possibilities to receive social rehabilitation services paid by the State for children who have suffered from violence, as well as regarding the conditions and procedures for receipt of services;
- provide the necessary support and assistance to a child who has suffered from violence and to the family of the child during and after social rehabilitation.

In addition The Latvian Children's Fund shall:

- organise the provision of social rehabilitation services at the institution run by foundations the sole founder of which is the Latvian Children's Fund, in accordance with the laws and regulations governing public procurement, ensuring that social rehabilitation services at the institution are available in all planning regions;
- if necessary, in accordance with the laws and regulations governing public procurement, choose other providers of social services registered in the Register of Social Service Providers and shall enter into contracts with them. The service to be provided, its extent and conformity with the requirements laid down in laws and regulations, the contract sum, the procedures for the provision of the service and payment, the duties and liability of parties, the time for providing the service shall be indicated in the contract;
- on the basis of information provided by social service offices of local governments, decide on granting of the funds from the State budget to specific local governments and enter into contracts with the social service offices of local governments regarding provision of social rehabilitation services at the place of residence, as well as pay for social rehabilitation services which have been provided at the place of residence. The service to be provided, its extent and conformity with the laws and regulations regarding the requirements for providers of social services, the contract sum, the procedures for the provision of the service and payment, the duties and liability of parties, the time for providing the service shall be indicated in the contract;
- according to the information provided by the social service offices of local governments and other social rehabilitation institutions, maintain a data base regarding provision of social rehabilitation services at the place of residence, institution and social rehabilitation institution to children who have suffered from violence;

- once a month provide information to the Ministry of Welfare regarding the amount of social rehabilitation services provided and the State funding utilised;
- inform the public regarding the possibilities to receive social rehabilitation services paid by the State for children who have suffered from violence, as well as regarding the conditions and procedures for receipt of services.

The Ministry of Welfare has entered into a delegation contract with the Latvian Children's Fund regarding provision of social rehabilitation services. The procedures for funding social rehabilitation services, the procedures for supervising the provision of social rehabilitation services and the circulation of information, the provisions regarding provision of financial and statistical reports, and other provisions of significance for provision of services are included in the contract.

A decision of the social service office of the local government may be contested to the municipality or city council. A decision of the municipality or city council may be appealed to the administrative court.

In addition, according to Section 22 of the Criminal Procedure Law, a person upon whom harm has been inflicted by a criminal offence shall, taking into account the moral injury, physical suffering, and financial loss thereof, be guaranteed procedural opportunities for the requesting and receipt of moral and financial compensation. The Law establish, that compensation is payment specified in monetary terms that a person who has caused harm with a criminal offence pays to a victim as atonement for moral injury, physical suffering, or financial loss. According to Part 1 of Section 351 of this Law, a victim has the right to submit an application regarding compensation for a caused harm in any stage of criminal proceedings up to the commencement of a court investigation in a court of first instance. The application shall justify the amount of the requested compensation for financial losses, but the amount of compensation for moral injury and physical suffering – shall just be indicated. The account number of a credit institution or financial institution, to which compensation for a harm should be transferred, may be indicated in the application. The request and payment of the compensation accordance with the Criminal Procedure Law, shall not limit the rights of the victim to request the State compensation and the compensation accordance with the Civil Procedure Law.

In addition with regards to the legislation the law "On state compensation on victims" guarantees major rights of the victims for receiving state compensation for moral injury, physical suffering or financial loss resulting from an intentional criminal offence. According to the Part 4 of Section 3 of this Law the right to the State compensation shall exist if morality or sexual inviolability of the person has been violated. The victim has the right to the State compensation also if a perpetrator of a criminal offence or a joint participant thereof has not been identified or he or she in accordance with the Criminal Law shall not be held criminally liable. The law also provides that for the payment of state compensation in completed and unfinished criminal proceedings and does not obligate the victim to turn against the perpetrator of a crime in order to receive compensation for harm caused by a criminal offense before receiving state compensation

In addition, victims of crime are provided with state-guaranteed legal assistance in criminal proceedings, in accordance with Section 17 of the State Ensured Legal Aid Law, which establish that person who, in accordance with the law, has the right to defence and representation may request legal aid until the time of the coming into effect of the final court adjudication. Section 20 of the above mentioned Law determines that a State-ensured advocate for the representation of a person in criminal proceedings shall be invited in the cases and according to the procedures specified in the Criminal Procedure Law. According to Part 5 of Section 104 of the Criminal Procedure Law, if the rights of a minor and the protection of the interests thereof are encumbered or otherwise not ensured, or the representatives

submit a substantiated request, a person directing the proceedings shall take a decision on retaining of an advocate as the representative of a minor victim. In accordance with Part 5 and 6 of Section 108 of above mentioned Law, provision of legal assistance to a minor victim and the representative of a minor victim is mandatory in criminal proceedings regarding a criminal offence related to violence committed by a person, upon whom the minor victim is financially or otherwise dependent, or regarding a criminal offence against morals or sexual inviolability. If a minor victim or his or her representative has not entered into an agreement with an advocate regarding provision of legal assistance, in the case provided for in Part 5 of this Section the person directing the proceedings shall take a decision to invite an advocate as the provider of legal assistance in accordance with the procedures provided for in Section 104. In such cases, the person directing the proceedings shall notify the decision on necessity to ensure a representative in criminal proceedings to the elder of the sworn advocates of the territory of the relevant court process. Not later than within three working days after receipt of the request of the person directing the proceedings, the elder of the sworn advocates shall notify the person directing the proceedings regarding the participation of the relevant advocate in criminal proceedings. The person directing the procedures, which are to be carried out immediately and in which the victim has been involved, if necessary, shall retain an advocate for ensuring representation in conformity with the schedule of the advocates on duty compiled by the elder of the sworn advocates in the territory of the relevant court process. In such case payment to the advocate for the provision of State ensured legal assistance and the reimbursable expenses related to the provision thereof shall be covered in accordance with Cabinet regulations governing payment for the provision of State ensured legal assistance.

In addition, On 1st of January 2016 entered into force the amendments in the Cabinet Regulations No. 869 "Regulations of the Legal Aid Administration", adopted on 15 November 2005, and accordingly to the delegation in the above Cabinet Regulations the association "Skalbes" on a basis of concluded a delegation agreement No.2-18.15/10 "On provision of informative support to victims of crime" with Legal Aid Administration opened for operation the telephone number 116006 "Helpdesk for Victims of Crime" on 30<sup>th</sup> of September 2015, which provides victims of crime with emotional and psychological support and information on the victims' procedural rights and access to relevant organizations and information. For the implementation of this measure in 2016 and every year from the state budget, 110,597 euros were allocated.



In 2016, the State's Inspectorate for Protection of Children's Rights Free Children hotline 116111 provided psychological support to 73 callers for sexting and grooming, whereas in the first half of 2017, support was provided to 71 callers. Almost the same amount of calls has been received in the last six months as in the whole previous year together.

According to the statistical data provided by the Latvian Children's Fund social rehabilitation services for children victims of violence have been provided: in 2016 – for 2 543 children; in 2015 – for 2 566 children; in 2014 – for 2 586 children. Mentioned statistical information encompasses child victims of online exposure but includes also other types of child victims of violence (also child victims of domestic violence, peer violence at school etc.) Neither Latvian Children's Fund, nor any other entity currently collects disaggregated data specifically on child victims of online exposure.

Statistics on the payment of state compensation for minors who have suffered from these types of criminal offenses:

	2014	2015	2016
<b>Number of registered state compensation claims</b>	<b>145</b>	<b>125</b>	<b>167</b>
<b>Number of decisions taken on the cost of state compensation</b>	<b>123</b>	<b>103</b>	<b>146</b>
<b>Type of offense</b>			
<ul style="list-style-type: none"> <li>criminal offences against Morality and Gender Inviolability</li> </ul>	97	90	125

Statistics on the helpline 116006 "Helpdesk for Victims of Crime ":

	2016	The first half of 2017
<b>Received calls</b>	2391	981
<b>Answered calls</b>	2239	795
<b>Callers:</b>		517
<b>Women</b>	1012	
<b>Men</b>	556	221
<b>Childre</b>	55	6

Health Behaviour in School-aged Children (HBSC) study<sup>21</sup> provides information about the health, well-being, social environment and health behaviour of 11-, 13- and 15-year-old boys and girls. The latest **international report** from the study presents findings from the 2013/2014 survey (published by the World Health Organization in 2016) collected data on social context (relations with family, peers and school), health outcomes (subjective health, injuries, obesity and mental health), health behaviours (patterns of eating, tooth brushing and physical activity) and risk behaviours (use of tobacco, alcohol and cannabis, sexual behaviour, fighting and bullying) relevant to young people's health and well-being.

New item on cyberbullying is also reflected in the report. Two new mandatory questions on cyberbullying victimization were included, asking young people: if they had experienced being sent mean messages, emails, texts or wall-postings, or someone had created a website that made fun of them; or someone had taken unflattering or inappropriate photographs of them without permission and posted them online. The new questions allow monitoring of the prevalence of this new, relevant and worrying phenomenon and understanding of its relationship to other facets of adolescent lives such as well-being, social relationships, academic performance and risk behaviours.

Findings show that at age 11, 6% of girls and 7% of boys have been a victim of cyberbullying at least two or three times a month. 5% of girls and 5% of boys at age 13 have been cyberbullied by messages at least two or three times a month and 3% of girls and 5% of boys at age 15 have been cyberbullied by messages at least two or three times a month.

13% of 11-year-olds (13% of girls and 13% of boys) have been cyberbullied by pictures at least once; 18% of 13-year-olds (19% of girls and 16% of boys) have been cyberbullied by pictures at least once; 15% of 15-year-olds (15% of girls and 15% of boys) have been cyberbullied by pictures at least once.

<sup>21</sup> [https://www.spkc.gov.lv/upload/Petijumi%20un%20zinojumi/HBSC/hsbcno7growingupunequalfullreport\\_2013\\_2014.pdf](https://www.spkc.gov.lv/upload/Petijumi%20un%20zinojumi/HBSC/hsbcno7growingupunequalfullreport_2013_2014.pdf)

4% of 11-year-olds (4% of girls and 5% of boys) have been cyberbullied by pictures at least two or three times a month; 4% of 13-year-olds (4% of girls and 4% of boys) have been cyberbullied by pictures at least two or three times a month; 3% of 15-year-olds (3% of girls and 4% of boys) have been cyberbullied by pictures at least two or three times a month.

## LIECHTENSTEIN

### State replies / Réponses de l'Etat

#### Question 6.1.a. and b.

There are various contact offices in Liechtenstein where children, young people, and their trusted adults can turn for help:

- **Office of Social Services (Child and Youth Support Unit):** The Child and Youth Support Unit aims to support family systems in meeting the needs of children and young people, and it intervenes where official measures are necessary for the protection or welfare of children and young people. The Child and Youth Support Unit seeks solutions for children at risk that are appropriate to their situation and age and implements measures in the closest possible cooperation with the legal guardians, taking into account the social environment. These measures may involve various types of support in the children's existing environment, but also the placement of children in foster families or in educational-therapeutic institutions.
- **Victims Assistance Office:** The Victims Assistance Office supports persons who have been directly affected by an offence in their physical, psychological, or sexual integrity, as well as their family members. The right to support exists irrespective of whether the perpetrator has been identified and whether the perpetrator acted culpably, intentionally, or negligently. The Victims Assistance Office provides or – where it cannot do so itself – arranges the provision of necessary medical, psychological, social, material, and legal assistance in individual cases. The Victims Assistance Office provides 24-hour assistance for the most urgent needs arising from the offence (urgent assistance) and provides additional assistance until the health of the person concerned has stabilised and the other consequences of the offence have been eliminated or compensated to the extent possible (longer-term assistance). The victims and their family members are advised by the Victims Assistance Office or a specialist appointed by it, informed about the rights and obligations of the victims in the proceedings and the conduct of the proceedings, and supported in the exercise of their rights. If necessary, the Victims Assistance Office accompanies or represents victims in court. The Victims Assistance Office is administratively assigned to the Office of Justice, but is independent of instructions in the performance of its tasks.
- **Expert Group against Sexual Abuse:** The Expert Group against the Sexual Abuse of Children and Young People offers anonymous counselling for children and adolescents who have suffered sexual violence as well as for their family members. Similarly, specialists who have gained knowledge of such incidents may contact the expert group. The expert group undertakes a case assessment, advises on further steps, and provides appropriate assistance.
- **Media Competence Expert Group:** The Media Competence Expert Group is the contact office for the use of new media. In the event of imminent danger, it offers prompt and targeted assistance in the form of advice and the initiation of interventions.
- **Ombuds Office for Children and Young People (OSKJ) within the Association for Human Rights:** The OSKJ is a neutral, publicly accessible contact and complaints office. Children and young people as well as adults can contact the ombuds office with their questions and



concerns regarding child and youth affairs in order to obtain information, draw attention to grievances, or receive help.

- **147 – Helpline for children and young people:** The helpline for children and young people is a contact point for questions and problems of all kinds supported by an NGO. The advisors are available around the clock at the toll-free number 147. Both the calling and the advising person normally remain anonymous. If necessary, callers will be referred to an office that can specifically address the problem.
- **Independent psychotherapists and psychiatrists:** There are four child and adolescent therapists/psychotherapists and one child and adolescent psychiatrist in Liechtenstein with health insurance contracts. The costs for treatment and therapy are thus covered by health insurance. This ensures relatively low-threshold access to psychotherapeutic and psychiatric care for children and adolescents in Liechtenstein as needed.

#### Question 6.2.a. and b.

- **Children and Youth Act (KJG; LGBI. 2009 No. 29):** Children and young people, their parents, and other caregivers are entitled to "support" as defined in Chapter II Section B of the KJG within the scope of application of child and youth support (Article 7 KJG). This scope includes the use of violence, physical or psychological abuse, sexual abuse, or other sexual offences against children and adolescents. Support under Chapter II Section B of the KJG includes, for example, information and prevention, counselling, care, therapy, placement in suitable facilities, participation in training and employment programmes, as well as work and integration projects. Subject to the jurisdiction of the Liechtenstein Court of Justice, the Office of Social Services is responsible for providing child and youth support (Article 9(1) KJG). The Office of Social Services is primarily responsible for official measures, particularly in the area of child protection.

According to § 53(1) of the Code of Criminal Procedure (StPO; LGBI. 1988 No. 62), every public authority in Liechtenstein is obliged to report punishable acts that concern its legal sphere of activity. Furthermore, according to Article 20(1) KJG, persons who have a well-founded suspicion regarding the existence of a serious injury or endangerment to the well-being of children and young people or knowledge to that effect are obliged to report this to the Office of Social Services. In addition to mistreatment and other serious forms of violence, gross neglect, impending forced marriage, squalor, and drug addiction, sexual abuse is explicitly mentioned as a form of serious violation or endangerment of the well-being of children and adolescents. Anyone who fails to comply with the obligation to report such offences is liable to prosecution (Article 101(b) KJG). Anyone who has a well-founded suspicion or knowledge of a less serious injury or endangerment of the well-being of children and young people is entitled to report to the Office of Social Services (Article 20(2) KJG). Persons who are subject to official or professional secrecy obligations are released from their duty of confidentiality with respect to their reporting obligations and the exercise of their right to report under Article 20 KJG (Article 22 KJG).

- **Victims Assistance Act (OHG; LGBI. 2007 No. 228) and Code of Criminal Procedure:** Pursuant to §§ 31a(1)(3) and 31b(1) StPO there is a general duty of instruction for law enforcement authorities to inform victims in accordance with Article 1(1) OHG, which extends to all rights that accrue to them in criminal proceedings. Victims must be informed of the conditions for obtaining assistance from the Victims Assistance Office no later than before their first examination (§ 31b(2) StPO). This corresponds to a duty of instruction set out in the OHG concerning victims' rights that is incumbent in particular on the National Police, the Court of Justice, and the Office of the Public Prosecutor (see Article 8 OHG).

With regard to the powers and responsibilities of the Victims Assistance Office set out in the OHG, please refer to the response to question 6.1 on the Victims Assistance Office.

Insofar as the victim does not receive any compensation from the perpetrator or third parties (e.g. insurance companies), the OHG enables the victim to obtain compensation from the State for material and non-material damage suffered (Articles 18-24 OHG). Compensation for non-material damage is an expression of society's recognition of the difficult situation of the victim, in the spirit of comprehensive victim protection. It also takes account of the interests of victims of sexual offences, who are generally not likely to suffer material damage, but usually suffer serious non-material damage. Unlike the compensation of pecuniary losses, compensation for non-material damages is not dependent on the victim's income.

For situations immediately following extremely stressful events – including sexual abuse or the discovery of abuse – there is a Crisis Intervention Team (KIT) in Liechtenstein that is available around the clock. The KIT supports and advises affected persons and their family members in the first few hours after the event who have experienced extremely stressful situations and – if necessary and desired – in the arrangement of further support. The KIT is closely networked with public authorities such as the National Police and the Office of Social Services. The support and advice of the KIT is free of charge.

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No figures have been ascertained in Liechtenstein on this particular issue.

## **LITHUANIA / LITUANIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.**

In accordance to the provisions of the Law on Health Insurance children (persons under the age of 18) permanently residing in Lithuania are insured by the state (the state pays health insurance contributions on their behalf) and the necessary medical treatment (health care services, reimbursed medicines or medical aids) are provided free of charge. Hereby it is ensured that all children permanently residing in Lithuania have access to all preventive programmes implemented in Lithuania, medical rehabilitation services, medicines and medical aids in the hospitals, purchased according to centralized procedure by National Health Insurance Fund under the Ministry of Health or by hospitals themselves. Children having mental health problems together with their families can address to the primary mental health care center form psychologist help.

In order to recognize violence against children, diagnose it and provide necessary help as soon as possible, during 2016-2017 the Ministry of Health, with the help of specialists of university hospitals and subordinate institutions, created the `Methodological Recommendations for Diagnosing Violence Against Children` and published on MoH's website.

[http://sam.lrv.lt/uploads/sam/documents/files/Veiklos\\_sritys/Asmens\\_sveikatos\\_prieziura/Diagnostikos\\_metodikos\\_ir\\_rekomendacijos/Rekomendacijos/SMURTO%20PRIES%20VAIKUS%20DIAGNOSTIKOS%20METODIN%C4%96S%20REKOMENDACIJOS.pdf](http://sam.lrv.lt/uploads/sam/documents/files/Veiklos_sritys/Asmens_sveikatos_prieziura/Diagnostikos_metodikos_ir_rekomendacijos/Rekomendacijos/SMURTO%20PRIES%20VAIKUS%20DIAGNOSTIKOS%20METODIN%C4%96S%20REKOMENDACIJOS.pdf)).

In order to increase access to help for children, the State Child's Rights Protection and Adoption Service, working together with the Youth Affairs Department under the Ministry of Social Security and Labour, is implementing an EU project 'Provision of Youth and Children Consulting and Information Services in Public e-Environment' under which the call management sequence will be optimised and the e-consultancy services will be developed (by various means of communication).

The website of the State Child's Rights Protection and Adoption Service [www.pagalbavaikams.lt](http://www.pagalbavaikams.lt) publishes detailed descriptions on the subjects of physical and sexual violence, bullying, alcohol and drugs use etc., providing their main characteristics and methods of avoiding difficult situations and approaching adults. In order to help teenagers to identify issues, for the first time in Lithuania an audio feature has been added to a website of this type, helping the child to understanding what is not appropriate in terms of his rights and interests. In 2011, the [www.pagalbavaikams.lt](http://www.pagalbavaikams.lt) website was declared the winner in the World Summit Award (WSA) international e-content contest, in the category 'e-inclusion – reducing e-seclusion and participation'. The website as an extraordinary achievement of website designers and producers has been awarded in one of the eight categories of the contest organised by the United Nations on a biannual basis.

- The new redaction of law on Education was adopted in October 28 of 2016. The main changes was targeted to violence prevention at school: the new forms of violence was validated (such as bullying, cyber bullying and neglect), as well as anti-violence actions in education system; an obligation for the school to provide immediate and free of charge psychological assistance for student who experienced violence at school and his family (parents, guardians) in 5 days after the fact of school violence was adopted. Another positive change made by this law is that every educational institution must enable each student to participate in at least one continuously coherent, long-term preventive program developing social and emotional competencies. The recommendations for the implementation of violence prevention in schools was adopted in March 22 of 2017.

On 14 February 2017 the Seimas adopted amendments to *the Law on the Fundamentals of Child Rights Protection* (hereinafter – “the Law”), stipulating for the prohibition of all forms of violence against children, including physical punishments. It is defined in the Law, that violence against children – by action or inaction making direct or indirect deliberate physical, psychological or sexual impact on the child, disregard of honour and dignity or neglect leading to the exposure of the child to harm or danger to his/her life, health or development. The adopted amendments are aimed at consolidating and defining the forms of violence against children: physical violence, psychological outrage, sexual abuse and neglect. Protecting and safeguarding the rights of the child, the State undertakes to take every effort in applying the required legal, administrative, social, educational and any other measures aimed at ensuring the protection of the child from all forms of violence, including physical punishments, to which s/he may be exposed by parents, other representatives of the child or any other person taking care of the child.

## **LUXEMBOURG**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Toute personne voulant informer respectivement déposer une plainte concernant des abus sexuels contre enfants sur Internet peut accéder via l'interface [www.police.lu](http://www.police.lu) à un commissariat virtuel et déposer plainte, qui sera traitée par les enquêteurs spécialisés du Service de police judiciaire.

L'organisation BEE SECURE Luxembourg a mis en place différentes plateformes pour les jeunes leur permettant de signaler des contenus illicites ou préjudiciables parus sur Internet.

La prise en charge des victimes consiste en une prise en charge psychologique globale du jeune avec ses problèmes spécifiques.

### **Question 6.2.a. and b.**

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L'assistance aux victimes de cette rubrique est assurée par les services de Bee Secure et ECPAT, des ONGs bénéficiant d'un financement de leurs activités (assistance téléphonique, adresse de support électronique) par l'Etat. La prise en charge des victimes consiste en une prise en charge psychologique globale du jeune avec ses problèmes spécifiques.

## **MALTA / MALTE**

### **State replies / Réponses de l'Etat**

#### **Question 6.**

- Helpline

There is an internet helpline which is an extension of Support line 179. This aims to offer support to individuals that reach them via telephone on free phone 179 or email [179.appogg@gov.mt](mailto:179.appogg@gov.mt).

Within the Hotline there are two professional workers, the Hotline administrator and also the Hotline analyst, who have specialised training on dealing with illegal online content and with online risks. Both the Hotline administrator and also the Hotline analyst are accredited as analysts by InHOPE and attended various trainings abroad, including joint trainings with Interpol. Apart from dealing with illegal/indecent online material, the hotline workers together with other entities, which are also involved in the Besmartonline project, attended various media programmes in order to create more awareness about online risks which minors might encounter. Regularly they also hold various talks in schools, youth groups and work places in order to reach out to children, educators and parents.

The helpline offers support to parents, educators or minors on any online safety issue, such as cyberbullying, sexting and online grooming. The individuals seeking support will be referred to a holistic team of experts that are specifically trained in the handling of such cases.

Support line 179 receives calls on situations of child abuse, domestic violence, drug/alcohol/gambling problems, as well as: grooming, cyberbullying, sexting, harassment, outing (posting or sharing the images publicly), pretending to be the person who created the image and posting or sharing it publicly, often with the suggestion that the person is interested in sexual contact. Apart from the support in relation to online safety, the national support line also acts as a national service to people who are experiencing times of difficulty or crisis.

In addition to the national support line 179, Kellimni.com is another support service that is run as a result of a partnership between the SOS Malta, Salesians of Don Bosco, Aġenzija Appoġġ, and Aġenzija Żgħażaġh. It is run by a team of professionally trained operators and can be reached by email, chat and smart messaging. Chat lines are open 24/7.

- Hotline

The Hotline is an online reporting system which provides a secure and confidential environment where members of the public can anonymously report websites that host content related to online child abuse. Reports are received through [www.childwebalert.gov.mt](http://www.childwebalert.gov.mt). The Hotline is operated by Aġenzija Appoġġ, which collaborates with the Cyber Crime Unit of the Malta Police Force and is a member of an International Association of Internet Hotlines called INHOPE.

The Hotline's role and mission is to use its expertise to work with partners to:

- Disrupt the availability of child sexual abuse content hosted anywhere in the world;
- Protect children who are victims of sexual abuse from repeat victimisation and public identification;
- Prevent internet users from accidentally stumbling across child sexual abuse content; and
- Through cooperation with International partners, help in identifying the victims involved in this abuse so that these children can be rescued.

It operates the online reporting system which receives online reports related to child sexual abuse material; whilst also handling calls received through Supportline 179 related to the same topic.

The Team participates actively in awareness campaigns and events, and participates in internet safety education programmes in schools to promote the use of the helpline and hotline. Moreover, the team:

- Receives and assesses reports related to Child Indecent Material online.

Receives calls related to cyberbullying, grooming, hacked profiles, sexting and addiction through the 179 helpline.

- Supports the identified victims.
- Participates in International meetings such as Insafe meetings and Inhope meetings.
- Collaborates with the Cyber Crime Unit – Malta Police Force.

## **REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

In the Republic of Moldova, several mechanisms have been put in place for the protection of the child victims, as follows:

- **Law No.140 on the Special Protection of Children at Risk and Children separated from Parents, adopted on 14 June 2013**, which establishes the procedures for identification, evaluation, assistance, referral, monitoring and evidence of children at risk and children separated from their parents, including the authorities and bodies responsible for their application. The law regulates risk situations for children more clearly, which has led to the nationalization of procedures for registering complaints, assessing and recording children at risk;

- **Instruction on the intersectorial cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, misprision, exploitation and trafficking, approved by Governmental Decision no. 270 of 08.04.2014**, which stipulates that the representatives of educational institutions, medical and sanitary institutions and social assistance, regardless of the legal form of their organization, of the cultural or public order, as well as the Labour Inspectorate and other authorities and public institutions with attributions within the protection of the child are obliged to record the notifications of the persons reporting cases of suspected violence,

negligence, exploitation, trafficking of the child area, and/or to take action in such cases by applying sectorial procedures, to immediately inform the local guardianship by phone, while sending within the next 24 hours the written form on the suspected case of violence, misprision, exploitation, trafficking of the child, as well as to inform immediately:

a) **territorial police inspectorate / prosecutor's office** - if they know or suspect that a child is a victim of a crime / contravention;

b) **emergency healthcare services** - if the notification contains information on the existence of imminent danger to the life or health of the child, including suicide attempts by children;

c) **State Labour Inspectorate** - if the suspected case report contains information on the child exploitation in difficult, harmful and / or dangerous labour conditions, or which may harm children's health or moral integrity;

- **Free phone assistance service for children - against Violence, Negligence, Exploitation and Trafficking**, set up in June 2014, managed by the Ministry of Health, Labour and Social Protection and provided by the International Centre "La Strada". The service is available at 1 single national number **116111**, free of charge for users of all fixed and mobile operators in the Republic of Moldova, 24/24 working days, *being confidential and anonymous*. Calls are taken over by specialists, providing legal advice and psychological counselling;

- **Internetsigur.md** web platform, which facilitates the reporting of cases of online sexual abuse to the Police, created with the support of external donors in 2016 and managed by the General Police Inspectorate specialized Centre (<http://internetsigur.md/>).

#### **Question 6.2.a. and b.**

In the Republic of Moldova are applicable:

- **Law no. 140/2013** on the special protection of children at risk and of children separated from their parents.

- **Governmental Decision no. 7/2016** on the approval of the Framework Regulation on the organization and functioning of the Committee on the Protection of the Children in Difficulty.

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In 2017, the specialized subdivision of the General Police Inspectorate has identified 10 children, who have been provided with psychological assistance.

### **Comments sent by / Commentaires envoyés par La Strada – Moldova**

#### **Question 6.2.a. and b.**

**State's replies:** „In the Republic of Moldova are applicable:

- *Law no.140/2013 on the special protection of children at risk and of children separated from their parents.*
- *Governmental Decision no. 7/2016 on the approval of the Framework Regulation on the organization and functioning of the Committee on the Protection of the Children in Difficulty.”*

**Comments:**

As mentioned in the question, the protection of child victims of online exposure to self-generated sexually explicit images and/or videos and self-generated sexual content should be ensured through various support, assistance and psychological help services.

The legal act mentioned by the State refers to procedures of identification, evaluation, assistance, referral, monitoring and evidence of children at risk or separated from their parents. The art. 8 of the Law no. 140/2013 which enumerate the categories of children that may be considered at risk, does not regulate any of the categories covered by the 2<sup>nd</sup> thematic questionnaire of the Lanzarote Committee.

The normative act - Governmental Decision no.7/2016 that regulates the procedural framework of organization and functioning of the Committee on the Protection of the Children in Difficulty, is focused more on preventing child separation from the family. It does not ensure the protection of child victims of sexual abuses online.

A relevant legal act that should be referred to is the Law. no 137/2016 on the rehabilitation of victims of crime that outlines several support services that children victims may benefit of in case of being a victim of sexual abuse: informational counselling, psychological counselling, legal assistance and financial support. Even if the law was adopted in 2016, the national authorities have not yet established a normative framework that would regulate the way of implementing the law's provisions.

The main challenges for the child protection system are the lack of specialized services (addressed to children victims of sexual crimes) as revealed in the Study on the status quo of implementation of the Lanzarote Convention by the Republic of Moldova (Study conducted by "La Strada" Moldova, 2017). There are no complex state-supported rehabilitation services. Psychological help, support of children during criminal proceedings are primarily provided by the NGOs and are missing in rural areas.

**MONACO****State replies / Réponses de l'Etat****Question 6.1.a. and b.**

Il n'existe pas à Monaco d'assistance téléphonique spécifiquement dédiée aux enfants victimes d'une exposition en ligne. Une permanence téléphonique est assurée toutefois par la Direction de l'Action et de l'Aide Sociales : une équipe de travailleurs sociaux de formations différentes (assistantes sociales - éducateurs spécialisés - psychologues - conseillère en économie sociale et familiale) est à même de répondre par une écoute et une orientation adaptée.

Les travailleurs sociaux de la DASO assurent une permanence tous les jours ouvrables, de 9h30 à 17h00 et sont à même de répondre à ce type de situation par une écoute et une orientation adaptée. Ces permanences sont accessibles à l'ensemble du territoire, elles ne sont pas gratuites (coût d'un appel local), le respect de la confidentialité et de l'anonymat sont assurés par le cadre général du travail social et éducatif (tous les travailleurs sociaux sont tenus au secret professionnel). Les personnes qui répondent aux appels ont une formation spécifique.

**Question 6.2.a. and b.**

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Il n'existe pas dans le droit interne monégasque de dispositions particulières relatives aux contenus ou autres à caractère sexuellement explicites autoproduits.

Dans l'hypothèse d'enfants victimes d'une exposition en ligne, le parquet général conserve l'opportunité de procéder au signalement de la situation auprès du Juge Tutélaire lequel diligentera

une enquête sociale. Toutes les dispositions d'accompagnements personnalisés seront alors étudiées.

## **MONTENEGRO**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

By the end of 2017, the SOS line for children victims of violence at the national level will start operating, which will enable children to report all types of violence including online violence.

Also, if there is a cyber-incident involving a website, social account, identity theft, online fraud and the like, there is an option to report it. The reporting of an illegal content or a computer incident is reported to the CITR – National Computer Incident Response Team - [www.cirt.me](http://www.cirt.me).

In cooperation with the UNICEF Office, a smartphone application called *NET friends* has been developed. This application contains the option to report online violence to the relevant institutions, including the police, the CIRT, the Office of the Ombudsperson. It is not intended only for children, but also for their parents and teachers. This game can be a reason for talking with teachers and parents, but above all, a teaching tool for preventive purposes. The NET Friends app is free and can be downloaded from every iPlay and Google Play store. Find the banner application on the UNICEF's website [https://www.unicef.org/montenegro/campaigns\\_29976.html](https://www.unicef.org/montenegro/campaigns_29976.html), as well as on the aforementioned portal of the Ministry of Education.

The Ministry of Education places considerable attention and a great number of activities on this issue. There is a page on the safety of children on the Internet on its school portal: <http://www.skolskiportal.edu.me/Pages/Bezbednostdjecenainternetu.aspx>

#### **Question 6.2.a. and b.**

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Generally speaking, each witness and victim who are in the role of participants in criminal proceedings before Montenegrin courts have the right to physical and other protection, and this protection takes place in accordance with the provisions of the Criminal Procedure Code and the Law on Witness Protection.

Criminal legislation of Montenegro devotes special attention to the specific treatment of children who are in the role of witness during the criminal proceedings. The Criminal Procedure Code prescribes that a child being examined as witnesses, shall be entitled to testify in separate premises before a judge and a court reporter, whereas the Prosecutor, accused person and defence attorney shall be given the possibility to view the course of hearing from other premises and to put questions to the witness, after having been duly instructed by the court thereon.<sup>22</sup> Furthermore, when hearing a minor, especially if a minor was injured by the criminal offence, special care shall be taken in order to ensure that the hearing would not have an adverse effect on the minor's mental condition. When necessary, the minor shall be heard with assistance of a psychologist or another expert. The Criminal Procedure Code expressly prohibits the testimony of a minor who, taking into consideration their age and mental development, are not capable to comprehend the importance of the right that they are not obliged to testify.<sup>23</sup>

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<sup>22</sup> Art. 113( 5) of the Criminal Procedure Code

<sup>23</sup> Art. 113(4) of the Criminal Procedure Code



Starting from the need to provide full protection to minors when participating in criminal proceedings, the Act on Treatment of Juveniles in Criminal Proceedings<sup>24</sup> contains a special set of provisions on the protection of juveniles as participants in criminal proceedings, which apply to a juvenile injured by the offense or a juvenile heard in criminal proceedings in the capacity of a witness. They are presented below.

Parties to the proceedings, authorities and institutions that information, reports or opinions are sought from, are obliged to take due care in protecting the privacy of a juvenile, including the protection of identity and data which may reveal the identity. No information that might reveal the identity of a juvenile injured by the offence or being a witness in the proceedings shall be published without the explicit approval of the judge, or the juvenile prosecutor acting on the case.

Particular caution is given in the sense that **due care** in criminal proceedings with a juvenile as a victim of the offence or with a juvenile heard in the capacity of a witness, as a rule, actions shall be taken by persons who have acquired specialised knowledge in the field of the rights of the child and rules of treating juvenile offender and juveniles as parties to criminal proceedings, taking due care of the juvenile's age, personal characteristics, education and living circumstances.

**Hearing of a juvenile** shall be performed, as a rule, by a public prosecutor and a judge of the same sex as the juvenile in a separate room equipped with technical devices for audio-visual recording. By exception, a juvenile may be heard again if there are justified reasons for doing so. The hearing shall be carried out in the presence of the juvenile's legal custodian and, as a rule, with the assistance of professional support staff, unless when it is contrary to the interests of proceedings or the juvenile under 14 years of age (child), as the victim or a witness in the proceedings, shall mandatorily be conducted with the assistance of professional support staff. The parties and the accused person's defence counsel shall pose questions to the juvenile through the judge or the public prosecutor. Where the hearing of a juvenile is done with the aid of audio-visual recording devices, the recording shall be sealed and attached to the record. By exception, if there are justified reasons for doing so, juveniles in the capacity of witnesses or victims may also be heard in their dwellings or other premises or facility or institution they are placed with regardless of the technical equipment of such premises.

Very important are the provisions that prescribe the **Impossibility to confront**, i.e. that a juvenile under the age of 14 (child) injured by the offence or heard as a witness may not be confronted with the accused person. Where a juvenile above the age of 14 who is in a particularly difficult psychological state due to the nature of the criminal offence, its consequences or other circumstances, is heard as a witness or a victim, that person shall not be confronted with the accused. Competent authorities taking actions in proceedings involving juveniles shall take all requisite measures to avoid any meeting between a juvenile and a defendant within their business premises.

Upon motion of the public prosecutor, guardianship authority or ex officio, the judge or the presiding judge shall, when deeming it be in the interest of the juvenile's personality and in accordance with the requirements of fairness, appoint an **attorney-in-fact** to the juvenile from among lawyers, who as a rule, have acquired special knowledge in the field of the rights of the child and the rules governing the treatment of juvenile offenders and juveniles as parties to criminal proceedings. The costs of such representation shall be chargeable to the budget of the court.

If the recognition of the suspect or the accused is made by a juvenile, the authority conducting the criminal proceedings shall exercise particular caution, and such recognition shall be performed in all stages of the procedure in a manner that fully prevents the suspect or the accused from seeing the juvenile.

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<sup>24</sup> Articles 90 to 97 of the Act on Treatment of Juveniles in Criminal Proceedings

Summons to the juvenile as a witness shall be sent through their legal custodian. The provisions of the Criminal Procedure Code governing sanctions for refusing to give one's testimony shall not apply to a juvenile under 14 years of age (child).

The status of a protected witness is obtained in accordance with the provisions of the Criminal Procedure Code and it is a witness who is precisely because the witness in the criminal procedure is particularly endangered, and that special protection measures should be imposed on him so that a witness gives a testimony fearlessly, which is very important in order to provide the necessary evidence.

If minors find themselves in the role of a protected witness, they share the fate of other protected witnesses.

Therefore, pursuant to the provisions of Article 120 of the Criminal Procedure Code, If reasonable concern exists that by giving a statement or answering certain questions witnesses would put in danger their spouse's, close relatives or a close person's life, health, physical integrity, freedom or property of great value, witnesses may withhold from giving the personal data, answering certain questions or giving the statement altogether until their protection is secured. Protection of this category of witnesses consists of special ways of participating and hearing witnesses in the criminal procedure, in particular: hearing of witnesses under pseudonym, hearing with assistance of technical devices (protective wall, voice simulators, devices for transmission of image and sound) and alike.

Namely, the courts are equipped with technical and audio devices that can be used on the basis of the law for the purpose of providing protection during the hearing itself. This means that the statement can be given by changing the voice and image. Exclusion of the public and the giving of the testimony under the pseudonym are also measures that can be applied.

## **NETHERLANDS / PAYS-BAS**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

There are all kind of mechanisms and helplines to ensure that child victims get support, assistance or help. [www.meldknop.nl](http://www.meldknop.nl); [www.helpwanted.nl](http://www.helpwanted.nl); [www.vraaghetdepolitie.nl](http://www.vraaghetdepolitie.nl).

Child victims (and their parents, teachers) of exposure online of self-generated sexual (explicit) content can get information and advice about how to deal with the situation and the impact (child pornography, grooming, sexting, sextortion) at the help line Help Wanted ([www.helpwanted.nl](http://www.helpwanted.nl)) reachable by chat.

By law schools are obligated to report any illegal offence. In case of these incidents schools get help from special trust inspectors who also guide the school in assisting potential victims for example to a Centre for sexual violence.

In the Netherlands victims of sexual abuse, also when it occurs online, can get help at the local Centre for Sexual Violence. In total there are 16 centres. At these centres the victims can get the needed medical attention and psychological help. A team of doctors, nurses, police, psychologists and community workers gives the specific required help to persons who need help.

They can also contact the help line, "Kindertelefoon" ([www.kindertelefoon.nl](http://www.kindertelefoon.nl)), operated by volunteers and reachable via chat or phone for children between the age of 8 and 18. Children get advice or help regarding topics/questions around sexuality, also about self-generating sexually explicit images/videos. The volunteers can reach out for professional help, when youth are in need of professional help and give permission.

In case of (sexual) child abuse professionals can report it at “Veilig Thuis”(Advice and Reporting Centre for Child Abuse and Neglect and domestic violence) which advises the reporting person on possible actions, adopt urgent measures if needed to protect the minor and reports to the law enforcement institutions.

**Question 6.1.a. and b.**

There is access to counselling, support, and psychological help for child victims that have fallen victim to such a crime. This will be indicated to them by the police officers. There are several care facilities for victims to receive psychological care.

Victims of sexual abuse can also report for help at the Centers of sexual violence.

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We do not have numbers of victims who received support in the above mentioned specific contexts.

There are also helplines like Help Wanted, as mentioned at question 3.1. In 2016, Help Wanted received 1,869 reports about sexual (explicit) content (80% of children/adolescents under 25 years).

**NORTH MACEDONIA / MACEDOINE DU NORD**

**State replies / Réponses de l'Etat**

**Question 6.1.a. and b.**

Pursuant to the Law on Juvenile Justice, Article 145:

(1) The child – victim to a criminal act shall have the following rights:

- right to be treated well and to respect his/her dignity,
- right to be protected against all kinds of discrimination,
- right to be informed about his/her rights in a language that he/she understands and that is age-appropriate, and to respect his/her right to privacy,
- right to have his/her parent(s), or his/her guardian(s) informed about all questions in regard to the criminal act and in regard to the suspect, the accused and the convict,
- the child, or parent(s) or guardian(s) shall have the right to participate in the criminal procedure as a harmed party by being part of the criminal prosecution or file a property and legal compensation claim,
- right to special protection of his/her safety and the safety of his/her family, right to being treated with care and attention by the authorities and subjects participating in the criminal procedure,
- right to special protection from secondary victimization or re-victimization, and
- right to psychological and other expert assistance and support by the authorities, facilities and organisations for assisting children – victims to criminal acts.

## **NORWAY / NORVEGE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

##### **Norwegian police – hotline / tip-off- reporting mechanism**

The Norwegian police has a hotline – a reporting mechanism (available at <https://www.politiet.no/tjenester/tips-politiet>) that the public can use to report (tip-off) the police. Norway's National Criminal Investigation Service (NCIS) is responsible for handling reports regarding sexual coercion and extortion, sexually offensive conduct on the internet and webpages containing child abuse material. The category is named "Sexual exploitation of children on the Internet". The hotline is staffed within normal working hours, but reports are checked frequently day and night time to ensure the handling of urgent tip-offs, where swift action is required.

As the Norwegian hotline, NCIS has a strong relationship with the Norwegian Safer Internet Centre (The Media Authority), it is part of the national Advisory Board, participates in network meetings and contributing to joint events.

The Norwegian police receives only to a smaller extent tip-offs regarding self-generated sexually explicit images and/or videos and self-generated sexual content through the hotline.

The collaboration with National Center for Missing and Exploited Children (NCMEC) in the United States generates many reports regarding self-generated sexually explicit images, videos and content. This is largely due to the obligation online service providers in the United States have to report child sexual exploitation to NCMEC. The service providers that generate most of the information about sexually explicit images, videos and content for the Norwegian Police are Snapchat and YouTube.

The information received may depending on the case at hand, whether the victim can be identified, legal deliberations etc. result in a criminal case with the involved child as the aggrieved person. Through a criminal case the police will often involve child welfare authorities and other support services to help the child.

The Criminal Procedure Act (2008) ensures the rights of victims in criminal procedures. Victims are granted procedural rights equal to that of the defendant. Victims are also rendered compensation through state funded compensation schemes. Children as a vulnerable group is well acknowledged in the justice system and measures to take special care of victimised children have been developed. The Government has established a nationwide network of Children's Houses, a service for children and young people under 16 years of age, and adults with intellectual disabilities, believed to have been exposed to violence or sexual abuse, or to have witnessed such violence. Children's Houses are child advocacy centres where judicial examination, medical examinations, treatment and follow-up are carried out in the same place. They are also focal points for enhancing the skills of professionals who work with children or with adults with intellectual disabilities, and for improving cooperation between agencies in violence and abuse cases.

#### **“Cross my heart” (helpline)**

The Norwegian Red Cross' service Kors på halsen (Cross My Heart) is the national helpline for children under the age of 18. The service offers dialogue through many different channels, and on any subject concerning the children who call, chat or send emails to Cross My Heart. Cross My Heart is staffed by volunteers, consoling and providing support and advice to children. Professionals who run the service make sure that the volunteers receive the information and schooling they need to assist the children in topics related to digital bullying, sexual comments, family relations, substance abuse, and other matters.

## **Alarmtelefonen ("The Alarm Telephone")**

The child helpline "The alarm telephone" (116 111), as in several other European countries, provides emergency assistance on a range of different urgent situations. The service is funded by the Ministry of Children and Equality.

### **Question 6.2.a. and b.**

The Criminal Procedure Act (2008) ensures the rights of victims in criminal procedures and victims are granted procedural rights equal to that of the defendant. Victims are also rendered compensation through state funded compensation schemes. Children as a vulnerable group is well acknowledged in the justice system and measures to take special care of victimised children have been developed. The Government has established a nationwide network of Children's Houses, a service for children and young people under 16 years of age, and adults with intellectual disabilities, who are thought to have been exposed to violence or sexual abuse, or to have witnessed such violence.

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N.A.

## **POLAND / POLOGNE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Telephone and on-line helpline for children and teenagers: 116111 and telephone helpline for parents and teachers to address issues involving child safety 800 100 100. Young Internet-users, their parents and professionals can receive help from the two helplines whenever they are exposed to threatening or disturbing content while using the Internet. Both helplines are operated by the Foundation: We Empower Children (Dajemy Dzieciom Siłę). More information on: [www.116111.pl](http://www.116111.pl) and [www.800100100.pl](http://www.800100100.pl)

#### **Question 6.2.a. and b.**

- A good example of such activities, which are combined together with achieving main goal of investigation (prosecuting the offender), is the establishment of special "friendly" rooms for interrogation of minor victims of sexual abuse, so-called "blue rooms". These facilities are one of the key elements of Police activities taken to avoid re-victimization of molested children. It consists in the establishment in the Police headquarters/stations the a/m rooms for victim's interrogation. From the given number, 238 rooms are located in Police stations, the rest of them in courts, prosecutor's offices, governmental and non-governmental institutions and organizations. The idea of "blue rooms", as it was underlined above, is to avoid the re-victimization of abused children, therefore the key element of these rooms is an equipment which has to create a friendly atmosphere preventing from repeated experience of trauma - special furniture, toys, anatomic dolls etc. to assure that children will feel comfortable. The necessary element of the room is also a Phoenician mirror (one-way mirror) and audio-video equipment to register sound and image of the interrogation. The interrogation has a form of discussion between a victim and a judge with the participation of a psychologist. During the interrogation, prosecutor, defender, official and technician (responsible for a proper way of questioning and right preservation of a recording) are present in an accommodation behind the Phoenician mirror. The interrogation is recorded on DVD/CD and attached to evidences of the case.

The evidence material obtained during the interrogation in the "blue room" has the same legal force as testimonies given during the questioning in the court room. This allows to avoid several interrogations of the child victim in the same case. Below please find a link to an article containing some pictures of "blue rooms":

[http://www.policja.pl/portal/pol/44/80398/quotNiebieskie\\_Pokojequot.html](http://www.policja.pl/portal/pol/44/80398/quotNiebieskie_Pokojequot.html)

- the training process in the field of combating sexual abuse of children and child pornography including child sexual abuse online aimed on positive identification of offenders has been continued according to the schedule. Polish Police conducted series of different trainings in cooperation with various actors and these trainings included:

- series of trainings conducted in cooperation with Research and Academic Computer Network (NASK) for Police officers, prosecutors and judges in the field of combating pedophilia including child sexual abuse online;

- In analysing period Polish Police increases its activity in combating use of hidden services in Internet such as TOR network which are more and more use for the purpose of child abuse and child abuse materials. Due to the fact that hidden services in Internet assures very high level of anonymity for their users (including child offenders), the international cooperation was and is crucial for investigation and prosecution;

- of perpetrators. Therefore Police cooperated very closely with relevant foreign actors in this area: Europol, EU Member States (i.e. Denmark, Germany, UK), USA (such as FBI or ICE), Australia, New Zealand.

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No reply to this question / Pas de réponse à cette question

## **Comments sent by / Commentaires envoyés par Ombudsman for Children**

### **Question 6.2.**

The Ombudsman for Children supports the PROMISE Project promoting the BARNAHUS model. In Poland the Ombudsman gave patronage to the project of the Foundation We Empower Children – creation of 4 Children Support Centres until 2019 (one already operates).

## **PORTUGAL**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

In both cases a. and b. children are signalized by authorities, such as police bodies, school psychologists and health technicians, and then referred to the Comissão de Proteção de Crianças e Jovens or CPCJ (Commission for the Protection of Children and Young People).

There are also several helplines and hotlines although not exclusively designed for these subjects:

- **IAC:** SOS-Criança, which includes a hot line number (116 111) and an online chat (<http://www.iacrianca.pt/index.php/setores-iac-sos/apresentacao-sos>)

Within the consortium "Internet Segura", there are two helplines: one devoted to the identification of "offensive content" and another one to support victims of abuse. Both are operated by civil society organisations (<http://linhaalerta.internetsegura.pt/> and <http://www.internetsegura.pt/linha-internet-segura>). The help requests made to SOS Criança (+351 21 793 16 17) are done by telephone, mail, e-mail and online chat. These requests are received by psychologists who listen, inform, support and refer them to the local entities with

territorial jurisdiction. IAC Institute also coordinates with the European Line for Children at Risk through 116 111; and with Missing Children Line – 116 000.

- **APAV:** has a dedicated site related to social net and new technologies (<https://www.apavparajovens.pt/pt/go/redes-sociais-e-novas-tecnologias> (with the possibility of quick concealment) and hotline 707 200 077.

APAV is available to receive requests for support, including from/related to children and youngsters victims of crime.

This support can be requested in person, through the Victim Support Offices, by telephone, locally to each Victim Support Office or to the Victim Support Helpline (free number 116 006, available every working day between 9am to 7pm), online, via skype (user: apav\_lav), or by email or letter.

In addition, a request for support can be reached at [www.apavparajovens.pt](http://www.apavparajovens.pt), where there is available a place to send a quick message (<http://www.apavparajovens.pt/en/go/menu-footer2-contactos>).

- All LEA have profiles in Facebook and on line information and contacts. The aim is to be closer to the citizens and to better and quicker reach them in order to protect their rights and safety, particularly the most vulnerable in which children are included:

Facebook **PSP:** <https://www.facebook.com/policiasegurancapublica>

Facebook **Polícia Judiciária:**

<https://www.facebook.com/pages/Policia-Judiciaria/103628463064066>

Facebook **GNR:** <https://www.facebook.com/GuardaNacionalRepublicana>

Facebook **SEF:** <https://www.facebook.com/servicodeestrangeirosefronteiras>

#### **Question 6.2.a. and b.**

With regard to legislative measures aimed at ensuring psychological support and assistance for child victims - who have participated in videos of sexual content or have been subjected to the viewing of images with such content - several legislative solutions can be highlighted:

1. Law on the Protection of Children and Young People in Danger, approved by Law 147/99, of September 1, amended by Law 142/2015, of September 8.

Under the provisions of Article 3 (2)(b) of this Law, the child who experiences the situations in question is in danger because they affect their health and their integral and balanced development and, therefore, should be the object of the State's protective intervention. Consequently, and in accordance with legal provisions, a promotion and protection measure takes place. Such measure is to be performed in the natural environment (for example, support with parents, support with another family member, confidence of the right person, family or residential care, for example), always according to the solution that best defends the interests of the child, after due analysis and assessment of the specific case by the competent authority, which may be the Commission for the Protection of Children and Youth in the area of residence of the child / young person or the Juvenile Court, depending on whether the case is one or the other. Taking into account the provisions of Arts. 39, 40, 43 and 49 of said Law, the execution of any of these measures may / should include the necessary provision to the child of psychological counselling.

2. Code of Criminal Procedure and Statute of the Victim, approved by Law 130/2015, of September 4.

From the criminal point of view, the child victim is always considered to be a particularly vulnerable victim, under the terms of Article 67-A, §1 d of the Criminal Procedural Code (CPP). Pursuant to the provisions of Article 15 §4 of the Statute of the Victim, the judge or the Public Prosecutor at the investigation stage may determine that psychosocial support be provided to him or her, whenever this proves indispensable for his or her protection.

3. Law on Witness Protection - Law 93/99, of July 14.

Article 27 of the Law on Protection of Witnesses provides for the monitoring of the particularly vulnerable witness, namely through psychological support, by a specialized technician.

It should also be highlighted the abovementioned Law 103/2015 of August 24, which introduced the criminal offence of "Sexual harassment of minors" (Aliciamento de menores para fins sexuais) - Article 176-A of the Criminal Code - added Article 69-C to such Code.

For its importance, the introduction of §3 of that legal provision which provides for an accessory penalty shall be highlighted. In fact, in the cases of conviction of the perpetrator of any crime provided for in Articles 163 - 176-A of the Criminal Code, and in case where a family or quasi-familiar relationship between the accused and the child victim exist, the perpetrator shall, in addition, be sentenced, by the criminal court, with the inhibition of parental responsibilities for a period to be fixed between 5 and 20 years.

On the other hand, the wording introduced in the Civil Code by the recent Law 24/2017 of May 24, subparagraph b) of the new Article 1906-A, inserted in harmonization with a legal provision already contained in Article 40, § 9 of the General Regime of the Civil Guardianship Process (Regime Geral do Processo Tutelar Cível – RGPTC), approved by Law 141/2015 of September 8, provides the possibility of repealing the rule of joint exercise of parental responsibilities, once it is presumed that such exercise is contrary to the interest of the child, in the situations referred to by way of example.

4. The law on cybercrime (Law 109/2009, September 15) can also be useful because it creates specific types of crimes, that PJ's UNC3T investigates.

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No data available.

## **ROMANIA / ROUMANIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

According to art. 89 of Law no. 272/2004, the child has the right to be protected against internet pornography. Thus, any person, including the child, can request the general direction of social assistance and child protection in the county / home sector to take appropriate measures to protect against any form of violence, including exploitation.

Also, employees of public or private institutions who, by their nature, come into contact with the child and have suspicions of a possible abuse, have the obligation to immediately notify the general direction of social assistance and child protection. The general reporting mechanism is provided in GD no. 49/2011, Annex 1. The specific reporting mechanism for sexting - message sending is provided in the protocol



concluded between National Authority for the Protection of the Rights of the Child and Adoption and Save the Children Romania.

Reporting: the **Hotline**. National Reports of illegal material can be made through the online form available at <http://www.oradenet.salvaticopiii.ro/esc-abuz>. With a total of 1,194 cases, out of which 745 valid Child Sexual Abuse Materials. One particularity of reports received is that a significant part of the victims of child sexual abuse depicted are under 10 years old.

Counselling: the **Helpline** has been taking on cases referring to Internet related issues, from children, parents, teachers and adults through various means: telephone, email, chat and written forms collected in schools from children. The total number of cases has been 974 and a large proportion of callers (84%) were adolescents and children. The cases have mostly been related to technical abilities (356), cyber bullying (104), e-crime (116), and issues related to privacy (98). Besides this, a large number of callers wanted to receive information about ways in which to be safe online (108).

There has been a strong increase in helpline calls and cases following the online campaign from the previous project, a trend which has maintained even in months the campaign was not active.

Equally, according to art. 90 par. (1) of that law, the parents of the child or other legal representative of the child, public authorities and private bodies are required to take all appropriate measures to facilitate the physical and psychological rehabilitation and social reintegration of any child who has been the victim of any forms of abuse<sup>25</sup>.

#### **Question 6.1.a. and b.**

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According to art. 98 lit. b) of Law no. 272/2004, all child victims of violence should receive, according to identified needs, specialized services provided or facilitated by the General Directorates for Social Assistance and Child Protection (GDSACP).

See also answer to 6.1.

## **RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Assistance to victims of the situations indicated in the question is carried out within the system of assistance to minors who became victims of sexual abuse and violence.

Telephone hotlines have been set up, centers for psychological aid and rehabilitation, the system of psychological support at educational institutions, civil society agencies for assisting victims of sexual abuse in all manifestations operate throughout the country.

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<sup>25</sup> Article 89 of Law 272/2004 on the protection and promotion of the rights of the child

(1) The child has the right to be protected from abuse, neglect, exploitation, trafficking, illegal migration, abduction, violence, internet pornography and any form of violence, regardless of the environment in which it is: family, institutions education, medical, protection, crime and rehabilitation / detention facilities, the Internet, media, jobs, sports, community, etc.

(2) Any natural or legal person, as well as the child, may request the general direction of social assistance and child protection in the county / home sector to take appropriate measures to protect them against all forms of violence, including sexual violence, harm or physical abuse or mentally, of ill-treatment or exploitation, abandonment or neglect.

(3) Employees of public or private institutions who, by the nature of the profession, come into contact with the child and have suspicion of a possible abuse, neglect or ill-treatment, have the obligation to immediately notify the general direction of social assistance and child protection.

### **Question 6.2.a. and b.**

The situations covered in par 6.2. a) b) are treated within the tasks of providing legal support and protection of children who became victims of sexual abuse (including ICT facilitated abuse).

The legal support is provided under the provisions of art. 191 of the Criminal Procedural Code.

Other forms of support include administrative and psychological assistance, medical help that are carried out on the basis of the relevant institutions in accordance with the national legislation aimed at protecting the interests of children (examples of documents are listed in the introductory comments to the reply to question 1.)

### **Example**

The service of interdepartmental cooperation for rehabilitation and support of minors is provided on the basis of the St. Petersburg state institution "Social shelter for children Transit" (<https://shelter-tranzit.ru/>)

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On the federal level, there is no separate statistics on this issue.

## **SAN MARINO / SAINT-MARIN**

### **State replies / Réponses de l'Etat**

### **Question 6.**

Such specific services are not yet available also in consideration of the population of San Marino. There are services in charge of protecting and listening to minors, in response to all problems related to ill-treatment and discomfort of children.

In the year 2016 there were 19 cases of children victims of witnessing violence and/or psychological and/or physical violence.

The approach is a case to case one, and when a professional competency is not available in San Marino, cooperation with Italian structures applies.

However, a cooperation with the NGO "Telefono Azzurro" is envisaged by the end of the year, especially concerning training and access to helplines.

## **SERBIA / SERBIE**

### **State replies / Réponses de l'Etat**

### **Question 6.1.a. and b.**

Public Prosecutor Answer:

Criminal charges are filed with the Offices of Public Prosecutors of the Republic of Serbia for sexual offences as provided for under Criminal Code. The charges may be filed in writing, over the phone or by e-mail.

In addition on 27 February 2017, National Call Centre for Online Safety of Children became operative. It forwards all the received criminal charges to the Special Prosecution Office for High-Tech Crime of the Republic of Serbia. Therefore, the Republic Prosecution Office has established contact with the Ministry of Trade, Tourism and Telecommunication (MoTTT) in the capacity of a founder of the Call Centre. Thus, the representatives of the Special Prosecution Office for High-Tech Crime of the Republic of Serbia have

delivered the training to their staff.

Every office of high public prosecutor have a service established the duty of which is to provide required information to injured parties/victims (plaintiffs) and witnesses. Based on the Memorandum of cooperation concluded between the Republic Office of Public Prosecutor and Victimological Society of Serbia, cooperation was established with the civil society organisation and with all other organisations specializing in the provision of assistance and support to underage persons who injured parties/victims i.e. plaintiffs in criminal procedure instituted by filing criminal charges.

NGO Astra Answers:

In 2017, National contact centre for online safety of children (phone: 19833, email: [bit@mtt.gov.rs](mailto:bit@mtt.gov.rs), web: [www.pametnoibezbedno.gov.rs/rs-lat/kontakt-centar](http://www.pametnoibezbedno.gov.rs/rs-lat/kontakt-centar), Facebook: [www.facebook.com/pametnoibezbedno](https://www.facebook.com/pametnoibezbedno)) start running by the Ministry of Trade, Tourism and Telecommunications. The contact centre provides parents, teachers and all other citizens, and the children themselves, who might have suspicions that online safety or rights of children are violated, with the opportunity to report such a case or suspicion, but also to get informed about potential online dangers as well.

Besides this one, since 2002, ASTRA runs and SOS hotline for protection of victims of human trafficking, which also include support to children who are victims of any form of trafficking and exploitation. Additionally, since 2012, ASTRA started running European number for missing children 116 000 in Serbia as well. All information received through both hotlines regarding violation of children rights and safety is forwarded to the relevant institutions. All victims have access to different support services as well.

Since 2005, in Serbia also functions National children line (NADEL) that offers telephone counselling to children who contact numbers 116 111 or 0800 123456

#### **Question 6.2.a. and b.**

Public Prosecutor Answer:

A criminal prosecution is undertaken *ex officio*, and a criminal procedure in which a plaintiff is a minor which is conducted under the Law on Juvenile Criminal Offenders and Criminal Law Protection of Juveniles is urgent.

When conducting the procedure for criminal offences perpetrated to the detriment of a minor, the public prosecutor, investigation magistrate, and judges on a panel/council shall treat the plaintiff/victim in such a manner so as to take due care of their age, personality traits, education and life circumstances, in particular endeavouring to avoid detrimental and adverse consequences the process may have on their personality, character and development. Minors shall be heard with the assistance and support of a psychologist, pedagogue or any other practising expert.

If a minor is being heard in the capacity of a witness, the hearing shall be conducted two times at maximum, or exceptionally more if required for the purpose of criminal procedure. In case the minor is heard more than twice, the judge conducting the criminal procedure shall take due care of the protection of the personality and development of the minor concerned.

If, given the particularities of a criminal offence and traits of the minor's personality, the judge assesses that such step is required, they shall order the minor to be heard with an aid of technical video and audio devices, and the hearing in question shall be conducted in absence of any parties to the procedure or other participants, in a room where only the witness is present. Thus, the parties or entitled persons

may pose questions to the witness child only through a judge, psychologist, pedagogue, social worker or any other expert practitioner.

Minors, as witnesses-plaintiffs-victims, may be heard in their apartment or any other room, and/or authorized institution-organisation professionally trained for hearing and interweaving minors.

When a minor is heard in this manner, the records/protocol on their statement shall always be read out at the main hearing, or recording of the hearing shall be listened to.

If a minor is being heard who due to the nature of the criminal offence, consequences of other circumstances is particularly sensitive, and/or is in particularly serious and difficult state of mind, the encounter and facing with the defendant shall be forbidden.

A minor must as a plaintiff in the procedure shall have an authorised person representing their interests from the moment of the first hearing.

In case the minor does not have such an authorised, i.e. empowered person who represents their interests, such an authorised/empowered person shall be appointed based on the decision issued by the president of the court from among the barristers or attorneys at law who are duly equipped with particular knowledge and skills regarding the right of the child and criminal law protection of minors. The costs of representation shall be defied out of the court funds.

If a minor is identifying a defendant, the court shall act with particular prudence and vigilance, and such identification shall be conducted in all the phases in such a manner so as to fully disable the defendant to see the identification.

NGO Astra Answers:

According to our knowledge there is no any legislative measure to ensure that child victims of online exposure are provided with support, assistance and psychological help. When it comes to children, Social welfare centres are the only in-charge so they can on their own assessment refer children to support services. According to our knowledge, there are no developed specific support services for children who are victims of these forms of violence.

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NGO Astra Answers:

We do not have information regarding the number of victims who received support, assistance and help in this contexts.

Ministry of Trade, Tourism and Telecommunication Answer:

In 2016 Government of Serbia adopted the Regulation on child safety and protection when using ICT. On the basis of that regulation, Ministry of Trade, Tourism and Telecommunications established The National Contact Center for Child Online Safety, which is the helpline for children, parents and teachers, who are advised on the advantages and risks of Internet use, and on the safe ways for using the Internet, including the advising on risks of video games and Internet use addiction. Through helpline and internet portal, it is possible to report harmful, illicit and illegal content and behaviour on the Internet. The report is sent to the competent center for social work if there are indications on the infringement of children's rights, health status, well-being or child integrity, and also the report is sent to the competent healthcare institutions in the case of risk of internet use addiction. After the reception of the report, centers for social work, in accordance with their competence, assess the attitudes of the parents and other persons

which take care of child, and determine the degree of influence of illegal ICT content on child, and provide assistance in accordance with the law and their competence.

## **Comments sent by / Commentaires envoyés par Coalition for Monitoring Child Rights**

### **Question 6.**

The Republic of Serbia should work towards reaching a higher level of efficiency of the referral mechanism for child victims of crimes of sexual exploitation in general and developing special programmes for protection and reintegration of child victims. Also, it is necessary to improve cooperation with civil society sector, having in mind its long-standing engagement in addressing these issues.

A very important development was the establishment of four specialized Child victim protection units in four towns in Serbia that have been providing support and counselling to child victims and witnesses in criminal proceedings on a regional level. These services provided protection to children victims and witnesses of crime in almost 200 cases over the course of two years. They were established within a European Union supported project, implemented in partnership of UNICEF in Serbia and ministries in charge of justice and social welfare. However, despite of the fact that these Units are capacitated by highly specialised child protection professionals, they still need additional specialized knowledge related to online child sexual exploitation and face the risks of sustainability.

## **SLOVAK REPUBLIC / REPUBLIQUE DE SLOVAQUIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

For the purposes of the above mentioned, there is a specific mechanism of reporting throughout the helpline run by eSlovensko o.z.- <http://stopline.sk/sk/uvod/-it> is a national centre for reporting of an unlawful content or activities on the internet throughout the form, which aims at fighting against child abuse (child pornography, sexual exploitation, child prostitution, child trafficking, grooming etc.) as well as different content or activities that fall under the bodies of criminal offences according to the second part of the Act No. 300/2005 Coll. the Criminal Code. Reports related to the content placed outside the area of Slovak Republic are resent to partner organisations which cooperate in international network INHOPE. Likewise, if citizen of different country reports a suspicious content placed in the area of Slovak Republic, pertinent report is- throughout international network INHOPE- resent to the helpline stopline.sk operating on national level. (In 2016, there were 8 reports resent to the Department of Cybercrime of the Criminal Police Office of the Presidium of the Police Force, in 2017, there has been so far 7 reports.)

Child victims can seek for help also at the helpline Linka detskej istoty (Child assurance helpline), LDI- UNICEF- 0800 116 111, which is part of the associated helpline Pomoc.sk within the project Zodpovedne.sk supported by the European Commission programme Connecting Europe Facility. Its purpose is coordinated help, consultancy for responsible use of internet, mobile communication and new technologies. Helpline Pomoc.sk is associated helpline of Child Assurance Helpline, helplines of project Zodpovedne.sk and Child Confidence Helpline.

Every facility of the socio-legal protection of children and social guardianship has its internal psychologist who provides with help to children or ensures the help through distribution within the individual or group interventions. Except from that, during realization of preventative programmes for protection of children against sexual exploitation and sexual abuse throughout ICTs, children learn how to use above-mentioned free helpline or how to write down the e-mail on [potrebujem@pomoc.sk](mailto:potrebujem@pomoc.sk) or to use live chat

aimed at psychological help for online threats [www.pomoc.sk](http://www.pomoc.sk).

Within help to child victims, there is internet consulting service IPcko operating. IPcko is internet consulting service for youngsters providing with space for talking, advice or help by consultants mainly from the area of psychology and social work. The consultants are of accredited education and professional supervision aimed at ensuring help of a good quality on the basis of respect and friendly approach. Ministry of Labour, Social Affairs and Family of the Slovak Republic is partner of this internet consulting service.

The update of National Strategy on the Protection of Children against Violence (The document was approved by Resolution of the Government of the Slovak Republic no. 24/2014) was approved by the government of the Slovak Republic on 11<sup>th</sup> of October 2017. Within its strategic objectives, there is a task to create and operate national helpline for help of child victims as a goal to create complex mechanism of reporting at national level. Ministry of Labour, Social Affairs and Family of the Slovak Republic, specifically National Coordination Centre for Resolving the Issues of Violence against Children, is responsible to perform this important task.

#### **Question 6.2.a. and b.**

General regulation of providing help to children whose rights have been breached or threatened, encompasses following:

##### **a) Legislative measures aimed at obligation to report**

- professional guidance of Ministry of Health of the Slovak Republic published in Journal of the Ministry, no. 39-60, volume 60, recommends health care providers **to note information** about the physical or mental damage of health and development of child, probable mechanism of origin of the injury, the severity of the injury or damage and assumed length of hospitalisation **in the notification of suspicion** for neglect, maltreatment or abuse of child **to create a basis for the investigation** by the law enforcement authorities,
- in line with the provision stipulated in Article 79, para 4, letter a) of the Act No. 578/2004 Coll. on Health Care Providers, Health Care Workers and Professional Organisations in Health Service and on amendments and supplements to certain acts, the health care provider is obliged to immediately **notify** sexual exploitation of a child to the law enforcement authority and the Office of Labour, Social Affairs and Family as the authority of the socio-legal protection of children and social guardianship (respective office according to the venue of district where a child lives),
- in line with the provision stipulated in Article 7, para 1 of the Act No. 305/2005 Coll. on Social and Legal Protection of Children and Social Guardianship and on amendments and supplements to certain acts, everybody is obliged to notify the respective authority of the socio-legal protection of children and social guardianship when rights of child are breached.

##### **b) Measures concerning with ensuring help (socio-legal protection of children)**

- Act No. 305/2005 Coll. on Social and Legal Protection of Children and Social Guardianship and on amendments and supplements to certain acts names **measures of the socio-legal protection of children** aimed at restriction and removal of negative influences threatening mental, physical and social development of a child, **such as to** offer help to child or parents, to observe the negative influences affecting the child, to find out cause of its origin and to execute measures to restrain from adverse effects, to organise and arrange participation on programmes focused on help to problems of children.
- Child has a right to ask for help, to protect her or his rights, the authority of the socio-legal protection of children and social guardianship or different state body respective to protection of rights and child interests protected by law (e.g. The Police Force), facility of the socio-legal protection of children and social guardianship, municipalities, self-governing regions, accredited entity, school, school facility and health care provider. These entities are obliged to provide with immediate help to the child in order to secure his life and health, to execute measures to ensure his rights and child interests protected by law

and also to mediate such assistance. This also stands for the situation when child in accordance to age and maturity cannot ask for help on his own, but throughout the third person.

- The parent and the person taking care of child are entitled during execution of their rights to ask for help the respective authority of the socio-legal protection of children and social guardianship or different state body respective to protection of rights and child interests protected by law, facility of the socio-legal protection of children and social guardianship, municipalities, self-governing regions, accredited entity, school, school facility and health care provider. These entities and accredited entities are obliged to provide with the help within the extent of their competence to the parent or the person taking care of children.

The Slovak Republic established the Office of the Children's Commissioner by Act No. 175/2015 Coll. on the Commissioner for Children and the Commissioner for Persons with Disabilities and on amendments and supplements to certain acts. Every person shall enjoy the law-guaranteed right to refer to the commissioner in case of breach or threat of children rights. Child is entitled to address the commissioner directly or throughout third person and also without consent of his or her parents, legal guardian or different person who has care of child replacing the care of parents.

## **SLOVENIA / SLOVENIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Children and adolescents can receive advice and assistance in connection with sexual abuse in a network of psychologists and psychiatrists that is put in place in health care system. There is no special counselling about sexual abuse on the Internet in health care. In addition, children and adolescents can receive advice and assistance also in the online counselling service Tosemjaz, where young people have simple, anonymous, free and quick access to expert advice and referrals to available sources of help in the event of sexual abuse.

At the National Institute of Public Health, preventive activities are also taking place on this subject; this year they prepared materials "Prevention of e-sexual abuse of children and adolescents: "Demonizing the Internet does NOT work!" (see website: <http://www.nijz.si/sl/precision-e-spolnih-zlorab-otrok-in-mladostnikov-demoniziranje-interneta-ne-deluje>).

Unfortunately, we have no data on the number of victims, nor about the number of victims who received such help.

In general, different programs are put in place for children victims of violence and also programs with strong professional support including psychosocial and psychological help to victims of sexual abuse, incl. sexual abuse facilitated by information and communication technologies. Such activities of non-governmental and non-profit organization are different counselling services and psychosocial help. In Slovenia we have also awareness-raising activities and programs for protection child sexual exploitation and abuse.

There are several support programs of non-governmental and non-profit organization which are co-financed by the Ministry of Labour, Family, Social Affairs and Equal Opportunities, namely:

The Association **"SOS Help-line"** is a women's non-governmental, non-profit and humanitarian organization that works in a public interest. Their aim is to help, support and counsel women and children who have experienced or are still experiencing violence in their families and relationships. It was established to prevent violence against women, children and young people.



The TOM National Telephone Network® - Telephone Line for Children and Young People: The TOM project has been carried out by the Slovenian Association of Friends of Youth since 1990 when it was set up on the initiative of the Children's Rights Committee. The telephone line is opened every day between 12:00 and 20:00 and can be reached via the toll free telephone number 116 111. Seeing that young people were the most intensive users of the Internet, the TOM Telephone set up a platform E-TOM ([www.e-tom.si](http://www.e-tom.si)) in 2007. It has provided young people with online information on topics and questions that interest them. To ensure that their questions are answered as quickly as possible, an online chat room was opened in 2013, operating at the following link: <http://www.e-tom.si/chatroom>.

Children and teenagers can contact the Tom Telephone if they find themselves in a need or predicament associated with the use of the Internet or mobile devices. The Tom Telephone provides anonymity and confidentiality and offers children emotional support as well as information on relevant topics. It aims at encouraging the youth to develop their self-confidence, communicational skills and, especially, their self-reliance, so they can solve problems on their own. In addition to the psychosocial help and emotional support of a helpline counsellor, in certain cases children are also referred to appropriate organizations, institutions and services (e.g. the Police, si-cert – the main contact point for reporting network security incidents located in Slovenia).

The confidentiality policy at the TOM: Everything that a child tells to a counsellor is confidential and can be discussed only between the TOM counsellors at supervisions. The TOM Telephone never breaks this policy without the child's permission. Of course, problems can arise when dealing with a delicate case, for example, of child abuse. In this case, counsellors always encourage the child to make a formal statement or to give the counsellor permission to do it. However, if the child does not want to do anything at that moment, the TOM Telephone usually does not have enough information to identify the child.

Volunteers of the **Association for Non-violent Communication** participate in the "Help programme for children who have experienced violence". The programme is intended for all children and young people who cause or experience any form of violence. The child gets an experience of being with an adult who complies with the principles of non-violent communication when establishing and maintaining contact with the child. The adult encourages the child to increase awareness of her/his personality traits, thought processes and experiences, and to express them accordingly. Thus, the child's self-image is strengthened and her/his communication with others improved.

**The report of the abuse** can be filed through the Web Application WEBEYE, see link: <https://www.spletno-oko.si/>, or directly to the police, since such cases are treated expeditiously. In addition, Police informs Centers for social work to engage in further procedures for the care and guidance of children / adolescents and their parents / guardians.

#### **Question 6.2.a and b.**

Recently, the **Domestic violence prevention act** was amended in order to provide the legal basis to ensure support, assistance and psychological help to child victims of sexual abuse, including of online abuse.

The legally prescribed national programme on the prevention of family violence and violence against women now includes guidelines for working with child survivors of sexual abuse (Art. 11, indent 8 of the Domestic violence prevention act).

When providing for the competences of the Social work centres, Domestic violence prevention act now explicitly mentions child victims of sexual abuse: Social work centres shall treat with special care cases of violence against children, and in particular cases of suspected child sexual abuse (Art. 14, paragraph 2 of the Domestic violence prevention act).



When providing for the social services which are funded by the state budget, the Domestic violence prevention act expressly provides for the state financing of education and training on violence, in particular violence against children, including sexual abuse of children (Art. 17.a)

It's worth reporting in this context that on the legislative level, the Article 2.a of the Financing and Organisation of Education Act<sup>26</sup> clearly prohibits all forms of violence in schools and that the Article 67 of the same Act requires all kindergartens and schools to provide professional pedagogical, psychological and social counselling for children, students, teachers and parents. The counselling services mostly consist of psychologists, pedagogues, social workers, social pedagogues and SEN teachers, performing three related and often entwined types of activities: support, development and prevention, and planning and evaluation. They work together with all stakeholders in everyday life and duties in the scope of learning and teaching, the educational institution's culture, overall climate and order, physical, personal and social development of children, pupils and students, training and vocational orientation (transition), and in the scope of socio-economic differences.

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Between 1 July 2016 and 30 June 2017, the TOM Telephone received 36 calls on the topic of sexting and 73 calls on the topic of privacy (abuse and protection).

We have not received any other statistics.

## **Comments sent by / Commentaires envoyés par Association Against Sexual Abuse**

### **Question 6.1.**

For all cases of sexual abuse, including in connection with Internet abuse, children and everyone else can contact our free phone number 0802880, mobile phone number 00386 41 73 78 72 and telephone number 00386 1 4313341.

As early as 1994, the Association Against Sexual Abuse started to work in a field of sexual abuse of children in Slovenia, and since the work of our NGO is directed at sexual abuse, we believe that after 24 years of work we can be called a specialized non-governmental organization for these problems. The projects of Ministry of Labour, Family, Social Affairs and Equal Opportunities began to expose the problem of sexual abuse of children only three years ago and then other NGOs started to work on it too.

In 2015 we were also a successful promoter of the European Day for the Protection of Children against Sexual Exploitation and Sexual Abuse. We are also members of the European project "One and Five".

Children who are victims of all forms of sexual assault, as well as Internet abuse and other forms of violence, and kindergartens, schools, other institutions that face the issue of taking action against online abuse may turn to the Association. Our goals are to give victims the opportunity to speak about this, to take action to protect victims, to raise awareness of this crime, to support victims to identify abuses and to provide further forms of support and assistance that we offer to victims.

### **Question 6.2.**

The criminal law of our country now adequately protects victims of these forms of abuse. In addition to criminal legislation, we also have a Domestic Violence Prevention Act, which also discusses sexual

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<sup>26</sup> Available in English at:

[http://www.mizs.gov.si/fileadmin/mizs.gov.si/pageuploads/ANG/Organisation\\_and\\_Financing\\_of\\_Education\\_Act\\_Oct\\_2016.pdf](http://www.mizs.gov.si/fileadmin/mizs.gov.si/pageuploads/ANG/Organisation_and_Financing_of_Education_Act_Oct_2016.pdf)

violence, but the Domestic Violence Prevention Act does not provide children with the necessary support, assistance and psychological help. It is mostly dependent, unfortunately, on the responsiveness of individual professionals in the Centres for Social Work, who have too much of an arbitrary role in doing so. In this way, the state also satisfies, in principle, compliance with the Convention on the Rights of the Child, as anticipated in Article 39 of the Convention.

## SPAIN / ESPAGNE

### State replies / Réponses de l'Etat

#### Question 6.1.a. and b.

##### **1.- Ministry of Interior:**

- Within the framework of the **National Police's Plan** against Trafficking in Human Beings for the Purpose of Sexual Exploitation, an anti-trafficking call number has been launched: 900 10 50 90 to complain of any form of sexual exploitation.

These claims are dealt with at the following e-mail address: [trata@policia.es](mailto:trata@policia.es). Twitter: @policia. Hastag: #contralatrata.

- The website [policia.es](http://policia.es) includes a section on citizen collaboration through which a complaint form can be found to report to the National Police whatever situation arises regarding child pornography.

[https://www.policia.es/formulario\\_generico.php?ordenes=6](https://www.policia.es/formulario_generico.php?ordenes=6)

- Units for Women and Family Assistance, with specialized juvenile sections, have an e-mail of Continued Assistance at the disposal of citizenship: [atencionfamiliaymujer@policia.es](mailto:atencionfamiliaymujer@policia.es)

The **National Police** has the duty to investigate and take perpetrators before the judicial authority. When dealing with victims, Police sends them to the relevant Social Assistant Services.

As it has been explained before, **Guardia Civil** has created "COLABORA" a telematic platform managed by the Telematic Crime Group of the Central Operative Unit for the Judicial Police (<https://www.gdt.guardiacivil.es/webgdt/pinformar.php>). In addition to this platform, other actions for encouraging children and citizens to report this crimes are: the implementation of an application for citizens to make communications through mobile phones, the creation of an official website of the Corps on the Internet and the existence of an email address: [protection-menor@guardiacivil.org](mailto:protection-menor@guardiacivil.org), that manages the EMUME CENTRAL (Junior-Center Team) of the Technical Unit for the Judicial Police, agents specialized in the field of minors and new technologies.

Once the crime is known, from the police point of view, all channels are useful for reporting this kind of crimes against children. In order to carry out the investigation and subsequent detention of the perpetrators of these crimes, it is necessary the interview with the minor. In order to avoid the re-victimization of underage victims, the interviews for the declaration of the minors are carried out by specialists Psychologists of Guardia Civil, and have the following characteristics:

- They are carried out without undue delay once the facts have been reported to competent authorities.
- They take place, if necessary, in premises designed or adapted for that purpose.
- They are carried out by professionals trained for this purpose.

- If possible, all interviews with the child are carried out by the same specialist.
- The number of interviews is as small as possible and to the extent that it is strictly necessary for the purposes of the procedure.
- The minor can be accompanied by his legal representative or, if applicable, an adult of his choice, unless a motivated decision is taken against that person.

In addition, with the authorization of those who exercise parental authority, or in their absence of the Prosecutor or Judicial Authority, the recording of the examinations done to minors is carried out with the conditions requested so that it is admitted as an advance test.

For actions subsequent to the taking of police declaration, the Guardia Civil refers victims to social services, which are responsible for assuring the assistance and recovery of minors and their reincorporation to a life according to their age.

In case it is presumed that a minor victim may be in a situation of vulnerability or helplessness, this circumstance is communicated to the Public Prosecutor's Office to arrange the measures that guarantee the safety of the minor.

Tutors are also informed of the possibility of requesting protection measures and, if they so state, the request is transferred to the judicial authority for their grant.

## **2.- Ministry of Digital Agenda:**

IS4K has recently launched a helpline to advise young people, parents, educators and professionals working with children, on how to manage the doubts or conflicts that the minors face on the Internet. Sexting is one of the main issues addressed.

Minors themselves can also call as there are professionals prepared to advise them in a friendly language, adapted to their understanding and maturity. A multidisciplinary team, with psycho pedagogues, technologists and lawyers, manages the service to give an integral response.

The Helpline phone channel was launched in September 2017, so the first strong statistics will be available by the end of 2017.

**3.- AEPD:** The web [www.tudecideseninternet.es](http://www.tudecideseninternet.es) includes the addresses of different sites where victimized children can find help in the referred cases (Police, NGO, Ministry of Education): <http://www.tudecideseninternet.es/aqpd1/si-tenes-problemas.html>

## **Question 6.2.a. and b.**

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In 2015, Act 4/2015 was issued. This Act, named "Statute of the victim of crime", constitutes a real catalogue of rights, both procedural and extra-procedural, for all victims of criminal offences. It states that the superior interest of the child must always prevail. This statement is a rule that must guide every decision taken towards a child victim throughout the criminal procedure. In addition, Act 4/2015 specifically foresees tailor-made protection measures addressed to minors victims of sexual crimes that shall consider their particular circumstances and necessities.

In order to provide a more effective attention of victims, the Ministry of Justice has created 26 Offices for Criminal Offences' Victims intended to cover all aspects regarding children victims. The functions of these Offices are regulated under Royal Decree 1109/2015, which define them as specialized units whose purpose is to provide assistance and / or coordinated care to respond to victims of crimes in the legal, psychological and social fields, as well as to promote restorative justice measures. This assistance is provided through a network coordinated with Social Services in each Autonomous Community and it is provided at the judicial stage as well as at the psychological, health, economical stages.

## **SWEDEN / SUEDE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Children may feel especially vulnerable in certain situations in life and need support from the Swedish social services. To increase knowledge among children and young people about where they can turn, the National Board of Health and Welfare and the Ombudsman for Children, on instructions from the Government, have produced information material for children and young people about social services. All of the information material was co-produced with children and young people, and the website "kollpasoc.se" was launched in 2016. On the site you can get information between others on how it should be at home, what you do if you do not have it so well and what can help you can get if you do things that are not good. There is the opportunity to ask questions, chat and see the information films. The site is primarily driven by the Ombudsman for Children.

The European Commission has reserved five short numbers with a single format 116 + 3 digits for helplines that should be accessible to everyone in the Member States of the European Union. 116 is a range of easy-to-remember and free-of-charge phone numbers to assist children and adults in need.

The number 116 111 is specifically for children who seek assistance and need someone to talk to. The service helps children in need of care and protection and links them to the appropriate services and resources; it provides children with an opportunity to express their concerns and talk about issues directly affecting them. In Sweden this helpline is operated by BRIS (Children's Rights in the Society).

BRIS is a Swedish NGO focused on dialogues and support for children and young people. BRIS is offering support online via hotline 116 111, mail and the bris-chat. Children and young people up to 18 years have the possibility of safe, anonymous and free email, chat, or call a counsellor at BRIS. The NGO is also offering support activity by working employees, curators. Their long experience of contact with children and young people has resulted in a high level of expertise in regards to assess what measures are needed at the side of the authorities' activities to protect children and young people's rights. BRIS also offers forum for children and young people. It discussed all possible topics anonymously and securely through BRIS.se.

#### **Question 6.2.a. and b.**

According to the Social Services Act, the social services in each municipality are responsible for providing help and support to the crime victim and those persons close to the crime victim.

A number of NGOs work on a voluntary basis to provide crime victims with help and support. The most well-established ones, located in different parts of the country, are women's shelters and crime victim support centres. All are bound by professional secrecy. The associations can apply for economic support from the government.

Victim support centres provide help to victims of all kinds of crimes. When a crime is reported to the police, the crime victim should be informed that there are victim support centres and other support

services available. The police will also ask the crime victim whether he or she would like to be contacted by a support centre.

The victim support centres can offer help in the form of a support person, and many also run a witness support service. There is a national organisation for these centres - the Victim Support Sweden.

## **Comments sent by / Commentaires envoyés par ECPAT Sweden**

### **Question 6.1. and 6.2.**

BRIS runs a very important and valuable national helpline which deals with a wide range of topics. However, their helpline is not specifically aimed at supporting children who are victims of sexual exploitation. At ECPAT Sweden we have identified the need for a national helpline for children which deals specifically with sexual exploitation on the internet.

Similarly, the website kollpasoc.se does not provide information on sexual exploitation specifically. It is mainly a source of information for children who have been in contact with the social services or who wish to establish a contact, providing information on what the social services in Sweden do and on children's rights related to situations where Swedish social services may step in.

## **SWITZERLAND / SUISSE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1.a. and b.**

Il existe en Suisse différentes entités publiques et privées auprès desquelles les enfants victimes des actes susmentionnés peuvent s'adresser.

Parmi les entités publiques figurent la police, les autorités cantonales de protection de l'enfant (<https://www.copma.ch/fr/organisation/organisation-sur-le-plan-cantonal>) et les centres LAVI (loi fédérale sur l'aide aux victimes d'infractions ;

[www.sodk.ch/fileadmin/user\\_upload/Fachbereiche/Opferhilfe/Adresslisten/2017.06.19\\_OH-Beratungsstellen\\_Kinder\\_und\\_Jugend.pdf](http://www.sodk.ch/fileadmin/user_upload/Fachbereiche/Opferhilfe/Adresslisten/2017.06.19_OH-Beratungsstellen_Kinder_und_Jugend.pdf)).

S'agissant de la police, un signalement peut être fait par le biais d'un formulaire en ligne ([www.cybercrime.ch](http://www.cybercrime.ch)) ou directement au poste de police.

Parmi les entités privées, plusieurs acteurs fournissent le type d'assistance requis, et notamment les suivants :

- ESPAS, espace de soutien de prévention – abus sexuels ([www.espas.info/prestations/faire-le-pas/enfants/](http://www.espas.info/prestations/faire-le-pas/enfants/) ; [www.espas.info/prestations/faire-le-pas/adolescent/](http://www.espas.info/prestations/faire-le-pas/adolescent/)) ;
- Conseils+aide 147 de Pro Juventute (conseils pour les enfants et les jeunes par téléphone, chat, SMS ou e-mail) ([www.147.ch/147.24.0.html?&L=1](http://www.147.ch/147.24.0.html?&L=1)) ;
- le site de l'association ciao.ch (<http://www.ciao.ch/f/>) ;
- association lilli ([www.lilli.ch](http://www.lilli.ch)) ;
- association Castagna ([www.castagna-zh.ch/Beratung/Kinder.aspx](http://www.castagna-zh.ch/Beratung/Kinder.aspx)) ;
- fondation Lantana (<http://lantana-bern.ch/>) ;

- différents centres de consultation en lien avec la sexualité ([www.sante-sexuelle.ch/fr/centres-de-conseil/](http://www.sante-sexuelle.ch/fr/centres-de-conseil/)) ;
- Protection de l'enfance Suisse / ECPAT Switzerland (<https://www.kinderschutz.ch/fr/ecpat.html>).

#### **Question 6.2.a. and b.**

Les bases légales existantes sont les suivantes :

- **La Constitution fédérale de la Confédération suisse, art. 124**, aide aux victimes (Cst., RS 101) :  
« La Confédération et les cantons veillent à ce que les victimes d'une infraction portant atteinte à leur intégrité physique, psychique ou sexuelle bénéficient d'une aide et reçoivent une juste indemnité si elles connaissent des difficultés matérielles en raison de l'infraction. »
- **La loi fédérale sur l'aide aux victimes d'infractions, art. 2**, formes de l'aide aux victimes (LAVI, RS 312.5)  
« L'aide aux victimes comprend :  
a. les conseils et l'aide immédiate ;  
b. l'aide à plus long terme fournie par les centres de consultation ;  
c. la contribution aux frais pour l'aide à plus long terme fournie par un tiers ;  
d. l'indemnisation ;  
e. la réparation morale ;  
f. l'exemption des frais de procédure ;  
g. une protection et des droits particuliers dans la procédure pénale. »

Les liens internet vers la loi fédérale et l'ordonnance sur l'aide aux victimes d'infractions permettant de fournir une aide aux victimes, et notamment aux enfants victimes d'une exposition en ligne, sont les suivants :

- Loi fédérale : <https://www.admin.ch/opc/fr/classified-compilation/20041159/index.html> ;
- Ordonnance : <https://www.admin.ch/opc/fr/classified-compilation/20072996/index.html>.

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L'Office fédéral de la statistique établit depuis l'an 2000 des statistiques sur l'aide aux victimes d'infractions, en collaboration avec les autorités cantonales d'exécution : <https://www.bfs.admin.ch/bfs/fr/home/statistiques/criminalite-droit-penal/aide-victimes.assetdetail.2843558.html>.

Selon celles-ci, 4,271 personnes ont bénéficié de l'aide d'un centre LAVI en raison d'« actes d'ordre sexuel avec des enfants » en 2016. Les détails concernant les contextes particuliers évoqués ci-dessus ne sont pas connus.

## **TURKEY / TURQUIE**

### **State replies / Réponses de l'Etat**

#### **Question 6.1. and 6.2.**

General hotline for police in Turkey is 155, which is accessible 7/24 by any phone. Moreover, victims of sexual abuse of children or their families have the possibility to address to police or public prosecutor. Beside this general police reporting mechanism, there are also some other reporting ways. Such as:

- Line 183: The phone help line is both a possibility for reporting and getting support. Sexual abuse cases or a possibility of an sexual abuse offence are also reported via this number and certain preventive measures can be put in place in order to stop a possible crime. This hotline serves also on mobile phone apps by people with hearing problems.

- [www.ihbarweb.org](http://www.ihbarweb.org): This website is established by Information and Communication Technologies Authority. Child sexual abuse is one of the crimes that can be reported by this website. In order to report a web page, one should copy the URL of the webpage and place it in a box on webpage. Instant messaging pages and chatting website are also indicated on the page. The reporting mechanism is simple enough for a child.

Ministry of Family established Child Support Centres which provides psycho-social help service to children who suffered a trauma for minimizing effects of the trauma, and assuring a healthy development of personality. We don't have a specific data regarding the help provided to children who got help a psychological help because of negative effects of their self-generated sexually explicit images and videos. However, child victims of online exposure of sexually explicit images and videos can always get help from these possibilities which are provided free of charge.

Pursuant to the Circular on Measures on Prevention of Online Sexual Abuse of Children, public authorities shall take necessary measures for providing support to child victims of online sexual abuse and preventing re-victimization. In this context, investigation authorities shall be attentive to keep IDs of victims secret. Child victims shall be followed by counsellor teachers and staff of Ministry of Family in order to support them to eliminate the effects.

Victims of online sexual abuse of children are also considered in the judicial processes. For instance;

- Statements of child victims are taken in special rooms named "Judicial Interview Rooms – Adli Görüşme Odaları" in many court buildings, in order not to traumatize children in judicial process.

Ministry of Justice drafted a law project "Victim Rights Code". The code regulates establishment of Judicial Support and Victim Services Directorates in every cities. These units will inform victims about their rights and direct them to use their judicial remedies. We should also like to highlight that victims will be also able to get psychological help. The main aim of these structures is preventing re-victimization of children in judicial processes.

Victims' Rights Department within Ministry of Justice drafted also "Guide for Approaches to Victims" and the department gave seminars to trainee judges and prosecutors to inform them about how they should approach to crime victims.

Pursuant to the article 238 of Criminal Procedure Code, if the victim of a crime is a child, an advocate shall be appointed without a demand from the victim and free of charge. They are represented by these lawyers during all judicial process.

We should also like to add that Draft Code of Rights of Victims is prepared. Pursuant to this draft code, Directorates of Judicial Support and Victim Services will be established within Court Houses. Furthermore, victims of sexual offenses are accepted as “fragile groups” under the draft law. There are certain services for fragile groups in the code such as getting support of a “judicial support expert” who will give them guidance through judicial procedures. Victims can also get counselling for psycho-social problems.

## **UKRAINE**

### **State replies / Réponses de l’Etat**

#### **Question 6.**

Since 2009 the cooperation of the National Police of Ukraine with the public organization "La Strada Ukraine" is continuing. Police officers on a permanent basis provide consultations at the National Children's Hotline at the telephone number - 0 800 500 225 or 772.

There is an on-going electronic hotline in the public organization "La Strada Ukraine" on countering child pornography on the Internet, at the e-mail: [www.internetbezpeka.org.ua](mailto:www.internetbezpeka.org.ua), where you can get advice and assistance.

### **Comments sent by / Commentaires envoyés par La Strada – Ukraine**

#### **Question 6.1.**

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The National Children’s Hotline operates on the basis of La Strada-Ukraine, providing advice on the protection of children’s rights, incl. against violence or ill-treatment that are also facilitated by information and communication technologies.

During 2015-2017, the National Children’s Hotline received almost 114 thousand calls. Of the total number of calls, about 30% concerned children’s psychological health (loneliness, fears, etc.), 7-9% – violence, ill-treatment and commercial exploitation of children.

Support for the operation of the National Children’s Hotline is stipulated in the Action Plan for the National Human Rights Strategy Implementation Until 2020, approved by the Order of the Cabinet of Ministers of Ukraine No. 1393-r of 23/11/2015 (paragraph 71.5).

In 2016, cooperation with the National Children’s Hotline of La Strada-Ukraine CSO was also stipulated in the ‘National Action Plan for Implementation of the UN Convention on the Rights of the Child’ until 2016, as approved by the Order of the Cabinet of Ministers of Ukraine No. 590-r of 23/09/16 (paragraph 24.2).

The Electronic Hotline Against Child Pornography on the Internet ([www.internetbezpeka.org.ua](http://www.internetbezpeka.org.ua)), supported by La Strada-Ukraine CSO, also operates in Ukraine. With this hotline, every citizen of Ukraine can report child pornography in the Internet. The hotline software has been developed according to similar hotlines operating in European countries. However, this electronic hotline currently needs resources for high-quality administration and responses.



## **Comments sent by / Commentaires envoyés par Parliament Commissioner For Human Rights**

### **Question 6.**

The legislation provides for interrogation of children-victims and children-witnesses in specially equipped so-called "green rooms". However, there are only four of them in Ukraine, and they are almost not used. In addition, in our opinion, the disadvantage is that "green rooms" are created in the premises of law enforcement agencies, which does not correspond to the best interests of the child.

## **Comments sent by / Commentaires envoyés par Rozrada**

### **Question 6.1.a. and b.**

Really we can receive the information about NGO La Strada Ukraine hot telephone line for children time by time on seminars, trainings, meetings of NGOs, conferences, etc. We know that there are some psychologists in this NGO who work on this hot line, As usual we can hear about quantity of callings per month or per year. Psychologist of NGO "ROZRADA" always are ready to give psychological support children suffered from sexual violence and paedophilia. We helped 5 such children and their parents by face to face counselling after their calling to children or general La Strada hotline.

We think that hot line must have two possibilities of helping. One possibility is on line counselling especially for those persons who are in critical situation. They need immediate help. ROZRADA psychologists developed and provided Webinar "Telephone counselling" for 26 Mobil teams on East Ukraine with materials for working on line with such persons (supported by Health Right fund, Kyiv)(See You tube). Second possibility as we can see the main possibility, is counselling child and his/her parents face to face. It is important because we need a lot of time for finding reasons of such behaviour and needs, nature of such behaviour models and for rehabilitation child and his/her parents. We have real experience of such psychological work for months and even years.

Our point of view on children hotline.

It is not enough to have telephone hotline. It is also not enough to have some psychologists working in hot line.

It is necessary:

- to have power hard and software for providing access to this hot line in each city, town and village of Ukraine;
- to provide constant information campaigns about possibilities to get information and different support if person will call to hot line. Our investigation "The obstacles that meet women victims of violence when they seek the assistance and support in Ukraine" showed that the most subjects don't know about hot line and don't trust the information about such hot line;
- the hot line system must have around it the network of institutions including NGOs that can answer to questions of respondent and give real help. For example, such member of network must have free counselling fund and be ready to give free psychological help. Respondents must have possibilities to have access to these institutions around the clock. This is only one right way to be useful to respondents.

P.S. ROZRADA psychologists have an experience for saving respondents from suicide (5 respondents).

**Question 6.2.a. and b.**

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We don't know about such cases. We think that Ukraine needs a new legal approach to legislative measures. For example, about 17 teenagers had suicide after being in network "Blue whale" in 2016-2017. Ukrainian police and Special services could find person who was responsible for this dangerous network but there is not law about punishment for such crimes in Ukraine.

The situation with psychological help to victims of information space networks victims especially children is chaotic, not system. NGO "ROZRADA" developed project of state standard about psychological help in Ukraine (2016). It was given to Ministry of social policy of Ukraine. It was appeared that psychological help is not in the list of social services in Ukraine. Absence of the list was the reason for ignore such effort of NGJ professionals.