



FACTSHEET – AUSTRIA

Lanzarote Committee's Implementation Report on:

"The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs): addressing the challenges raised by child self-generated sexual images and/or videos (CSGSIV)"

This factsheet was prepared by the Secretariat in March 2023.

It has been updated with information submitted by the Government of Austria in March 2025 displayed in orange and blue text boxes.

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I. Introduction

One of the main functions of the Lanzarote Committee (“the Committee”) is to monitor the effective implementation of the Lanzarote Convention (“the Convention”). The monitoring procedure is divided into rounds, each concerning a specific thematic area and involving all State Parties (“the Parties”) simultaneously. The monitoring rounds start with the launch of a thematic questionnaire, to which the national authorities are asked to respond, and which other relevant stakeholders can comment on. After carrying out its evaluation procedure, consisting of the analysis of such replies, the Committee adopts an implementation report where it draws conclusions about the different national frameworks, strategies and policies in place, makes recommendations to Parties, and highlights promising practices as well as some challenges. Sometime after the adoption of the implementation report, the Committee conducts a compliance procedure with the aim of assessing whether Parties comply with the recommendations made by the Committee as part of the evaluation procedure.

The compliance procedure seeks to assess the follow-up given by Parties to the recommendations made by the Committee in the evaluation procedure. In the [implementation report of its 2nd monitoring round concerning the challenges raised by child self-generated sexual images and/or videos](#), the Committee made three types of recommendations:

- “Require”: when the steps the Committee recommends Parties to take correspond to obligations arising from the Convention, as clarified by its explanatory report.
- “Request”: when the steps the Committee recommends Parties to take correspond to obligations arising from the Convention, as clarified by documents adopted by the Committee (such as previous monitoring round findings, opinions or other documents).
- “Invite”: when the steps the Committee recommends Parties to take correspond to promising practices or other measures to enhance protection of children against sexual violence even beyond specific requirements of the Convention.

At its 41st meeting (13-15 February 2024), the Lanzarote Committee agreed on a new methodology for the assessment of State Parties’ compliance with the 2nd monitoring round recommendations ([see point 4 of the Appendix to the List of decisions](#)). It entrusted the Secretariat to insert boxes in the 2nd monitoring round country [factsheets](#) to highlight where information on follow-up measures taken or changes occurred may be inserted. It is recalled that these factsheets are a synthesis of the Committee’s implementation report findings with respect to specific Parties. The factsheets are structured along the lines of the implementation report and the footnotes in this document refer to the specific paragraphs of the implementation report.

The orange boxes contain information submitted by the State Party regarding progress made towards the implementation of the recommendation.

The blue boxes contain examples of national promising practices that respond to “invite” recommendations made by the Committee.

II. Legal framework

Interpreting the Convention, in conjunction with its [Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children](#) (6 June 2019), the Committee identifies what Parties ought to have in place as well as what they are encouraged to do to better protect children against the exploitation of their self-generated sexual images and/or videos (CSGSIV).

Observations and recommendations of the Committee on the legal framework specific to Austria

The Committee observes that the legal framework of Austria refers explicitly to CSGSIV,¹ and that it uses the term “child pornography” as defined within Article 20(2) of the Convention.²

The Committee invites Austria:

- to rather use the term “child sexual abuse material” (CSAM) for material depicting acts of sexual abuse of children and/or focusing on the genitalia of the child following the guidance set out in the [“Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse”](#)³ in the development of future national, regional and international legal instruments and policies addressing the prevention of and protection from sexual exploitation and sexual abuse of children, as the Committee acknowledges that the term “child pornography” can be misleading and undermine the gravity of the crimes it refers to.⁴
- to strengthen the protection of children by introducing explicit references in their respective legal frameworks to conduct concerning CSGSIV, identifying the circumstances when children should not be held criminally liable and when they should be prosecuted only as a last resort.⁵

With regard to Reservations allowed by Article 20(3) as regards own sexual images consensually produced and possessed by children for private use, the Committee stresses that Article 8(3) of EU Directive 2011/93 on combating the sexual abuse and sexual exploitation of children and child pornography establishes that: “It shall be within the discretion of Member States to decide

whether Article 5(2) and (6)⁶ apply to the production, acquisition or possession of material involving children who have reached the age of sexual consent where that material is produced and possessed with the consent of those children and only for the private use of the persons involved, in so far as the acts did not involve any abuse.”⁷ It notes from the Commission’s report (COM(2016) 871 final) to the European Parliament assessing the extent to which the Member States have taken the necessary measures to comply with EU Directive 2011/93 that Austria chose to apply the above-mentioned Article 8(3).

Austria informed the Committee that as it is not indicated otherwise, the term “persons” in Art. 8(3) of EU Directive 2011/93 has been understood to cover adults as well and was transposed it into national legislation by Art. 207a paras. 5 and 6 of the Austrian Criminal Code. The latter includes all the criteria listed by the Committee in this report’s Recommendation I-6 with the exception of the similarity of age and maturity of the persons involved.⁸

- The Committee therefore requires Austria, as it provides for exemptions for adults as regards the criminalisation of possession of CSGSIV to ensure that:
 - the child depicted on such images has reached the legal age for sexual activities and has given his/her consent for the possession of

¹ Para.43.

² Para.49.

³ The Terminology Guidelines also refer to the term “child sexual exploitation material”, indicating that this term can be used in a broader sense, see [“Luxembourg Terminology Guidelines”, pages 38-40 in particular.](#)

⁴ Recommendation II-1.

⁵ Recommendation II-2.

⁶ Article 5 (offences concerning “child pornography” of the EU Directive 2011/92 reads:

1. Member States shall take the necessary measures to ensure that the intentional conduct, when committed without right, referred to in paragraphs 2 to 6 is punishable.

2. Acquisition or possession of child pornography shall be punishable by a maximum term of imprisonment of at (...)

6. Production of child pornography shall be punishable by a maximum term of imprisonment of at least 3 years.

⁷ Para.59.

⁸ Para.60.

such images and/or videos, and that

- the person possessing the CSGSIV and the child depicted on them are of similar ages and maturity (e.g., by setting a maximum age difference among them) in line with para 129 of the Lanzarote Convention's Explanatory Report, and that
- the production and possession of the mentioned images and/or videos did not involve any abuse.⁹

Follow-up actions:

According to Sec. 207a para 5 CC the exemption for adults is limited only to images of children who have reached the age of sexual consent.

The exemption is only applicable in cases, where free and informed consent is given and, therefore, no abuse is involved. If e.g. the adult coerces the minor to share the image with him, this is not considered to be consensual and the adult will be punishable under Sec. 207a CC.

In 2023 a bill was drafted to amend Art. 207a CC. Besides other changes an age limit to the exemption was proposed: in accordance with the recommendation of the Lanzarote Committee the maximum difference in age among the minor and the adult should be 5 years. During the public consultation a lot of concerns were expressed. Therefore, the age limit was deleted and the bill entered into force without that change. The reason for the concerns is that in Austria consensual, non-abusive sexual activities between a minor, who has reached the age of sexual consent, and an adult who is not a peer is legal. Limiting the exemption in Sec. 207a para 5 CC would have led to a major contradiction which could be illustrated by the following example: A 24-year-old male would be allowed to be in a (sexual) relationship with a 17-year-old female and have children with her. The 24-year-old would, however, not be allowed to produce and possess sexual explicit images of his partner. He would be liable to prosecution if he had a sexual explicit image of his partner, which was voluntarily transmitted by her, on his mobile phone. A conviction in such a case would

have far-reaching consequences – possibly including a ban from his profession and occupation. That result does not seem to be in the best interest of a minor who has reached the age of sexual consent and has a consensual relationship with an adult.

The Committee further observes that production and possession of CSGSIV are not criminalised in Austria when the child(ren) in question have reached the legal age for sexual activities,¹⁰ and that the age of criminal responsibility below which children cannot be held criminally liable for acts they commit which is 14.¹¹ However, the Committee highlights that reliance upon the age of criminal responsibility alone to exclude criminal responsibility does not correspond to a situation of full compliance with paragraphs 3-6 of the 2019 Opinion, since older children (those above the age of criminal responsibility) cannot avail themselves of this exemption.¹²

- The Committee however requests Austria to ensure in its legal framework¹³ that a child will not be prosecuted when he/she possesses:
 - their own self-generated sexually suggestive or explicit images and/or videos;
 - self-generated sexually suggestive or explicit images and/or videos of another child with the informed consent of the child depicted on them;
 - the self-generated sexually suggestive or explicit images and/or videos of another child as a result of receiving them passively without actively asking for them.¹⁴

Follow-up actions:

The exemption in Sec. 207a para 5 CC is not limited to adults but refers to all persons. Therefore, a minor who has reached the age of sexual consent is not criminalised for possessing own self-generated sexually suggestive or explicit images and/or videos or those of another child with the informed

⁹ Recommendation II-5.

¹⁰ Para. 73.

¹¹ Para. 71.

¹² Para. 72.

¹³ The expression "legal framework" is not limited to legislation but should be understood in a broader way, e.g., through prosecutorial guidance or practice.

¹⁴ Recommendation II-6.

consent of the child depicted on them. As for the last point: if child A received a sexually suggestive or explicit image and/or video of child B by child B and keeps it (without distributing it), that would also be covered by the exemption of para 5.

However, this only refers to images and/or videos of children who have reached the age of sexual consent.

There is a further exemption in Art 207a para 6 CC: A person who possesses his or her own self generated images and/or videos is exempt from criminalisation.

The introductory decree to the Federal Act mentioned on page 7 also deals with the approach of the public prosecutor's offices regarding the possession of CSGSIV depicting a child, who has not reached the age of sexual consent by a minor, who has reached the age of sexual consent. In summary, criminal charges should only be filed against children in special cases (e.g. if there are relevant cases of re-offending).

In addition, the Committee notes that Austria has rules that lead to the criminalisation of the distribution by children of CSGSIV of other children.¹⁵

The Committee therefore requests Austria:

- to ensure that the distribution or transmission by children of self-generated sexually explicit images and/or videos of *other* children is prosecuted as a last resort when such images and/or videos qualify as "child pornography" in accordance with Article 20(2) Lanzarote Convention.¹⁶

Follow-up actions:

As pointed out in the paragraph above, Austria is in compliance with this recommendation. The distribution of such material of other children is criminalised in Austria and will, therefore, be prosecuted as a last resort.

On the "sexual extortion of children":

The Committee observes that in cases where the sexual extortion is intended to procure additional

sexual images or videos, prosecutions would only be brought for offences related to child pornography, the presence of a threat not being taken into account. However, Austria also informed that further offences may be established, such as corruption of children and sexual coercion.¹⁷ When it is intended to procure other sexual favours from the child depicted in the images/videos or from other children, Austria reported that it would prosecute for sexual abuse of a child in accordance with Article 18 of the Convention, for offences related to child prostitution, participation in pornographic performances, corruption of children¹⁸, or sexual coercion in general (not specifically targeting children).¹⁹ The possession of the initial child sexual image or videos would be prosecuted as an offence related to "child pornography" under Article 20.²⁰ In the case where it is intended to procure a financial gain, or other property from the child, Austria informed that the conduct would be qualified as extortion or aggravated extortion.²¹ Finally, Austria did not submit information as to what would be the prosecutable offence if sexual extortion was used to procure any other gain (e.g. contacts of peers for their sexual solicitation).

The Committee therefore invites Austria:

- when dealing with sexual extortion cases involving children, to take into account the situation where CSGSIV are used to force, coerce or threaten the child to give additional CSGSIV, other sexual favours, a financial gain or other gain to the offenders by:
 - either creating a specific incrimination to address this situation,
 - or prosecuting both the initial detention of CSGSIV and the act of extortion.²²
- to ensure that sexual extortion of children involving CSGSIV is investigated and prosecuted.²³

¹⁵ Para.82.

¹⁶ Recommendation II-9.

¹⁷ Para.100.

¹⁸ Para.102.

¹⁹ Para.104.

²⁰ Para.103.

²¹ Para.106.

²² Recommendation II-11.

²³ Recommendation II-12.

Generic recommendations of the Committee on legal frameworks

The Committee invites all Parties, including Austria:

- to contemplate appropriate legal responses to conduct involving non-visual CSGSIV produced by children in the context of offences covered by the Convention.²⁴
- to adopt legislative or other measures which promote as a priority educational and other measures that will aim to support children in safely exploring their sexual development while understanding and avoiding risks deriving from the production and possession of CSGSIV.²⁵
- to consider criminalising the offence of "grooming" (solicitation of children for sexual purposes), even when it does not lead to a face-to-face meeting or producing CSAM.²⁶

²⁴ Recommendation II-4.

²⁵ Recommendation II-7.

²⁶ Recommendation II-10.

Promising practice

In Austria, an amendment of the Criminal Law in January 2016 decriminalised the consensual sharing of self-generated material between consenting children. The sharing of said material with individuals other than those participating and consenting in the exchange remains a criminal offence for the purposes of the national criminal law.

Promising practices:

With the Federal Act amending the Criminal Code, the Code of Criminal Procedure 1975, the Communications Platforms Act and the Audiovisual Media Services Act, Federal Law Gazette I No. 135/2023, the term “child pornography” in the Austrian Criminal Code was replaced by the term “pictorial sexual child abuse material and pictorial sexual depictions of minors” taking into account the international terminology guidelines and the recommendation II-1 of the Lanzarote Committee in this report.

As to the recommendation concerning the prosecution of possessing CSGSIV and the act of extortion Austria wants to highlight that indeed both crimes would be prosecuted and – if those conducts can be proven beyond a reasonable doubt – the perpetrator would be convicted for both crimes.

Concerning the last invite recommendation Austria would like to point out, that according to Sec. 208a CC the solicitation of children for sexual purpose is punishable if the perpetrator suggests a meeting and makes some specific preparations for it. However, it is not required, that an actual meeting takes place.

III. Investigations and prosecution

In its [Interpretative Opinion on the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies](#) (ICTs) (12 May 2017), the Committee called on Parties to ensure effective investigation and prosecution of ICT facilitated sexual exploitation and sexual abuse by providing resources and training to responsible authorities.

Observations and recommendations of the Committee on investigations and prosecution specific to Austria

The Committee observes that Austria's investigation and prosecution services are already in line with some of its recommendations as in Austria:

- specialised units deal with ICT facilitated offences against children within law enforcement.²⁷ Such units are dedicated exclusively to cyber or sexual crimes against children.²⁸
- cases concerning sexual abuse or sexual exploitation of children facilitated by ICTs are managed by prosecution offices dedicated to sexual crimes and to child protection in general.²⁹
- according to Art. 26 para. 6 of the Federal Court Organisation Act (GOG), all cases concerning sexual offences have to be handled within specialised court units.³⁰
- specialised prosecution services handle ICT facilitated sexual offences committed by children.³¹ On this, the Committee invites Austria to also have *law-enforcement* units, sections or persons specialised in ICT facilitated sexual offences committed by children against other children.³²
- training modules are in place for law enforcement agents³³, prosecutors³⁴, and judges³⁵ related to aspects of child sexual exploitation and sexual abuse. Prosecutors can attend training, as well as biannual voluntary seminars on child pornography and sexual

abuse of minors.³⁶ The Committee welcomes Austria's place among the Parties that offer training for prosecutors specifically on child sexual abuse material (CSAM).³⁷ It also notes that judges benefit from the same opportunities, as judges and prosecutors are trained together and/or have the same training options available to them.³⁸

- victim identification units exist within law enforcement for cases of ICT facilitated sexual offences against children.³⁹

The Committee also notes that Austria makes an active contribution to the INTERPOL's International Child Sexual Exploitation (ICSE) image and video database.⁴⁰

The Committee finally notes certain challenges in the prosecution of perpetrators, voiced by some Parties, including Austria. In particular, Austria mentioned that:

- perpetrators who have sexually abused children, produced or disseminated child sexual abuse material are often difficult to trace and identify, when child abuse material has been shared multiple times.⁴¹
- a key challenge for a successful prosecution phase is to obtain electronic evidence that can be validly used before courts,⁴² as there is a high risk that evidence is erased.⁴³

²⁷ Para.115.

²⁸ Para.116.

²⁹ Para.125.

³⁰ Para.130.

³¹ Para.138.

³² Recommendation III-11.

³³ Para.146.

³⁴ Para.157.

³⁵ Para.167.

³⁶ Para.161.

³⁷ Paras.164-165.

³⁸ Para.167.

³⁹ Para.180.

⁴⁰ Para.186.

⁴¹ Para.194.

⁴² Para.203.

⁴³ Para.204.

Generic recommendations of the Committee on investigation and prosecution

On the specialisation and training of authorities:

Mindful of the different contexts in the Parties as recalled in para 235 of the Explanatory Report, the Committee requests those Parties that are not already doing so to ensure that law enforcement and prosecution units, services or persons specialised in ICT facilitated sexual offences against children are adequately financed to ensure sufficient resources, including staff, equipment and training.⁴⁴

Follow-up actions:

By resolution of the Council of Ministers of 25.1.2023, the Federal Government adopted a package of measures to protect children and young people from violence with a focus on sexual violence: effective prevention and effective prosecution. A key pillar of this package of measures is the increase in personnel at the Cyber Competence Center at the Federal Criminal Police Office and the procurement and implementation of special software that enables automatic image comparison and thus simplifies investigations.

It should be noted that budgeting in the area of justice in Austria is carried out at the level of the four Austrian Higher Regional Courts and the necessary budget funds for the individual courts and public prosecutor's offices dealing with ICT facilitated sexual offences against children are taken into account within this framework. Since there have been significant increases in the judicial budget in recent years, the budget funds required to cover personnel and material expenses are also available for the handling of cases concerning ICT facilitated sexual offences against children.

The Committee invites all Parties, including

Austria:

- to ensure that the capacities of any investigative unit specialised in ICT facilitated sexual offences against children take into account evolving technologies and online behaviours and reflect current practices used by perpetrators.⁴⁵
- to ensure that law enforcement units, services or persons specialised in ICT facilitated sexual offences against children adequately cover and/or are specialised in offences against children involving CSGSIV.⁴⁶
- to ensure that units, services or persons within courts responsible for ICT facilitated sexual offences against children have the necessary specialisation in the intersecting areas of children's rights, sexual abuse and sexual exploitation of children, and ICT technical knowledge.⁴⁷
- to ensure that units, services or persons within courts responsible for ICT facilitated sexual offences against children have sufficient specialisation in offences involving CSGSIV.⁴⁸
- to provide specific training on ICT facilitated sexual offences against children, including when such offences involve CSGSIV, and ICT facilitated coercion or extortion to law enforcement agents who are likely to come into contact with such cases.^{49 50}
- to ensure that training on the challenges raised by CSGSIV and ICT facilitated coercion or extortion of children is available to prosecutors and to judges.⁵¹
- to ensure that training on ICT-facilitated sexual offences against children for law-enforcement, prosecutors and judges contains a practical element, involving simulated or real cases.⁵²

⁴⁵ Recommendation III-4.

⁴⁶ Recommendation III-5.

⁴⁷ Recommendation III-9.

⁴⁸ Recommendation III-10.

⁴⁹ Such trainings can also be part of broader training programmes.

⁵⁰ Recommendation III-14.

⁵¹ Recommendation III-17 and III-19.

⁵² Recommendation III-21.

⁴⁴ Recommendation III-3 and III-7.

On measures to ensure the effective investigation and prosecution of offenders:

The Committee requires all Parties to ensure that investigations and criminal proceedings in ICT facilitated sexual offences against children are treated as priority and carried out without any unjustified delay.⁵³

Follow-up actions:

Section 9 of the Austrian Code of Criminal Procedure states that every accused has the right for proceedings to be concluded within a reasonable period. Proceedings must always be conducted expeditiously and without undue delay. Should the accused be detained the proceedings are to be conducted with particular expedition.

Hence, this not only has an impact on accused persons but also on children who are victims.

Since December 2024, a new software solution has been available to the Criminal Intelligence Service Austria to support investigators in receiving, pre-sorting and graphically processing suspicious activity reports from the US NGO NCMEC (National Center for Missing and Exploited Children). This allows such suspicious activity reports to be screened more quickly for acts of abuse and the information to be forwarded to the Criminal Investigation Departments within the scope of local jurisdiction. The procurement and operation of the tool is being financed by the Internal Security Fund (ISF) as part of an EU project.

It also invites all Parties, including Austria:

- to ensure that measures, services and technology available to those in charge of identifying child victims of ICT-facilitated sexual offences are up to date, reflect current practices across Parties, including establishing and using national child abuse material databases, and that resources are sufficiently

allocated.⁵⁴

- to engage in and strengthen inter-Party cooperation for the purpose of identifying child victims and perpetrators of ICT facilitated sexual offences, including, where appropriate, by providing access to each other's databases or shared databases, including those containing information on such perpetrators.⁵⁵

- to take the necessary legislative or other measures to ensure that preservation of specified stored computer data in connection with a specific criminal investigation or proceedings is made possible, fully upholding the rights of the parties involved.⁵⁶

- to take the necessary legislative or other measures to ensure that the investment in human, financial and physical resources is sufficient to have data generated by ICTs analysed in a timely manner so that investigations are carried out without any unjustified delay.⁵⁷

⁵³ Recommendation III-30.

⁵⁴ Recommendation III-24.

⁵⁵ Recommendation III-25, III-29.

⁵⁶ Recommendation III-31.

⁵⁷ Recommendation III-32.

Promising practice

In Austria, the judiciary provides specialised training to prosecutors, prosecutor trainees and judges on the topics of sexual exploitation and sexual abuse of children, including sexting, violence and hate on the Internet, cybercrime and the darknet. In addition, training on child pornography and sexual abuse of minors takes place every two years.

Promising practices:

The challenges raised by CSGSIV and ICT facilitated coercion or extortion of children and ICT-facilitated sexual offences against children are discussed at the regular seminar on combating sexual offences. The Cybercrime certificate course also addresses the different dangers of sexual offences against children associated with new technologies.

IV. Jurisdiction rules

Due to their online component, offences related to conducts involving CSGSIV have an inherently international aspect. As the prosecution of offences related to this material may involve more than one jurisdiction, the report analyses the jurisdictional rules in place in the Parties, enabling the determination of which Party may prosecute a particular case and under what conditions.

Observations and recommendations of the Committee on jurisdiction rules specific to Austria

Jurisdiction in cases of child sexual exploitation and abuse facilitated by ICTs committed on the territory of a Party: the territoriality principle (Article 25(1) (a-c))

The Committee notes that Austria has established laws clarifying the circumstances in which its national criminal law will apply to a transnational situation following the territoriality principle. According to the Austrian Criminal Code, an offence is considered to be committed in every location in which the person engaged, or is suspected of having engaged, in the proscribed conduct, or in the location in which the result of the offence, in whole or in part, occurred or is suspected of having occurred.⁵⁸

Jurisdiction based on nationality and residency (Article 25(1)(d), (e))

The Committee notes that all Parties, including Austria, have jurisdiction in cases where the offence covered by the Convention is committed by one of their nationals, even if the offence occurs abroad.⁵⁹ It also notes that Austria has jurisdiction over offences committed by persons who have their habitual residence in its territory.

Jurisdiction not subordinated to the condition that prosecution can only be initiated following a report from the victim or denunciation from the State where the offence was committed (Article 25(6))

The Committee observes that in Austria, offences of sexual abuse (Article 18), offences concerning child prostitution (Article 19), the production of child pornography (Article 20(1)(a)) and concerning the participation of a child in pornographic performances (Article

21) are prosecuted ex officio.⁶⁰

Jurisdiction not subordinated to the condition that the acts are criminalised at the place where they were performed: the dual criminality principle (Article 25(4))

It also notes that Austria reported that it would assume jurisdiction over offences involving sexual abuse or sexual exploitation of children, irrespective of the laws of the State where the offence was committed, if committed by one of its nationals or by a person who has his or her habitual residence in its territory. Its jurisdiction is therefore not subject to the dual criminality principle.⁶¹ The Party specified that a perpetrator who is not an Austrian national at the time of the offence, who is in Austria and who cannot be extradited will be under the jurisdiction of Austrian courts, without application of the principle of dual criminality, for offences of child sexual exploitation and child sexual abuse (severe coercion, rape, sexual coercion, sexual abuse of minors, sexual abuse of juveniles, pornographic representations involving persons under age, promotion of prostitution and pornographic performances involving persons underaged).⁶²

Jurisdiction in cases of child sexual exploitation and abuse facilitated by ICTs committed against nationals or habitual residents of a Party: the passive personality principle (Art. 25(2))

As detailed in the Explanatory Report of the Convention, Parties are not obliged, but can endeavour, to establish jurisdiction over an offence committed against one of its nationals or a person having habitual residence in the territory under Article 25(2). The passive

⁵⁸ Para.214.

⁵⁹ Para.215.

⁶⁰ Para.218.

⁶¹ Para.224.

⁶² Para.230.

personality principle is applied in respect of offences committed against a national in Austria, only for offences punishable by imprisonment of at least 5 years and with the limitation that the local court cannot impose a sentence heavier than the sentence prescribed by the law of the country where the offence was committed, as well as in the case of a stateless person granted permanent residence.⁶³ In order to apply the passive personality principle in Austria, the dual criminality principle is not a prerequisite for prosecution.⁶⁴

- The Committee requests Parties that are not already doing so, including Austria, to endeavour to take the necessary legislative or other measures to establish jurisdiction over any offence established in accordance with the Lanzarote Convention where the offence is committed against one of its nationals or a person who has his or her habitual residence in their territory.⁶⁵

Follow-up actions:

Austria constantly endeavors to further develop its criminal law in order to efficiently fight sexual abuse of children. According to Art. 64 para 1 lit. 4a CC Austria has established jurisdiction over most of the offences covered by the Convention in cases where the crime is committed against an Austrian national. The dual criminality principle is not a prerequisite for prosecution in those cases.

⁶³ Para.231.

⁶⁴ Para.232.

⁶⁵ Recommendation IV-9.

Promising practices:

V. International cooperation

The implementation report also analyses cooperation practices and examples of coordinated international responses, not only in the fight against sexual exploitation and abuse of children, but also in areas related to the prevention, protection and assistance of child victims and persons related to them.

Observations and recommendations of the Committee on international cooperation specific to Austria

The Committee observes that INHOPE,⁶⁶ WeProtect Global Alliance,⁶⁷ ECPAT⁶⁸ and EMPACT (European Multidisciplinary Platform Against Criminal Threats) cybercrime CSE/CSA⁶⁹ conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in Austria.⁷⁰

In addition, law enforcement representatives from Austria attend the Europol's annual training course "Combating the Sexual Exploitation of Children on the Internet" (COSEC), as well as the Europol-Interpol-Cepol co-organised training course on victim identification (VID training course).⁷¹

Lastly, the Committee observes that Austria does not have the limitation introduced in the Directive 2012/29 of the European Parliament and the Council of 25 October 2012, establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA,⁷² on the requirements for victims to report to another country of the European Union if the offence was committed in that country.⁷³

⁶⁶ www.inhope.org/

⁶⁷ <https://www.weprotect.org/>

⁶⁸ <https://ecpat.org/>

⁶⁹ <https://www.europol.europa.eu/empact>

⁷⁰ Para.255.

⁷¹ Para.259.

⁷² See, Article 17§2: "Member States shall ensure that victims of a criminal offence committed in Member States other than that where they reside may make a complaint to the competent authorities of the Member State of residence, if they are unable to do so in the Member State where the criminal offence was committed or, in the event of a serious offence, as determined by national law of that Member State, if they do not wish to do so."

⁷³ Para.271.

Generic recommendations of the Committee on international cooperation

The Committee requests all Parties, including Austria:

- to extend their international cooperation with other Parties to improve the effective implementation of the Lanzarote Convention.⁷⁴

Follow-up actions:

CIS (Criminal Intelligence Service) is in a constant exchange of experience and information with Europol – in particular the European Cybercrime Centre (EC3), INTERPOL and the Law Enforcement Authorities worldwide.

Austria persistently endeavours to promote mutual legal assistance and extradition based on multilateral conventions with the broadest possible field of application. Austria therefore strongly supports on-going projects to support the accession of third states to CoE conventions on mutual legal assistance and on extradition. The further development of the MLA and extradition framework of the CoE e.g. through the work on Draft Third Additional Protocol to the European Convention on MLA in PC-OC or the work of the T-CY on the Budapest Convention and its protocols is also of utmost importance in strengthening international cooperation, in particular in combating CSGSIV and other forms of on-line sexual exploitation of children. Austria regularly reviews its national MLA and extradition legislation to keep it in line with international instruments and to solve potential difficulties reported by practitioners.

The Committee invites all Parties, including Austria:

- to assess, strengthen and develop international cooperation with other Parties to prevent and combat sexual exploitation and sexual abuse of children and to provide assistance to victims in matters related to

CSGSIV.⁷⁵

- to expand international cooperation with countries which are not Parties to the Lanzarote Convention to disseminate the standards of the Lanzarote Convention, including for the purpose of preventing and combating sexual exploitation and sexual abuse of children, for the purpose of protecting and providing assistance to victims and concerning the offences established in accordance with the Lanzarote Convention, in matters related to CSGSIV.⁷⁶

- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.⁷⁷

- to strengthen cooperation with relevant intergovernmental bodies and with transnational networks and other international organisations and initiatives due to their capacity to mobilisation, their worldwide scope, and their flexibility to work, for the purpose of preventing and combating sexual exploitation and sexual abuse of children as well as for protecting and providing assistance to victims, in matters related to CSGSIV.⁷⁸

- to consider requesting the establishment of cooperation projects managed by the Council of Europe to assist them in their efforts to preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.⁷⁹

- to support regional and international capacity building efforts to improve policy and operational measures including the pooling and sharing of successful education and awareness-raising tools for the purpose of preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.⁸⁰

- to maintain and develop efforts to

⁷⁴ Recommendation V-3

⁷⁵ Recommendations V-6, V-11.

⁷⁶ Recommendations V-4, V-7, V-12, V-15.

⁷⁷ Recommendation V-5.

⁷⁸ Recommendation V-8, V-13.

⁷⁹ Recommendation V-9.

⁸⁰ Recommendation V-10.

strengthen international cooperation with other Parties and non-Parties to the Lanzarote Convention, in investigation and proceedings concerning the offences established in accordance with the Lanzarote Convention, in particular in the area of police cooperation, namely ensuring that their law-enforcement agencies can connect and contribute to the Europol and Interpol databases, and develop the areas of data, training, vetting, and selection, in matters related to CSGSIV.⁸¹

- to integrate, where appropriate, prevention and the fight against sexual exploitation and sexual abuse of children in matters related to CSGSIV, in assistance programmes for development provided for the benefit of third States.⁸²

⁸¹ Recommendations V-14, V-16.

⁸² Recommendation V-19.

Promising practices:
See above.

VI. Assistance to victims

This chapter provides a comparative study of national mechanisms and measures for assisting child victims of sexual exploitation and abuse, particularly where this results from the CSGSIV.

Observations and recommendations of the Committee on assistance to victims specific to Austria

The Committee observes that there are helplines for children that are accessible 24 hours a day, 7 days a week in Austria.⁸³

In Austria, helpline(s) to assist child victims of criminal offences are run in collaboration between different bodies, including ministries and NGOs. The Committee notes that this can be very effective for victims who benefit from this synergy and broader services.⁸⁴

The Committee however notes that in Austria, different local authorities have different services available. A standard and congruent service across a country may make it easier for children to access and receive help when they need it.⁸⁵

The Committee requires Austria:

- to take the necessary legislative or other measures to encourage and support the establishment of information services, such as telephone or internet helplines, to provide advice to child victims of sexual exploitation and sexual abuse facilitated by ICTs as well as persons wishing to help them, in a confidential manner or with due regard for their anonymity. These information services should be made available as widely as possible. This can be done in several ways: the service is available at extended hours, it is delivered in a language that the caller, and especially the child, can understand, and it is free of charge.⁸⁶

Follow-up actions:

Various NGOs are funded by the Criminal Intelligence Service of Austria in order to provide services related to child victims of

sexual abuse. This funding occurs on a regular basis and is also carried out currently.

The Länder (federal states) are also taking measures in this area, e.g.:

The Vienna Child and Youth Services supports the telephone helpline for children and young people *Rat auf Draht*, which is available around the clock for underage victims of sexual violence. The *Möwe* child protection centre, which specialises in sexual violence and offers online counselling (e-mail), is also supported.

The Vienna Child and Youth Services have established an online helpline called "*Talkbox*", operated by psychologists. In addition, the general service helpline of the child protection authorities offers initial support through social workers with in-depth knowledge of the Austrian child protection system. This service is also equipped to identify cases of child sexual exploitation and abuse facilitated by ICT and ensure their referral to the appropriate services.

The service hotline of the Vienna Child and Youth Services is available from 8.00 am to 3.30 pm.

In Tyrol there is a state-wide network of various protection facilities (e.g. child protection groups, violence protection centers, etc.). Minors and young adults can turn to child protection centers, crisis facilities and school social work as well as the district administrative authorities themselves. In order to ensure quality in this area, further training is funded and a child protection concept must be submitted as part of the approval process (see comment in chapter X. for details). Further quality assurance features are

⁸³ Para.280.

⁸⁴ Para.277.

⁸⁵ Para.300.

⁸⁶ Recommendation VI-1.

anchored in the law and regulations. Also, staff training on these topics is required by law.

- to take the necessary legislative or other measures to assist child victims of sexual exploitation and abuse, in the short and long term, in their physical and psycho-social recovery, these measures must take due account of the child's views, needs and concerns.⁸⁷

Follow-up actions:

. Programmes related to long term physical and psychological recovery are being provided by Austrian NGOs that receive substantial funding from the Austrian government. This funding is currently carried out.

The Länder (federal states) are also taking measures in this area, e.g.:

The Viennese child protection authority continues to invest in a specialized facility ("*Krisenzentrum Drehscheibe*") as a first accommodation child victims of sexual exploitation and abuse deprived of his or her family environment where psychological support is possible.

The Vienna's child and youth welfare services offer comprehensive help for underage victims of sexual violence, such as counselling, early help and psychotherapy as well as outpatient socio-educational care as part of support for parenting or inpatient socio-educational care if it is not possible to remain in the family (Sections 29 and 30 of the Child and Youth Welfare Act 2013).

⁸⁷ Recommendation VI-3.

Generic recommendations of the Committee on assistance to victims

The Committee also invites all Parties, including Austria:

- to promote awareness raising or specialised training for professionals who advise children through telephone or internet helplines on ICT-facilitated sexual exploitation and abuse of children – including the risks associated with CSGSIV – and how to provide appropriate support to victims and to those who wish to help them.⁸⁸
- to assist child victims of sexual exploitation and abuse facilitated by ICTs, including of offences due to the production, possession, distribution or transmission of CSGSIV in the short and long term, in their physical and psycho-social recovery, these measures must take due account of the child's views, needs and concerns.⁸⁹

⁸⁸ Recommendation VI-2.

⁸⁹ Recommendation VI-4.

Promising practices:

Health:

In August 2024 a special directive called “Strengthening crisis intervention” came into force in Austria. As part of this special directive, Austrian child protection centers will receive a total of 10 million euros in funding until 2026. The 34 child protection centers in Austria offer easily accessible counselling for young people and their families as well as psychological and psychotherapeutic treatment for traumatized children. The family environment and educational and care institutions are always involved.

The primary aim of the special directive “Strengthening crisis intervention in Austria” is to enable institutions and measures that are essential for psychosocial (crisis) care, but which are heavily dependent on funding, donations and generally mixed financing, to provide the general population with the best possible support in coping with current general and personal crises given the increasing need. The funding should therefore be available for the (temporary) increase in staff, the improvement of technical equipment, the expansion of extended services (e.g. chat advice, strengthening foreign language services or interpreting services) and innovative approaches.

VII. Civil society involvement and cooperation

Civil society's involvement in protecting children against sexual exploitation and sexual abuse is crucial and acknowledged by the Convention. Projects and programmes carried out by civil society, as well as cooperation between the competent state authorities and civil society, cover a wide range of issues.

Observations and recommendations of the Committee on civil society involvement and cooperation specific to Austria

The Committee observes that Austria encourages the implementation of prevention projects and programmes carried out by civil society, in particular helplines, not only at the federal level but also at the regional/local level.⁹⁰ Their support for the development of prevention activities by civil society takes the form of financial grants,⁹¹ as well as training opportunities that it offers to civil society actors concerning the online environment and related risks but also the opportunities it presents for children's rights.⁹²

The Committee also notes that Austria provided information on civil society prevention projects, which focus on violence against children in general⁹³, as well as projects aimed at awareness-raising and education on issues related to CSGSIV. However, no challenges raised by CSGSIV specifically were mentioned specifically, which leaves doubt as to the actual content of such projects.⁹⁴ Other civil society projects - whether or not carried out in cooperation with the State - aimed at preventing abuses related to the sharing of such content are field research and analysis.⁹⁵

With regard to civil society involvement in victim assistance programmes, the following services are in place in Austria:

- a helpline provides assistance to victims of violence taking place in the digital environment.⁹⁶
- shelters where victims of violence, including children, can seek support in cases of

sexual abuse.⁹⁷

- legal advice and physical assistance can be provided by civil society organisations to child victims during legal proceedings.⁹⁸

⁹⁰ Para.307.

⁹¹ Para.310.

⁹² Para.311.

⁹³ Para.319.

⁹⁴ Para.322.

⁹⁵ Para.323.

⁹⁶ Para.328.

⁹⁷ Para.329.

⁹⁸ Para.329.

Generic recommendations of the Committee on civil society involvement and cooperation

The Committee invites all Parties, including Austria:

- to expand cooperation with civil society to better prevent sexual exploitation and sexual abuse of children, including when facilitated by ICTs and the challenges raised by the exploitation of CSGSIV.⁹⁹
- to ensure that the forms of cooperation that take place with civil society in the field of prevention and protection of children against sexual exploitation and abuse are of a sustainable nature.¹⁰⁰
- to support civil society to carry out projects and programmes that include the issue of CSGSIV.¹⁰¹
- to encourage the participation of children, according to their evolving capacity, in the development and implementation of state policies, programmes or other initiatives¹⁰² and to seek children's views at the stage of drafting new legislation concerning the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs and as regards CSGSIV.¹⁰³

⁹⁹ Recommendation VII-3.

¹⁰⁰ Recommendation VII-4.

¹⁰¹ Recommendation VII-5.

¹⁰² Parties are also invited to provide example(s) of how children's views are taken into account in the context of the participation of children.

¹⁰³ Recommendations VII-6, VII-7.

Promising practice:

In some Parties, including Austria, helplines work in cooperation with the Police or a Criminal investigation department, in order to report directly any suspicion of abuse.

Promising practices:

The Vienna Child and Youth Services is part of the network against sexual violence against girls, boys and adolescents, for detailed information on participating institutions see: <https://wienernetzwerk.at/>. Within the framework of this network, regular meetings of the participating institutions take place in which current topics and developments are discussed as well as the services offered by the participating institutions. Once a year, a symposium is organised on issues relating to sexual violence. The symposium is aimed at professionals from the education sector (kindergartens, after-school care centres, schools), socio-educational institutions, psychotherapists and psychologists, as well as professionals from the police and judiciary.

VIII. Promoting awareness of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves

The Articles 5, 6 and 8 of the Convention establish that States Parties should take the necessary measures to prevent all forms of child sexual exploitation and abuse and to protect children from their effects. Awareness-raising is one type of preventive measure.

Generic recommendations of the Committee on promoting awareness of the risk of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves

The Committee invites all Parties, including Austria:

- to ensure that explanations of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves, with or without coercion, are included in the awareness-raising campaigns that they promote or conduct, whatever the target audience.¹⁰⁴
- to ensure that awareness-raising for children about the risks that they face when generating and/or sharing sexual images and/or videos of themselves takes place early enough, before they reach their teens, and that it is “adapted to their evolving capacity” or, in other words, their age and degree of maturity.¹⁰⁵
- to use unchanged, wherever possible, the awareness-raising tools, materials and activities mentioned in this report or else to adapt them to their national contexts and their own languages and, if necessary, develop new ones, concentrating on videos and distribution through social media.¹⁰⁶
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.¹⁰⁷
- to ensure that awareness-raising for children regarding the risks of sexual exploitation and sexual abuse that they face when generating and/or sharing sexual images and/or videos of themselves is led first and

foremost by their peers.¹⁰⁸

- to promote themselves and to encourage the information and communication of the technology sector, the media, and other professionals to raise awareness among children, their parents, persons having regular contact with children, and the general public about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.¹⁰⁹
- to step-up awareness-raising for parents and persons with parental authority about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.¹¹⁰
- to promote or conduct awareness-raising campaigns for the general public providing information about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.¹¹¹
- to take the necessary measures to ensure co-ordination between the agencies responsible for raising awareness of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves.¹¹²

¹⁰⁴ Recommendation VIII-1.

¹⁰⁵ Recommendation VIII-2.

¹⁰⁶ Recommendation VIII-3.

¹⁰⁷ Recommendation VIII-4.

¹⁰⁸ Recommendation VIII-5.

¹⁰⁹ Recommendations VIII-6.

¹¹⁰ Recommendation VIII-7.

¹¹¹ Recommendation VIII-8.

¹¹² Recommendation VIII-9.

Promising practice

ECPAT's "make-IT-safe" project is a peer expert training project in which children and adolescents have been taught how to use the internet and smart phones safely and how to use social media, such as Facebook, Myspace, Netlog and WhatsApp in a responsible way.

The 2-year project started in the beginning of 2013 and is based on the peer-to-peer principle, which allows children and adolescents (peer experts) to learn how to use new technologies and the media, as well as to prevent online violence, in a safe way and to pass the information and the knowledge to people of the same age. The project was supported by specially trained teachers and youth leaders, the so-called "Coaches".

The particularity of the project is the fact that the project was conducted by ECPAT groups in five countries, including Austria. The information is available in seven languages (Arabic, Serbo-Croatian, Dutch, English, French, German, Turkish).

Promising practices:

As of the academic year 2024/25, a mandatory child protection policy, which includes a risk analysis, has been introduced in all schools, Austria-wide. This includes the formation of a 'child protection team' at each school, the establishment of codes of conduct and the definition of clear procedures - for example, on how to deal with suspected cases of sexual abuse. The implementation of this new policy will raise awareness of preventive measures and provide clear guidance on how to respond in suspected cases.

The Safer Internet Digital Child Protection Unit ("*Safer-Internet-Fachstelle digitaler Kinderschutz*") supports professionals who work with children and young people at the interface between the digital world and child protection. A particular focus of its work is the prevention of sexual exploitation and abuse on the internet. The aim of this unit is to keep practitioners and organisations abreast of current developments and to be available to them as a point of contact. This is done through the provision of expertise and materials, the organisation of training courses and workshops, and by supporting the development of child protection policies.

Furthermore, Safer Internet workshops and information events are organised in schools for pupils, teachers, parents and guardians. The importance of this issue for Viennese educational institutions and school partners is demonstrated by the participation of numerous Viennese schools on Safer Internet Day and at the Safer Internet Symposium for teachers, parents and guardians.

The Vienna Child and Youth Services hire social workers and child caretakers exclusively from candidates with specific qualifications. As part of their training curriculum, education on identifying any situation of sexual exploitation and sexual abuse of children is a mandatory component. All socio-educational facilities of the Viennese child and youth welfare services must have a concept for violence prevention and sex education. The employees of Vienna's child and youth welfare services receive specific training on forms of harassment, exploitation and abuse of children and young people on the internet and in social media. All new employees must complete further training as part of a qualification programme on sex education and protection against violence. There are also guidelines on how to proceed in the event of suspected sexual

offences. In discussions with minors, the dangers of creating and/or sharing sexual images and/or Videos of themselves are emphasised.

IX. Education for children

While the protection of child victims and the prosecution of offenders are key elements in the fight against the sexual exploitation and sexual abuse of children, preventing them from occurring in the first place is paramount. Informing children about the risks of sexual exploitation and sexual abuse and how to protect themselves is the cornerstone of prevention.

Observations and recommendations of the Committee on education for children specific to Austria

The Committee welcomes the fact that Austria is amongst a minority of Parties where the national curriculum not only includes information on the prevention of sexual exploitation and abuse of children, but also explicitly addresses the challenges raised by CSGSIV.¹¹³ It also welcomes that such information is delivered to children in the context of sexuality education courses.¹¹⁴

Although Austria did not submit information as to whether such information is provided to children in an age-appropriate manner, as required by the Convention, it specified that it is delivered during primary, secondary and voluntary education.¹¹⁵

The Committee however invites Austria to:

- provide information to children on child sexual exploitation and sexual abuse, facilitated by ICTs, including as regards CSGSIV, in their national curriculum or other non-formal educational contexts, in a form which is adapted to the evolving capacity of the children and therefore which is appropriate for their age and maturity.¹¹⁶

¹¹³ Para.383.

¹¹⁴ Para.397.

¹¹⁵ Para.392.

¹¹⁶ Recommendation IX-6.

Generic recommendations of the Committee on education for children

The Committee requires all Parties, including Austria:

- to ensure that all children at primary and secondary level receive information about the risks of child sexual exploitation and sexual abuse facilitated by ICTs. Organising lectures and/or activities on this topic should not be left to the discretion of schools or teachers.¹¹⁷

Follow-up actions:

New curricula for primary and lower secondary schools were introduced at the beginning of the academic year 2023/24. A focus of the new curricula is placed on developing interdisciplinary competencies such as motivation, self-awareness and self-confidence, social skills and study skills. Sex education and reflexive gender education and equality are overarching topics that are a mandatory part of the new curricula. The competence objectives for this subject at the end of primary school (grade 4) include the following:

Pupils can

- Identify and express their own emotions (e.g. joy, fear, affection, and loneliness), wishes, personal boundaries and needs, in an age-appropriate manner, as well as to recognise, accept and respect those of others.
- Ask questions or seek help from relevant people or organisations when faced with problems.

The competence objectives at the end of lower secondary school (8th grade) include:

Pupils can

- Deal with feelings (such as falling in love, disappointment, anger, fear and insecurity), speak about them and gain self-confidence with regard to their own desires and personal boundaries.
- Speak up against discriminatory and abusive behaviour and seek help.

The subject of Basic Digital Literacy (*Digitale Grundbildung*) has been

established in school curricula as a compulsory subject since the academic year 2022/23, starting in fifth grade. The curriculum places a particular focus on the secure handling of personal data, and the safe use of social media and the internet.

The Committee invites all Parties, including Austria:

- to ensure that information on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards CSGSIV, is provided to children during both primary and secondary education (whether as part of the national curricula or in the context of non-formal education for children at these levels).¹¹⁸
- to consistently involve children in the development of internet safety awareness programmes.¹¹⁹
- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.¹²⁰
- to ensure that parents, caregivers, and educators are involved, where appropriate, in the provision of information to children on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, in particular as regards CSGSIV.¹²¹

¹¹⁷ Recommendation IX-3.

¹¹⁸ Recommendation IX-2.

¹¹⁹ Recommendation IX-4.

¹²⁰ Recommendation IX-5.

¹²¹ Recommendation IX-8.

Promising practices:

The specialist unit combating sexual violence against children and young people, *Selbstlaut*, provides materials for schools in the form of a brochure, 'Mindful School. Guidelines for the structural prevention of sexual exploitation and abuse' (*Achtsame Schule. Leitfaden zur strukturellen Prävention von sexueller Gewalt*).

The following links and organisations support schools with the implementation of the demands of the new curricula and developing competencies in the areas of sex education and reflexive gender education and equality:

- General information on the overarching topic of sex education can be found on the Federal Ministry for Education, Science and Research website for school psychology (*Sexualpädagogik - Schulpsychologie - Bundesministerium Bildung, Wissenschaft und Forschung*).

- *Eduthek* is the teaching material data bank of the Federal Ministry for Education, Science and Research, it too provides teaching materials on various topics related to sex education.

- Schools also have the option of using external organisations to provide sex education content. Quality-assured services are listed at www.sexualpaedagogik.education.

- GIVE - Centre for the Promotion of Health in Austrian Schools (*Servicestelle für Gesundheitsförderung an Österreichs Schulen*) an initiative of the Federal Ministry for Education, Science and Research, the Federal Ministry for Social Affairs, Health, Care and Consumer Protection and the Austrian Youth Red Cross (ÖJRK). This website provides material on sex education in schools, for all school levels: <https://www.give.or.at/material/sexualerziehung-in-der-schule-alle-schulstufen/>.

- *Selbstlaut*, a specialist unit for combating sexual exploitation and abuse of children and young people. Brochure: 'Mindful School. Guidelines for the structural prevention of sexual exploitation and abuse' (*Achtsame Schule. Leitfaden zur strukturellen Prävention von sexueller Gewalt*). https://selbstlaut.org/wp-content/uploads/Selbstlaut-Leitfaden-20201003_Web.pdf

- Austrian Society for Family Planning (*Österreichische Gesellschaft für Familienplanung*) Information and materials on contraception, sexual and reproductive health, e.g., contraception kits, posters, brochures etc.: <https://oegf.at/shop/>.

- Austrian AIDS Support Organisation (*Aids Hilfen Österreichs*) - Information and resources regarding sexual health for educators and young people <https://aids.at/praevention/jugendarbeit/>.

X. Higher education curriculum and continuous training

Persons who have regular contact with children in the education, health and social protection sectors and areas related to sport, culture and leisure are at the forefront of the prevention of sexual exploitation and sexual abuse of children, as they have the most interaction with children under their supervision in these different settings. However, they may not be adequately equipped to inform children about their rights, to detect situations where a child is at risk of sexual exploitation or sexual abuse and to respond appropriately. It is therefore of crucial importance that they are well informed about the risks of sexual exploitation and sexual abuse of children, both during their education and continuously during their careers, to enable them to adapt to emerging trends and risks in the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs.

Observations and recommendations of the Committee on higher education curriculum and continuous training specific to Austria

The Committee welcomes the fact that persons working in contact with children receive information on the risks associated with CSGSIV in Austria.¹²² Professionals receive this information during trainings provided throughout their careers or volunteering.¹²³

The Committee also notes that a part of the professionals who will or already work with children receive training and/or education on the protection of children against sexual exploitation and sexual abuse, both during their education and under the form of continuous training.¹²⁴ With regard to the category of professionals who receive such information, Austria only referred to those working in educational institutions, such as teachers.¹²⁵

Finally, the Committee notes that some persons working in contact with children receive awareness of the protection and rights of children in different frameworks and on different topics in Austria.¹²⁶

Therefore, the Committee invites Austria:

- to ensure that all the sectors where professionals work in contact with children, including when working on a voluntary basis, have an adequate knowledge of sexual exploitation and sexual abuse of children,

including when facilitated by ICTs and with specific reference to the risks associated with CSGSIV, for example through education or continuous training.¹²⁷

In addition, the Committee requires Austria:

- to ensure that teaching or training on the rights of children and their protection for persons who have regular contacts with children (i.e. in the education, health and social protection sectors and in areas relating to sport, culture and leisure activities) is not optional.¹²⁸

Follow-up actions:

Dealing with sexual assault and the prevention of sexual exploitation and abuse is a fundamental part of the Austrian teacher-training curriculum. However, it is seldom a separate major subject area, but rather embedded in a series of pedagogical, educational science or legislative modules. This equips trainee teachers with the basics they need to act appropriately in an emergency and be proactive in terms of prevention. For those who wish to pursue the subject in more depth, there are opportunities for further training and in-depth study at universities, university colleges of teacher education or through external specialist organisations (e.g. child protection services).

The following examples of further

¹²² Para.410.

¹²³ Para.412.

¹²⁴ Para.416.

¹²⁵ Para.420.

¹²⁶ Para.432.

¹²⁷ Recommendation X-3.

¹²⁸ Recommendation X-4.

education seminars are taken from the professional development programmes for school staff at the University College of Teacher Education for Vienna (*Pädagogische Hochschule Wien*), the private University College of Teacher Education of Christian Churches Austria (KPH Wien/Krems) and the Centre for Teacher Education at the University of Vienna:

- Let's Talk About Sex?! Age-appropriate sex education made easy! (*Altersgerechte sexuelle Bildung leicht gemacht*)
- Prevention of violence against women and girls by raising awareness (*Gewaltprävention für Mädchen und Frauen durch Bewusstseinsbildung*)
- Prevention of sexual exploitation and abuse of children (*Prävention von sexualisierter Gewalt an Kindern*)
- Child protection policies in practice (*Kinderschutzkonzepte in der Praxis*)
- Self-perception, role models and perception of gender: children and young people on the Internet (*Selbst-, Rollen- und Genderbilder: Kinder und Jugendliche im Internet*)
- Bullying and cyberbullying - what really helps! Informational event hosted by the Regional Police Department for Vienna (*Mobbing und Cybermobbing - was wirklich hilft! Informationsveranstaltung der Landespolizeidirektion, Wien*)
- Respect online - social media, diversity, and human rights (*Respekt im Netz - soziale Medien, Diversität und Menschenrechte*)
- Practicing child protection in everyday educational settings (*Kinderschutz im pädagogischen Alltag leben*)
- Kija (Child and Youth Advocacy): Child protection in secondary schools - current developments, practical examples, and implementation at school (*Kija - Kinder- und Jugendanwaltschaft: Kinderschutz in der Sekundarstufe: aktuelle Entwicklungen, Praxisbeispiele und Umsetzung an der Schule*)
- Child and Youth Protection: Fundamentals, Prevention, Intervention (*Kinder- und Jugendschutz: Grundlagen, Prävention, Intervention*)

- Sexual education and prevention (of sexual exploitation and abuse) in school contexts (*Sexualpädagogik und Prävention in schulischen Kontexten*)

- Dealing with child welfare endangerment
- in-depth and case studies (*Umgang mit Kindeswohlgefährdung - Vertiefung und Fallarbeit*)

The 'Guidelines for dealing with material depicting sexual exploitation and abuse of children and sexual depictions of minors' (*Handlungsleitfaden zum Umgang mit bildlichen sexualbezogenem Kindesmissbrauchsmaterial und bildlichen sexualbezogenen Darstellungen minderjähriger Personen*) inform professionals in psychosocial and educational institutions of the legal framework, describe step-by-step procedures and also include information on preventive measures. The aim is to create safe and supportive environments for those affected and to protect professionals from the risk of inadvertently violating the law. The terminology used in this guideline follows the recommendations of the 'Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse' (see Implementation Report/II. Legal framework). Saferinternet.at/Austrian Institute for Applied Telecommunications (*Österreichisches Institut für angewandte Telekommunikation - ÖIAT*) Manual for Educators: Sex and Violence in Digital Media (*Handbuch für PädagogInnen: Sex und Gewalt in digitalen Medien*) https://www.saferinternet.at/fileadmin/categorized/Materialien/Sex_und_Gewalt_in_digitalen_Medien.pdf.

As part of their training, doctors are trained according to the contents of the so-called grid certificates. Upon receiving the grid certificate, doctors have acquired the competences described therein. The teaching content can be found in the Ordinance of the Austrian Medical Association on Knowledge, Experience and Skills in the Training of General

Practitioners and Specialists, as well as on the design and form of the grid certificates, examination certificates and training books (KEF and RZ-V 2015).

As part of their basic training, doctors must acquire knowledge of documentation, the duty of confidentiality, disclosure and reporting obligations as well as medical information, the ability to give consent and the consent of patients or their representatives to medical treatment in connection with criminal and civil liability provisions.

The teaching content of the special subject of gynaecology and obstetrics includes recognising signs of abuse and caring for women after violence, including female genital mutilation. The special subject of paediatrics and adolescent medicine is according to the aforementioned ordinance intended to provide doctors among other things with knowledge about the function and working methods of child protection groups and about crisis intervention for children, adolescents and accompanying persons.

The healthcare sector has an important role in victim protection and violence prevention. Austria has a number of activities in place to improve the recognition and documentation of violence and the support of victims in and by healthcare organizations. Hospitals are legally obliged to implement child protection groups (already since 2004) and victim protection groups (for adult victims, since 2011/12). These groups take on a central role in the procedures against mistreatment, abuse and neglect.

The personnel composition depends on the range of services offered by the hospital. Usually, there are medical doctors (ideally trauma surgery, gynaecology and obstetrics), representatives of nursing service and psychological or psychotherapeutic care. The (main) task of the protection group is to train and sensitize health care staff in order to be able to provide high-quality early detection of domestic violence or abuse in patients presenting at the

hospital. Training also covers the documentation of violence or abuse. This is important in order to be able to use evidence for any subsequent criminal prosecution. For that purpose, hospitals provide material resources such as premises, technology, cameras, printing costs, etc..

In Tyrol, under the Tyrolean Child Education and Childcare Act (TKKG), a child protection concept is required for every childcare facility. Sect. 17 of the TKKG obliges all providers of childcare facilities to set up and implement a child protection concept. This concept is specifically aimed at protecting children in facilities such as crèches, kindergartens and after-school care centers and ensures that the handling of potential threats to child welfare is regulated. The child protection concept is not a one-off measure, but an ongoing process that requires regular review and adaptation of the concept.

The concept has to include the following specific content: risk analysis, a code of conduct, guidelines for dealing with complaints and suspected cases and a plan for implementation. It is crucial to recognize the risks for children in different contexts in order to protect them from any form of violence in the best possible way.

The child protection concept also includes measures to prevent child endangerment. This includes the identification of risk indicators and the implementation of procedures for the early detection of potential risks. Childcare staff should be sensitized to recognize warning signs of mistreatment, neglect or sexual abuse and respond appropriately. The implementation of effective protective measures ensures that children are protected from violence, abuse, neglect or exploitation.

The Code of Conduct aims to create a safe and secure environment for the children. In the course of their work, childcare staff are responsible for the well-being and safety of the children. The Code of Conduct

sets out standards for treating children with respect, regardless of their age, gender, stage of development, religion, origin or other distinguishing features, and treats them as equals. A central component of the child protection concept is the definition of clear instructions on how to proceed in the event of suspected child endangerment. This includes, among other things, the obligation to report to the relevant authorities and cooperation with external specialist agencies (e.g. the police).

The child protection concept must be accessible and transparent for all parties involved. This means that parents as well as childcare staff and other involved parties must be informed about the existing regulations. It should be clearly communicated how child protection is ensured in the facility and what steps are taken in the event of suspicion. The providers of childcare facilities are obliged to implement all child protection measures in a documented manner and to evaluate them regularly. The concept must be evaluated at least every two years and adapted if necessary. The child protection concept in accordance with Sec. 17 TKKG thus ensures that a comprehensive and targeted approach to the protection of children in childcare facilities is pursued in Tyrol. It obliges the providers of childcare facilities to take preventative measures and to follow clear instructions in the event of suspicion. The concept is therefore an important instrument for recognizing and preventing child endangerment at an early stage.

The childcare staff must not only deal intensively and comprehensively with the rights of children and their protection on a voluntary basis, but above all due to the binding requirements of the child protection concept, in order to ensure a safe and respectful environment for the children. This discussion is therefore not just an optional measure, but a necessary responsibility that is legally enshrined in the Tyrolean Child Education and Childcare Act and applies to all childcare staff.

- to ensure that the persons who have regular contact with children are equipped to identify any situation of sexual exploitation and sexual abuse of children and are informed of the possibility for them to report to the services responsible for child protection any situation where they have "reasonable grounds" for believing that a child is a victim of sexual exploitation and sexual abuse of children:

- in the education sector
- in the health sector
- in the social protection sector
- in areas relating to sport, culture, and leisure activities.¹²⁹

Follow-up actions:

See answer above.

Furthermore, in Vorarlberg a victim protection group has been set up at Dornbirn City Hospital, which also advises and, if necessary, supports the other hospitals in Vorarlberg. Doctors and nursing staff working in the outpatient clinics must complete a mandatory six-hour training course on victim protection and repeat this training every two years. It is planned that staff at other regional hospitals will also be able to take part in such training courses in future.

The training consists of several modules and is designed to provide participants with knowledge on how to recognise (sexual) violence, how to communicate with patients, parents and other agencies, how to secure and preserve evidence and how to proceed in the event of a complaint.

In addition to the victim protection group, the child protection group has also been set up at Dornbirn Hospital. This group supports and advises doctors and nursing staff in cases of suspected sexual abuse of children and adolescents. Some members of the child protection group have attended a special course on child protection at the German Society for Child Protection in Medicine in Kassel

¹²⁹ Recommendations X-5 and X-6.

(Germany).

In the context of child and youth welfare, the State of Lower Austria regularly offers training and further education measures with regard to prevention, recognition and dealing with sexual exploitation and sexual abuse of minors.

As part of the basic training for social workers at district administrative authorities, a two-day seminar is held on the topic of "Dealing with sexual violence in child and youth welfare".

In addition, further training measures are regularly offered for employees in the area of educational support and social services. In 2023, for example, a seminar was held on the topic of "Sexual abuse"; in 2024, seminars were held on the topics of "Dealing with sexually conspicuous persons" and "Child trafficking".

Networking meetings are held to promote regular exchanges between people working in the field of child and youth welfare, with the aim of raising awareness among those involved in order to be able to identify and respond more quickly to circumstances that indicate (attempted) sexual exploitation or (attempted) sexual abuse of minors.

In Tyrol, the child protection concept includes guidelines for dealing with complaints and suspected cases as well as a plan for implementation and enforcement. The overall goal of this concept is to protect children from any form of abuse or neglect. The guidelines are intended to ensure that care staff know exactly how to react appropriately and responsibly in cases of suspicion or complaints. It is essential that all childcare staff receive regular training in the areas of child protection, recognizing symptoms of abuse and the correct way to deal with suspected cases. The provider of the facility must ensure that childcare staff are adequately trained to recognize risks and respond appropriately. In addition to responding to specific incidents, it is

equally important to integrate preventative measures relating to child protection into everyday teaching in order to minimize the risk of abuse and neglect. These include clearly defined rules of conduct and regular discussions with the children in order to create a trusting and safe environment in which the children feel protected. This promotes a feeling of security. The child protection concept is a dynamic, continuously evolving instrument that establishes a culture of protection and attentiveness to the rights and well-being of children. It is crucial that all childcare staff are actively involved in the implementation of the concept and receive regular training in the relevant areas. The legal obligation to set up a child protection concept in every childcare facility ensures that childcare staff are able to recognize signs of sexual exploitation and sexual abuse and react accordingly. This is intended to ensure that suspected cases are handled correctly and to establish a culture of vigilance and responsibility that serves to protect children. In addition, Section 36 (2) TKKG obliges all caregivers to immediately report any suspicion of neglect, mistreatment or sexual abuse of children in their care to the child and youth welfare services. This applies if there is reasonable suspicion that a specific child has been mistreated, sexually abused, neglected or is otherwise at considerable risk. caregivers are also provided with comprehensive information about their reporting obligations and the relevant contact points to report any situation in which there are "reasonable grounds" to believe that a child may have been the victim of sexual exploitation or sexual abuse. This is done both through the guidelines for dealing with complaints and suspected cases as well as through preventative protective measures and training.

Promising practice

In Austria, the National Strategy on School Violence Prevention includes annual meetings of the school support system. In 2017, these addressed cyber bullying and included case studies on CSGSIV.

Promising practices:

E.g.

- in Vorarlberg, if sexual abuse of a minor is suspected, special (internal) procedures are followed: A distinction is made between so-called 'acute cases' and cases that have been announced via the Institute for Social Services (IFS), for example. The announced (suspected) cases are usually brought to the child protection outpatient clinic within 72 hours for the purpose of securing evidence. A doctor of gynaecology or, if necessary, another specialist (depending on the case) is always consulted. It is always organised in such a way that a person accompanying the minor can be present. Children and their parents are always interviewed separately as part of the documentation, which is carried out using a separate documentation form for male and female minors. The record of the admission, forensics and the interview with the patients and their accompanying persons is kept in case a complaint is made.

- in Tyrol, in order to further promote the awareness and commitment of educational professionals and assistants to child protection, the Department of Elementary Education and General Education of the Office of the Tyrolean Provincial Government is offering workshops on the topic of "Child Protection" for the management of elementary educational institutions in the 2024/25 childcare year. The focus of these workshops is to provide educators with scope for action. The aim is to ensure that children grow up in a safe and supportive environment that promotes their development into self-confident and strong personalities.

In the area of prevention, especially in the training and information of professionals, the further training offered by the University College of Teacher Education Tyrol (PHT) can be mentioned. It is supported by state funds. For the year 2025, the PHT is offering further training in particular to raise awareness of sexuality and its boundaries in children:

- The importance of children's sexuality for the development of their own identity ("nose, belly and bottom"): This training course addresses the question of how childhood sexuality manifests itself and what role it plays in the development of personal identity. The importance of prevention work is also addressed, particularly with regard to recognizing and preventing abusive behaviour.

- "Show me what you've got!" (Linguistic support for the sexual development of children): This training course deals with the sexual development of children and explains key concepts of sexual education. It also introduces methods for dealing with questions about girls' and boys' bodies and gender differences in a sensitive and age-appropriate way.

XI. Research

Effective prevention mechanisms and responses to tackle sexual exploitation and abuse of children require an understanding of the issues at stake, as well as knowledge of the prevalence and characteristics of the phenomenon. Accurate and precise information may be necessary to develop quality and targeted policies and measures. The gathering of information and understanding of the phenomenon is particularly important in the context of sexual exploitation and sexual abuse facilitated by ICTs, in light of their rapid development and increased use.

Observations and recommendations of the Committee on research specific to Austria

The Committee notes that Austria provided information on research undertaken on the issues raised by CSGSIV.¹³⁰ It also appears that Austria has participated for at least one year in the EU Kids Online surveys¹³¹ (see below for further details), although information is lacking to determine which body was in charge of supporting and/or carrying out research,¹³² and that it has collaborated with NGOs and non-governmental initiatives or research centres for the purpose of conducting research on CSGSIV.¹³³

In particular, research was conducted by Safer Internet, which is sponsored and promoted by the Austrian Federal Ministry of Families and Youth, the Federal Ministry of Education, the Federal Chancellery and the Internet Ombudsman.¹³⁴

¹³⁰ Para.437.

¹³¹ Para.440.

¹³² Para.458.

¹³³ Para.450.

¹³⁴ See, <https://www.saferinternet.at/presse-detail/aktuelle-studie-versand-von-eigenen-nacktaufnahmen-unter-jugendlichen-nimmt-zu/>. In Belgium, the Federal police supports when asked research done by NGOs.

Generic recommendations of the Committee on research

The Committee invites all Parties, including Austria:

- to ensure that data on the phenomenon of CSGSIV and the risks associated with it is regularly collected and research on the issue is regularly undertaken.¹³⁵
- to build on the findings from existing research on CSGSIV, when available, to ensure that policies and measures are best developed and appropriately targeted to tackle the issues raised by CSGSIV.¹³⁶
- to take the necessary legislative or other measures to set up or designate mechanisms for data collection or focal points at the national or local levels and in collaboration with civil society to observe and evaluate the phenomenon of sexual exploitation and sexual abuse of children, including on the issues arising from CSGSIV, with due respect for the requirements of personal data protection.¹³⁷

¹³⁵ Recommendation XI-2.

¹³⁶ Recommendation XI-3.

¹³⁷ Recommendation XI-4.

Promising practices

In Austria, a study on the topic of “sexting” was conducted by Safer Internet Austria.¹³⁸ After a consultation with children from 14 to 18 years old, the research found that 51% of the sampled group knew of someone who had sent a child self-generated sexual image and/or video to someone else and 16% had taken sexual images of themselves, the majority of whom sent it to someone else. This study shed light on the prevalence of this practice among children.

Austria participated for one or several years in the EU Kids Online multinational research network, which works to increase knowledge of the opportunities, risks and safeties children face online.

Promising practices:

¹³⁸ Study on “sexting”:
<https://www.saferinternet.at/presse-detail/aktuelle-studie-versand-von-eigenen-nacktaufnahmen-unter-jugendlichen-nimmt-zu/>.