



## FACTSHEET – DENMARK

### Lanzarote Committee 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 Denmark 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 2<sup>nd</sup> 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 41<sup>st</sup> meeting (13-15 February 2024), the Lanzarote Committee agreed on a new methodology for the assessment of State Parties’ compliance with the 2<sup>nd</sup> monitoring round recommendations ([see point 4 of the Appendix to the List of decisions](#)). It entrusted the Secretariat to insert boxes in the 2<sup>nd</sup> 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 frameworks

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 Denmark

### What constitutes “child pornography” under the Lanzarote Convention?

The Committee observes that Denmark’s legal framework refers explicitly to child self-generated sexual material.<sup>1</sup> The Committee however also observes that Denmark does not have a legislative definition, prosecutorial practice or case law to describe child sexual abuse material (CSAM).<sup>2</sup>

Therefore, the Committee invites Denmark:

- to introduce a definition of “child sexual abuse material” in its legal framework in line with the “Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse”.<sup>3 4</sup>

### Reservations allowed by Article 20(3) of the Convention as regards own sexual images consensually produced and possessed by children for private use

The Committee highlights that Article 20(3) second indent foresees exemption from liability for the production and possession of one’s sexually explicit images only where the children in question are above the age of sexual consent and where the material is produced/possessed with their consent for their own private use, and Denmark made such a reservation.<sup>5</sup> The Committee observes that in Denmark the reservation appears to extend to adult liability as the possession of photographs, films or similar recordings of a person who has attained the age of 15 is not criminalised if such person has consented to the possession.<sup>6</sup>

<sup>1</sup> Para. 43.

<sup>2</sup> Para. 50.

<sup>3</sup> Recommendation II-3.

<sup>4</sup> 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.](#)

<sup>5</sup> Paras. 54, 55.

<sup>6</sup> See, [Denmark’s replies to question 10 of the Thematic Questionnaire.](#)

Therefore, the Committee requires Denmark 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 such images and/or videos, and that
- the person possessing the child-self generated images and/or videos and the child depicted in 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.<sup>7</sup>

### **Follow-up actions:**

It follows from section 235(3) of the Danish Criminal Code that possession of sexual material depicting a person under the age of 18 but above the age of 15 is not punishable if the person concerned consents to the possession. It is a prerequisite for the exception in section 235(3) to apply that the child has given unambiguous consent and that the content does not contain any abusive material. If one of the conditions is not met, the exception will not apply.

Furthermore, it follows from the preparatory works to section 235(3) that the exception is intended for situations where 15-17-year-olds, as part of exploring their sexuality, wish to be photographed for their own and a typically roughly same-aged partner’s personal use. However, there is no specific maximum age, as it will depend on a specific assessment.

It should be noted in this connection that, as

<sup>7</sup> Recommendation II-5.

of 1 July 2023, grooming was distinctly criminalised in section 231 of the Danish Criminal Code.

Interplay of the age of criminal responsibility and the age of sexual consent with the criminalisation of conduct related to the production and possession of CSAM and CSGSIV

Denmark pointed at the age of criminal responsibility below which children cannot be held liable for acts they commit, which is 15.<sup>8</sup> Denmark also noted that production and possession of self-generated material were not criminalised when the child(ren) in question have reached the legal age for sexual activities.<sup>9</sup> However, this is insufficient to exclude criminal responsibility for the scenarios listed in paragraphs 3-6 of the 2019 Opinion, as children above the age of criminal responsibility and below the legal age for sexual activities may not be covered by the exemption from criminal responsibility.<sup>10</sup>

- Therefore, the Committee requests Denmark to ensure 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 in them;
  - the self-generated sexually suggestive or explicit images and/or videos of other child as a result of receiving them passively without actively asking for them.<sup>11</sup>

Follow-up actions:

The legal age for sexual activity in Denmark is 15 years. This is also the age of criminal responsibility, cf. section 15 of the Danish Criminal Code. Therefore, there will be no situation where a child is above the age of criminal responsibility but below the legal age of sexual activities.

As mentioned above, it is not illegal to possess self-generated sexually suggestive or explicit images and/or videos of another child with the

informed consent of the child depicted in them, cf. section 235(3) of the Danish Criminal Code. Thus, it is not illegal to possess self-generated sexually suggestive or explicit images and/or videos of oneself.

Lastly, section 235 of the Danish Criminal Code requires intent. Receiving sexually suggestive or explicit images and/or videos of another child passively without actively asking for them is therefore as a general rule not illegal, provided that the material is deleted immediately after being received. However, if the person who has received the material unsolicited, for example, saves the video or forwards it, this may, depending on the circumstances, be punishable under section 235(1) or (2) of the Danish Criminal Code.

Criminalisation of conduct related to “offering or making available” child abuse material and its relationship with the sharing of CSGSIV

The Committee observes that under special circumstances children are potentially criminally liable for the distribution or transmission of CSGSIV of other children in Denmark.<sup>12</sup>

- Therefore, the Committee requests Denmark 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.<sup>13</sup>

Follow-up actions:

It follows from section 235(1) of the Danish Criminal Code, that any person who distributes sexually explicit material such as photographs, movies, other visual reproductions and similar recordings of persons under 18 years of age is sentenced to a fine or imprisonment for a term not exceeding two years, or in particularly aggravating circumstances to imprisonment for a term not exceeding six years. The provision applies regardless of the offender’s age and therefore also includes perpetrators under 18 years of age but over 15 years, which

<sup>8</sup> Para. 71.

<sup>9</sup> Para. 73

<sup>10</sup> Para. 71.

<sup>11</sup> Recommendation II-6.

<sup>12</sup> Para. 82.

<sup>13</sup> Recommendation II-9.

is the age of criminal responsibility.

It follows from section 82(1) of the Danish Criminal Code, when determining the sentence, that it must generally be considered a mitigating circumstance that the perpetrator was under the age of 18, when the offence was committed.

In Denmark, the public prosecution authority shall, as a general rule, request that the accused be sentenced to imprisonment in cases involving the distribution and simultaneous possession of sexual material concerning children.

However, if the specific circumstances of the case can be considered less severe, the prosecution – provided that the accused has good personal circumstances – shall request a suspended sentence, with or without community service.

Furthermore, it should be noted that a person between 15 and to 17 years old, as a general rule, are not required to serve a prison sentence in an adult prison or detention facility, but in one of the Danish Prison and Probation Service's residences or in an institution outside the prison system.

Denmark is therefore paying particular attention to how it is most appropriate to handle cases involving persons between the ages of 15-17 also in these types of cases.

details" covers sexually explicit images and videos.<sup>14</sup>

In cases where the objective of the perpetrator is to obtain other sexual favours from the child depicted in the images/videos or from another child, the Committee observes that Denmark would prosecute for offences related to participation in pornographic performances, indecency<sup>15</sup>, as well as coercion and aggravated coercion, and would bring prosecution in concurrence for extortion.<sup>16</sup> Additionally, Denmark would also prosecute conducts relating to the possession of the initial child sexual image or video as an offence related to "child pornography" under Article 20.<sup>17</sup>

In cases where the objective of the perpetrator is a financial gain, the Committee observes that in Denmark the conduct will be qualified under offences related to child pornography and invasion of privacy.<sup>18</sup>

#### On the prosecution of conduct amounting to "sexual extortion of children"

The Committee observes that in cases of "sexual extortion of children" for the objective of obtaining additional sexual images or videos of the child, Denmark would prosecute for offences related to "child pornography", in concurrence with offences where threat is a core element, such as extortion or coercion. In addition, Denmark referred to the offence of indecency and a provision of the Criminal Code providing that "any person who coerces someone to do, accept or fail to do something through threats of disclosing private details is sentenced to a fine or imprisonment for a term not exceeding two years", where the term "private

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<sup>14</sup> Paras. 98 and 100.

<sup>15</sup> Para. 102.

<sup>16</sup> Para. 104.

<sup>17</sup> Para. 103.

<sup>18</sup> Para. 106.

## Generic recommendations of the Committee on the legal framework

The Committee invites all Parties, including Denmark:

- 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" 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 using the term "child pornography" can undermine the gravity of the crimes it refers to.<sup>19</sup>

- to contemplate appropriate legal responses to conduct involving non-visual self-generated sexual material produced by children in the context of offences covered by the Lanzarote Convention.<sup>20</sup>

- 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 self-generated sexual images and/or videos.<sup>21</sup>

- 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 child sexual abuse material.<sup>22</sup>

- 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.<sup>23</sup>

- to ensure that sexual extortion of children involving CSGSIV is investigated and prosecuted.<sup>24</sup>

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<sup>19</sup> Recommendation II-1.

<sup>20</sup> Recommendation II-4.

<sup>21</sup> Recommendation II-7.

<sup>22</sup> Recommendation II-10.

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<sup>23</sup> Recommendation II-11.

<sup>24</sup> Recommendation II-12.

#### Promising practices:

On 1 July 2023, a legislative amendment entered into force, whereby grooming was distinctively criminalized in section 231 of the Danish Criminal Code. Until then, grooming could be punished under the provisions of the Criminal Code on, among other things, attempted sexual assault, indecent exposure or the recording, possession or distribution of sexual material depicting a person under the age of 18 years. According to the preparatory work for section 231 of the Danish Criminal Code, it is not a requirement that one meets physically before the offense of grooming is committed, and the offense can therefore also take place virtually.

Furthermore, on 1 July 2025, a legislative amendment entered into force, which 1) extends the provisions of the Danish Criminal Code on sexual material involving persons under the age of 18 to include so-called posing images and videos, 2) contains an extension of the provisions of the Criminal Code on sexual material involving persons under the age of 18, so that the production, distribution and possession of computer-generated sexual material, including material created using artificial intelligence, can be punished under the provisions and 3) clarifies that sharing everyday images, etc. of persons under the age of 18 in a sexualised context can be punished as a violation of the Criminal Code's provision on indecent exposure.

### 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 Denmark

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

- specialised law enforcement units dealing with ICT facilitated offences against children within broader cybercrime or human trafficking departments and sections/departments dedicated exclusively to cyber or sexual crimes against children.<sup>25</sup>
- specialised investigative units that are able to conduct separate complex forensic examinations as one of their main capacities.<sup>26</sup>
- specialised investigative units for handling ICT facilitated sexual offences where these are committed by children.<sup>27</sup>
- training programmes provided by State authorities for law enforcement agents related to aspects of child sexual exploitation and sexual abuse.<sup>28</sup> Denmark is among the minority of Parties that have specific law enforcement training on production, possession, distribution or transmitting of child self-generated sexual images and/or videos, and ICT facilitated coercion or extortion.<sup>29</sup>
- training programmes provided by State authorities for prosecutors on aspects of child sexual exploitation and sexual abuse.<sup>30</sup> These trainings are organised by prosecution authorities.<sup>31</sup> The Director of Public Prosecutions offers a yearly, three-day course to train prosecutors on cases involving crimes against children.<sup>32</sup> Additionally, post-

qualification courses are open to all prosecutors in Denmark.<sup>33</sup> The content of the trainings includes interviewing children and other procedures, communicating with children throughout criminal proceedings, sexual violence against children and child sexual abuse material.<sup>34</sup>

- training provided by State authorities and by external organisations available for judges.<sup>35</sup>

- trainings provided for relevant professionals involving not just theoretical, but also practical elements, including reviewing video interviews with children.<sup>36</sup>

- victim identification units for cases of ICT facilitated sexual offences against children within law enforcement units dedicated specifically to child abuse material or cyber-related sexual offences and units dedicated to cybercrime involving children, sexual offences, or child abuse materials.<sup>37</sup>

The Committee also observes that Denmark makes an active contribution to the INTERPOL's international child sexual exploitation (ICSE) database.<sup>38</sup>

Denmark indicated that one of the challenges of successful prosecution is to obtain electronic evidence that can be validly used before courts.<sup>39</sup>

To improve the effective implementation of

<sup>25</sup> Paras. 115, 116.

<sup>26</sup> Para. 121.

<sup>27</sup> Para. 135.

<sup>28</sup> Paras. 145, 146.

<sup>29</sup> Para. 153.

<sup>30</sup> Paras. 156, 157.

<sup>31</sup> Para. 159.

<sup>32</sup> Para. 161.

<sup>33</sup> Para. 163.

<sup>34</sup> Para. 164.

<sup>35</sup> Para. 167.

<sup>36</sup> Para. 174.

<sup>37</sup> Para. 180.

<sup>38</sup> Para. 186.

<sup>39</sup> Para. 203.

the Convention, the Committee requests Denmark:

- to ensure that training on ICT facilitated sexual offences against children is available for judges who are or will be working on these issues.<sup>40</sup>

**Follow-up actions:**

The Court Administration continuously evaluate the need and the demand for courses in collaboration with the courts. The demand for training in regards to ICT facilitated sexual offences against children have not yet been mentioned as a part of these ongoing needs assessments and evaluations.

- to take the necessary legislative or other measures, in conformity with the fundamental principles of its internal law, to ensure an effective investigation and prosecution of ICT facilitated sexual offences against children, allowing, where appropriate, for the possibility of covert operations.<sup>41</sup>

**Follow up actions:**

On 1 July 2025 a legislative amendment entered into force which allow the police to share fabricated sexual material depicting persons under the age of 18 in order to strengthen the police's ability to effectively investigate and identify suspects in cases involving, among other things, sexual abuse of children. The police's access to share sexual material were limited to fabricated sexual material depicting persons under the age of 18. In this context, 'fabricated sexual material' refers to sexual material that has been created using artificial intelligence or other forms of digital manipulation or technical methods and depicts a fictional child that does not exist in reality. The police may not manipulate images or videos of real children that have been shared on the internet or otherwise made available to the public, for example, in order to give the material depicting real children a sexual character. Similarly, the police may not share sexual material depicting real

<sup>40</sup> Recommendations III-16 and III-18.

<sup>41</sup> Recommendation III-28.

children.

The Committee also invites Denmark:

- to establish, where appropriate, specialised units, services or persons within the courts in charge of dealing with ICT facilitated sexual offences against children.<sup>42</sup>
- 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.<sup>43</sup>
- to ensure that units, services or persons within courts responsible for ICT facilitated sexual offences against children have sufficient specialisation in offences involving child self-generated sexual images and/or videos.<sup>44</sup>
- to ensure that training<sup>45</sup> on the challenges raised by child self-generated sexual images and/or videos and ICT facilitated coercion or extortion of children is available to prosecutors and judges.<sup>46</sup>
- to offer joint (or "joined-up") training for professionals, and particularly law enforcement, prosecutors and judges, involved in legal proceedings involving ICT facilitated child sexual exploitation and sexual abuse, in order to ensure consistency at all stages.<sup>47</sup>

<sup>42</sup> Recommendation III-8.

<sup>43</sup> Recommendation III-9.

<sup>44</sup> Recommendation III-10.

<sup>45</sup> Such trainings can also be part of broader training programmes.

<sup>46</sup> Recommendation III-17 and III-19.

<sup>47</sup> Recommendation III-20.

## 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.<sup>48</sup>

#### Follow-up actions:

As of 1 October 2025, the National Special Crime Unit officially launches a new and stronger model for initial case visitation in terms of ICT facilitated sexual offenses, thus, the first steps into working with the new model has already been taken.

With this new model the initial case visitation and investigation of ICT facilitated sexual offenses will be centralized, e.g. cases opened upon the receiving of reports from NCMEC.

The unit is supported by the prosecution service within the newly created law department of digital crime, which offers legal advice to the unit and carries out the legal aspects of the initial investigation, including the initial court proceedings, e.g. obtaining (court) orders in order to identify a suspect.

Upon the initial case visitation and investigation performed by the National Special Crime Unit the case will be transferred to the appropriate police district for further investigation and court proceedings.

In regards to training, all Danish Police officers have to complete the Danish basic police education at the police academy. The basic education includes teaching in identification of vulnerable persons and how to help them according to the Danish

Police Act. Furthermore, the education includes how police officers can intervene in families where children are in neglect or in danger. This includes how to make sufficient documentation to other relevant authorities (in general the local municipality). The students also receive education in the Danish Criminal Code according to which children are entitled to special protection. The last part of the education includes a theme revolving sexual offences in general.

The Danish Police Academy's further education offers e-learning training programs which aim to ensure the right investigating skills in cases concerning digital sexual abuse, especially in cases of grooming, sextortion and illegal image sharing.

Furthermore, further education and training programs are offered for investigative units that deal with cases concerning abuse including sexual abuse of children under the age of 15, in some cases young people up to the age of 18, and adults with permanent disabilities. The training aims to ensure the relevant level of skills in the investigative units.

In addition, continuing education and training programs are offered to specialist investigative units that deal with video interrogation of children under the age of 15, in some cases young people up to the age of 18, and adults with permanent disabilities. The training programs aim to ensure consideration of the behavior, statements and interests of the interrogated child or person as well as legal security issues to secure a truthful explanation. The interrogation must be conducted in accordance with applicable regulations and in accordance with the prosecutor's requirements for objectivity, professional ethics and police knowledge.

<sup>48</sup> Recommendation III-3 and III-7.

In terms of prosecutors, the Director of Public Prosecution offers a two-day course on ICT facilitated sexual offences to all prosecutors within the Kingdom of Denmark. The content of the course includes ICT facilitated sexual offenses against children, grooming and a presentation on investigations into ICT facilitated sexual offenses. The course is carried out from a practical point of view to provide the prosecutors with the right abilities to handle the legal aspects of ICT facilitated sexual offenses.

- The Committee invites all Parties, including Denmark, 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.<sup>49</sup>

#### 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.<sup>50</sup>

#### **Follow-up actions:**

The agreement on the financial framework of the Danish police and Prosecution Service sets out general goals for the Danish police and the prosecution service with regards to the prioritization of all cases relating to violent crimes and sexual offences; including ICT facilitated sexual offenses against children. According to the agreement, such cases should be handled within certain time limits:

- 1) At least 50 percent of the cases must be handled within 85 days from reported crime until charges has been brought.
- 2) At least 70 percent of the cases must be handled within 170 days from

reported crime until charges has been brought.

In addition; all cases that can lead to unsuspended imprisonment for the perpetrator is specifically marked from the step of reported crime to the step of filing of the indictment to court. This includes ICT facilitated sexual offenses against children that can lead to unsuspended imprisonment for the perpetrator.

Referring to the new and stronger model for initial case visitation and investigation in terms of ICT facilitated sexual offenses mentioned above, the overall purpose of this new model is to be able to intervene more quickly in (ongoing) crime and to ensure victims a more uniform police assistance national wide.

Investigations in ICT-facilitated sexual offences against children are therefore treated as a high priority by the Danish police. The Danish police also strives to ensure that such cases are carried out without any unjustified delay.

The Committee also invites all Parties, including Denmark:

- 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.<sup>51</sup>
- 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.<sup>52</sup>
- 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

<sup>49</sup> Recommendation III-4.

<sup>50</sup> Recommendation III-30.

<sup>51</sup> Recommendation III-24.

<sup>52</sup> Recommendation III-31.

analysed in a timely manner so that investigations are carried out without any unjustified delay.<sup>53</sup>

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<sup>53</sup> Recommendation III-32.

## Promising practice

In Denmark, the Cyber-related sexual offences (CRS) unit is a specialised law enforcement branch of the Danish National Police, in charge of dealing with ICT facilitated sexual offences against children. The unit consists of approximately 20 officers, both investigators and forensic analysts, and specially trained by both Danish law enforcement and INTERPOL. The unit has primarily investigative but also preventive functions. The CRS unit also works with other law enforcement entities within the Danish Police at local and national level, in order to build investigation capacity and provide training for police officers working in the field.

In some countries, specialised law enforcement units carry out additional activities to build their capacity. For instance in Denmark, the unit includes both investigators and forensic analysts, undercover infiltration, and provides training for police officers working in the field of ICT facilitated sexual offences against children.

Denmark conducts mandatory training at its National Police Academy for front desk officers in handling cyber-related crime, which includes child self-generated sexual images and/or videos, sharing of content between children, coercion and extortion.

In 2014, experts from Denmark, France, Germany, Netherlands, Spain, Sweden and the United Kingdom (as well as Australia, the USA, EUROPOL and INTERPOL) engaged in a Victim Identification Taskforce (VIDTF) to harness international cooperation in victim identification.<sup>54</sup> This initiative has been continued, including its 10th edition in October-November 2021.<sup>55</sup>

### Promising practices:

In Denmark, the Cyber-related sexual offences (CRS) unit is a specialised law enforcement branch of the National Special Crime Unit responsible for investigating ICT-facilitated sexual offences against children. The CRS unit consists of 16 employees, including investigators, and forensic analysts who have received specialized training from both Danish law enforcement and INTERPOL. The CRS unit primarily serves an investigative function. The unit also collaborates with other law enforcement entities within the Danish Police, both at the local and national levels, to strengthen investigative capacity and provide training for police officers working in the field.

In some countries, specialised law enforcement units engage in additional activities to strengthen their operational capacity. Thus, the Danish CRS unit comprises both investigators and forensic analysts, conducts undercover operations, and provides training for police officers dealing with ICT-facilitated sexual offences against children.

In Denmark front desk officers undergo mandatory training at the National Police Academy to handle cyber-related crime, including the sharing of child self-generated sexual images and/or videos between children, as well as cases involving coercion and extortion.

Furthermore, Denmark participates in several international operations targeting CSAM material and takes part annually in the Europol Victim Identification Taskforce (VIDTF), which fosters global collaboration in the identification of victims. The most recent session was held in May 2025.

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<sup>54</sup> See:

<https://www.europol.europa.eu/activities-services/europol-in-action/operations/victim-identification-taskforce>

<sup>55</sup> <https://www.europol.europa.eu/newsroom/news/global-europol-taskforce-identifies-18-child-victims-of-sexual-abuse>



## 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 Denmark

### 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))

It appears that Denmark did not provide information on its laws clarifying the circumstances in which their national criminal law will apply to a transnational situation following the territoriality principle.

Therefore, the Committee requests Denmark to take the necessary legislative or other measures to establish jurisdiction over transnational cases of child sexual exploitation and abuse facilitated by ICTs, when one of the constituent elements of the offence has taken place in their territory.<sup>56</sup>

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

The Committee observes that Denmark assumes jurisdiction in cases where offences covered by the Convention are committed by their nationals or persons who have their habitual residence on 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))

Denmark did not submit information as to whether it applies this jurisdiction rule.

- Therefore, the Committee requires Denmark to remove the requirement that prosecution can only be initiated following a report from the victim or a denunciation from the State of the place where the offence was committed for offences of

sexual abuse (Article 18), offences concerning child prostitution (Article 19), the production of "child pornography" (Article 20(1)(a)) and offences concerning the participation of a child in pornographic performances (Article 21), when committed by one of its nationals or by a person who has his or her habitual residence in its territory.<sup>57</sup>

#### Follow-up actions:

With regard to compatibility with article 25(1) (a-c), it follows from section 6 of the Danish Criminal Code that acts falls within Danish criminal jurisdiction if the acts are committed i) within the Danish state, ii) on board a Danish vessel or aircraft located within the territory of another state by a person belonging to or travelling on the vessel or aircraft; or iii) on board a Danish vessel or aircraft located outside the territory of any state.

With regard to compatibility with article 25(1) (d-e), it follows from section 7(1) of the Danish Criminal Code that acts committed within the territory of another state by a person who are a Danish national or has his abode or similar habitual residence within the Danish state at the date of the provisional charge are subject to Danish criminal jurisdiction, if i) the act is also a criminal offence under the legislation of the country in which the act was committed (dual criminality), or ii) the offender had the aforesaid attachment to Denmark when committing the act and such act a) comprises sexual abuse of children, human trafficking or female circumcision, or (b) is aimed at someone having the aforesaid attachment to

<sup>56</sup> Recommendation IV-1.

<sup>57</sup> Recommendation IV-5.

Denmark when the act was committed.

With regard to compatibility with article 25(6), it follows from section 742(2) of the Danish Administration of Justice Act that the police shall initiate an investigation upon notification or on their own initiative when there is reasonable suspicion that a criminal offence that can be prosecuted by the public authorities has been committed. Denmark thus complies with Article 25(6).

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

Denmark 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 their nationals or by a person who has his or her habitual residence in their territory.<sup>58</sup> Indeed, the Committee observes that Denmark has a clause which provides for the possibility of derogating from the general rules on jurisdiction based on international instruments.<sup>59</sup> Acts committed outside Denmark can be prosecuted there, irrespective of the nationality of the offender, where the act falls within an international instrument obliging Denmark to have criminal jurisdiction.<sup>60</sup>

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))

The Committee notes that 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 personality principle is applied in respect of offences committed against a national or a

person having habitual residence in the territory of Denmark, only for offences punishable by imprisonment of at least six years, e.g. sexual offences and incest in relation to this report.<sup>61</sup> Denmark also mentioned that, in order to apply the passive personality principle for these offences, it requires dual criminality.<sup>62</sup>

- The Committee requests Parties that are not already doing so, including Denmark, 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 its territory.<sup>63</sup>

Follow-up actions:

With regard to compatibility with article 25(2), it follows from section 7 a (1) of the Danish Criminal Code, that acts committed within the territory of another state and aimed at a person who was a Danish national or had his abode or similar habitual residence within the Danish state when the act was committed are subject to Danish criminal jurisdiction if the act is also a criminal offence under the legislation of the country in which the act was committed (dual criminality) and the act may carry a sentence under Danish legislation of imprisonment for at least six years.

Furthermore, it follows from section 7 a (2) that Danish criminal jurisdiction under subsection (1) only applies to the acts of, for example, sexual offences or incest, cf. 7 a (2) (iii).

Finally, it follows from section 7 a (3) that acts committed outside the territory of any state, but aimed at someone having such attachment to Denmark as referred to in subsection (1) when the act was committed, are also subject to Danish

<sup>58</sup> Paras. 223, 224.

<sup>59</sup> Para. 227.

<sup>60</sup> Para. 228.

<sup>61</sup> Para. 231.

<sup>62</sup> Para. 232.

<sup>63</sup> Recommendation IV-9.

criminal jurisdiction, provided that acts of the kind described may carry a sentence of imprisonment for a term exceeding four months.

Thus, Denmark has already established jurisdiction over any sexual offence established in accordance with the

Lanzarote Convention where the offence is committed against one of its nationals or a person having habitual residence in the territory, cf. The Danish Criminal Code section 7 a.

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 Denmark

The Committee observes that INHOPE,<sup>64</sup> the PROMISE Barnahus Network,<sup>65</sup> WeProtect Global Alliance,<sup>66</sup> ECPAT,<sup>67</sup> European Financial Coalition against commercial sexual exploitation of children online,<sup>68</sup> and EMPACT cybercrime CSE/CSA<sup>69</sup> conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in Denmark.<sup>70</sup>

Denmark referred to police cooperation on training/vetting/selection, especially on ICSE training. Additionally, Danish law enforcement representatives attend the Europol's central training course "Combatting the Sexual Exploitation of Children on the Internet" (COSEC) and the Europol-Interpol-Cepol co-organised training course on victim identification (VID training course).<sup>71</sup>

Denmark also referred to the protection of victims, raising awareness and training in EMPACT. The Council of the Baltic States coordinates the Promise Barnahus Network and its projects, which promote safety, healing and justice for child victims and witnesses of violence, including online sexual violence, through cross-border exchange, development of practical tools and training in therapeutic interventions. An informal European Network of national coordinators on therapy is set up in the context of the Promise training in several different forms of therapy in Barnahus.<sup>72</sup>

The Committee observes that Denmark's nationals or residents who are victims of a crime committed abroad must report the crime in the country where the crime was committed as a general rule. However, if it has not been possible to report the crime in the country where it was committed, or if the victim has been subject to sexual assault, serious sexual violence or the like, the victim can report the crime to their national police.<sup>73</sup>

- Therefore, the Committee requires Denmark to ensure that the victims of sexual exploitation or sexual abuse in matters related to child self-generated sexual images and/or videos in the territory of Parties to the Lanzarote Convention which are not members of the European Union other than the one where they reside, may make a complaint before the competent authorities of the State of their residence.<sup>74</sup>

#### Follow-up actions:

As mentioned above, it follows from section 7 a (1) of the Danish Criminal Code, that acts committed within the territory of another state and aimed at a person who was a Danish national or had his abode or similar habitual residence within the Danish state when the act was committed are subject to Danish criminal jurisdiction if any such act is also a criminal offence under the legislation of the country in which the act was committed (dual criminality) and may carry a sentence under Danish legislation of imprisonment for at least six years. According to section 7 a (2), subsection 1

<sup>64</sup> [www.inhope.org/](http://www.inhope.org/)

<sup>65</sup> <https://www.barnahus.eu/en/>

<sup>66</sup> <https://www.weprotect.org/>

<sup>67</sup> <https://ecpat.org/>

<sup>68</sup> <http://www.europeanfinancialcoalition.eu/>

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

<sup>70</sup> Para. 255.

<sup>71</sup> Para. 259.

<sup>72</sup> Para. 261.

<sup>73</sup> Para. 271.

<sup>74</sup> Recommendation V-18.

also applies to sexual offenses.

However, it is correct that especially the condition that there must be a minimum sentence of 6 years means that these types of cases do not generally fall under Danish criminal jurisdiction, as only section 235, subsection 1, 2. pt. of the Criminal Code has a sentence of 6 years. It therefore only applies in the case of dissemination of sexual material under particularly aggravating circumstances, e.g. if the dissemination is of a more systematic or organized nature.

However, Denmark has a special rule on jurisdiction in section 9 a of the Criminal Code, cf. section 6. According to this rule, an offence relating to text, sound or image material, etc. that has been made generally available in Denmark through the Internet or a similar system for the dissemination of information by actions abroad is considered to have been committed in the Danish state if the material has a special relation to Denmark.

The legislative history states that this rule is

intended, among other things, for section 235. However, it still requires that the material has a special relation to the country, and that the offensive material has been made generally available. This means that the material can be considered to have a special relation to Denmark, including special groups in Denmark, due to linguistic or other factors. This could, for example, be in Denmark through the Internet with accompanying Danish-language text with instructions on downloading the images, ordering more images, etc. The provision ensures that more victims may make a complaint before the competent authorities in the state of Denmark.

The Danish legislators continuously evaluate the need and the demand for potential changes in the legislation, including whether it is necessary to make a more general provision.

The Ministry of Justice have noted the recommendation.

## Generic recommendations of the Committee on international cooperation

- The Committee requests all Parties, to extend their international cooperation with other Parties to improve the effective implementation of the Lanzarote Convention.<sup>75</sup>

### Follow-up actions:

Denmark is continuously working to improve international cooperation. This also applies to cooperation between Denmark and the other parties of the Lanzarote Committee.

The Committee also invites all Parties, including Denmark:

- 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 child self-generated sexual images and/or videos.<sup>76</sup>
- 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 child self-generated sexual images and/or videos.<sup>77</sup>
- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.<sup>78</sup>
- 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 child self-generated sexual images and/or videos.<sup>79</sup>

- 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 child self-generated sexual images and/or videos.<sup>80</sup>
- 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 child self-generated sexual images and/or videos.<sup>81</sup>
- to maintain and develop efforts to 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 child self-generated sexual images and/or videos.<sup>82</sup>
- to integrate, where appropriate, prevention and the fight against sexual exploitation and sexual abuse of children in matters related to child self-generated sexual images and/or videos, in assistance programmes for development provided for the benefit of third States.<sup>83</sup>

<sup>75</sup> Recommendation V-3.

<sup>76</sup> Recommendations V-6, V-11.

<sup>77</sup> Recommendations V-4, V-7, V-12, V-15.

<sup>78</sup> Recommendation V-5.

<sup>79</sup> Recommendation V-8, V-13.

<sup>80</sup> Recommendation V-9.

<sup>81</sup> Recommendation V-10.

<sup>82</sup> Recommendations V-14, V-16.

<sup>83</sup> Recommendation V-19.

## Promising practice

In Denmark the specific guidelines issued by the Committee of Experts on the Operation of European Conventions on Co-operation in criminal matters (PC-OC) are part of the instructions passed to prosecutors, and the relevant guidelines are incorporated into the general guidelines for prosecutors.

Denmark is actively working since 2018 with the Technical Working Group on the prevention of sexual exploitation, abuse and harassment (PSEAH) instituted by the UK. This group was lifted to a taskforce in the OCDE DAC which developed the Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance.<sup>84</sup> Denmark has also updated bilateral and multilateral agreements with partners and engaged in a stronger dialogue with NGOs.

Promising practices:

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<sup>84</sup> <http://www.oecd.org/dac/gender-development/dac-recommendation-on-ending-sexual-exploitation-abuse-and-harassment.htm>

## 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 of the Committee on assistance to victims specific to Denmark

The Committee observes that Denmark has adopted legislative or other measures focusing on providing support, assistance and psychological help to child victims of sexual violence.<sup>85</sup>

Additionally, many helplines are run in collaboration between different bodies, including ministries and NGOs. This can be very effective for victims who benefit from this synergy and broader services.<sup>86</sup>

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<sup>85</sup> Paras. 285 and 287.

<sup>86</sup> Para. 277.

## Generic recommendations of the Committee on assistance to victims

- The Committee invites all Parties, including Denmark, 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 child self-generated sexual images and/or videos – and how to provide appropriate support to victims and to those who wish to help them.<sup>87</sup>

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<sup>87</sup> Recommendation VI-2.

Promising practices:

## 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 of the Committee on civil society involvement and cooperation specific to Denmark

The Committee observes that in Denmark, NGOs, along with different helplines, schools and other educational institutions and family planning centres are the most involved counterparts in the prevention of child sexual abuse and exploitation and victim assistance activities.<sup>88</sup>

The Committee also observes that Denmark develops and supports different activities which are aimed at raising the awareness of not only children but also adults such as parents, educators, doctors and social workers about existing risks and dangers of ICTs for children.<sup>89</sup> Denmark emphasised that its support for the development of prevention activities by civil society takes the form of financial support and grants.<sup>90</sup>

The Committee notes that Denmark is one of the very few Parties where there are helplines for victims of online sexual abuse that include counselling for young people who experience having "private, intimate or humiliating information, pictures or videos shared online".<sup>91</sup>

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<sup>88</sup> Para. 308.

<sup>89</sup> Para. 315.

<sup>90</sup> Para. 310.

<sup>91</sup> Para. 328.

## Generic recommendations of the Committee on civil society involvement and cooperation

The Committee invites all Parties, including Denmark:

- 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 child self-generated sexual images and/or videos.<sup>92</sup>
- 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.<sup>93</sup>
- to encourage the participation of children, according to their evolving capacity, in the development and implementation of state policies, programmes or other initiatives<sup>94</sup> 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 child self-generated sexual images and/or videos.<sup>95</sup>

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<sup>92</sup> Recommendation VII-3.

<sup>93</sup> Recommendation VII-4.

<sup>94</sup> 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.

<sup>95</sup> Recommendations VII-6, VII-7.

## Promising Practice

In Denmark, there are annual creative competitions where children can submit their own art, music, films, etc. In 2016/17, the theme was "My body, my rules", and the sharing of private images was one of the topics.

Promising practices:

## 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 Denmark:

- 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.<sup>96</sup>
- 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.<sup>97</sup>
- 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.<sup>98</sup>
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.<sup>99</sup>
- 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.<sup>100</sup>

- 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.<sup>101</sup>
- 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.<sup>102</sup>
- 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.<sup>103</sup>
- 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.<sup>104</sup>

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<sup>96</sup> Recommendation VIII-1.

<sup>97</sup> Recommendation VIII-2.

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<sup>99</sup> Recommendation VIII-4.

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<sup>100</sup> Recommendation VIII-5.

<sup>101</sup> Recommendations VIII-6.

<sup>102</sup> Recommendation VIII-7.

<sup>103</sup> Recommendation VIII-8.

<sup>104</sup> Recommendation VIII-9.

Promising practices:

## 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 Denmark

The Committee observes that Denmark is among the minority of the Parties that provides sexuality education courses to inform children on risks associated with CSGSIV.<sup>105</sup> These topics are addressed in a “cross-curricular” manner at the level of secondary education in Denmark.<sup>106</sup>

- To improve the effective implementation of the Convention, the Committee requires Denmark to ensure that all children at primary and secondary education 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.<sup>107</sup>

### Follow-up actions:

Denmark does not have a set national curriculum. Instead, Denmark has Common Objectives, which are national binding objectives that states what students must learn in school subjects and topics.

The Common Objectives for Health, sexuality, and family education state the goal that “The student can promote one's own and others' health and well-being based on democracy and rights”.

Each subject also has guiding Skill and knowledge areas that teachers can follow. Two of the guiding Skills and knowledge areas under Health, sexuality, and family education class state the goals that “The pupil can discuss how abuse of children

and young people can be prevented” and “The pupil has knowledge about physical, psychological, and sexual violence and abuse”.

Denmark is currently working on renewing the Common Objectives. The aim is to make fewer and more precise objectives to ensure progression and better support teachers.

The Committee also invites Denmark:

- to ensure that information on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards child self-generated sexual images and/or videos, 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).<sup>108</sup>
- 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 child self-generated sexual images and/or videos.<sup>109</sup>

<sup>105</sup> Para. 397.

<sup>106</sup> Para. 400.

<sup>107</sup> Recommendation IX-3.

<sup>108</sup> Recommendation IX-2.

<sup>109</sup> Recommendation IX-8.

## Generic recommendations of the Committee on education for children

The Committee invites all Parties:

- to consistently involve children in the development of internet safety awareness programmes.<sup>110</sup>
- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.<sup>111</sup>
- to provide information to children on child sexual exploitation and sexual abuse, facilitated by ICTs, including as regards child self-generated sexual images and/or videos, 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.<sup>112</sup>

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<sup>110</sup> Recommendation IX-4.

<sup>111</sup> Recommendation IX-5.

<sup>112</sup> Recommendation IX-6.

## Promising practice

In Denmark, the government supports the Danish Family Planning Association in respect of the project "The Media Competition for Schools", in which children produce a newspaper addressing the theme "Love yourself – body and ideals". One of the topics is digital sexual abuse and teachers taking part in the project are provided with information about the government's initiatives and legislation regarding digital sexual abuse.

Promising practices:

## 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 Denmark

The Committee observes that categories of persons working in contact with children other than school personnel, such as students in social education and social sciences, receive information in form of trainings on the risks associated with child self-generated sexual images and/or videos in Denmark.<sup>113</sup> Additionally, some persons working in contact with children receive awareness of the protection and rights of children in different frameworks and on different topics, such as the rights of children in the digital environment.<sup>114</sup>

To improve the effective implementation of the Convention, the Committee requires Denmark:

- 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.<sup>115</sup>

#### Follow-up actions:

Employees in the public sector are subject to a stricter duty of notification under section 133 subsection 1 of the Children Act. This means that if they suspect that a child is being abused or similar, they must notify the authorities. Therefore, they also have a duty to be aware of the children's

rights. The relevant rights of the child are described in Chapter 2 §§ 5-6 of the Children's Act.

The National Board of Social Services and Housing has also published a guide on how to detect child abuse for public employees. This also discusses the signs of ill-being in connection with abuse. According to section 7 of the Children's Act, adults around a child are responsible for ensuring the best interests of the child.

In addition, the municipality board of directors must organize an effort that ensures coherence between the municipality's general and preventive work and the targeted efforts for children and young people in need of special support under section 14 of the Children Act.

It is therefore a duty and not voluntary to safeguard the child's rights.

- 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

<sup>113</sup> Paras. 410, 412.

<sup>114</sup> Para. 432.

<sup>115</sup> Recommendation X-4.

- in health sector
- in the social protection sector
- in areas relating to sport, culture, and leisure activities.<sup>116</sup>

**Follow-up actions:**

Under section 133 subsection 1 of the Children's Act, public employees have an increased duty of notification. As stipulated by law, they must notify the municipality. This duty is triggered by suspicion.

As mentioned, the National Board of Social Services and Housing has published a guide on how to detect child abuse for public employees.

- The Committee also requests Denmark to ensure that the 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) have an adequate knowledge of sexual exploitation and sexual abuse of children, including when facilitated by ICTs, for example through education or continuous training.

**Follow-up actions:**

Public employees who work closely with children are, to the extent possible, offered training aimed at strengthening their awareness and understanding of issues related to sexual exploitation and sexual abuse of children. The content and scope of the training may vary depending on the nature of their professional role

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<sup>116</sup> Recommendations X-5, X-6.



## Generic recommendations of the Committee on higher education curriculum and continuous training

The Committee also invites all Parties, including Denmark:

- to ensure that the 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), have an adequate knowledge of the risks associated with child self-generated sexual images and/or videos, for example through education or continuous training.<sup>117</sup>
- to ensure that all the sectors where professionals work in contact with children, including when working on a voluntary basis, have adequate knowledge of sexual exploitation and sexual abuse of children, including when facilitated by ICTs and with specific reference to the risks associated with child self-generated sexual images and/or videos.<sup>118</sup>

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<sup>117</sup> Recommendation X-2.

<sup>118</sup> Recommendation X-3.

## Promising Practices

In Denmark, students of the teacher education programme and of the social education programme receive training on ethics and human rights in order to acquire competences on how to handle and approach these issues in relation to children. The subject of CSGSIV is part of these programmes.

In Denmark, as a part of a new project "Technology understanding" in the Danish Folkeskole, one provider of the teacher training program (KP) offers a mandatory course (10ECTS-point) with a focus on children's digital empowerment, called "Technology understanding and digital formation". It is expected that the course will be implemented gradually in almost all teacher training programs in Denmark. Furthermore, the social education (pedagogue) program in Denmark offers a mandatory course (10 ECTS-point) called "Gender, sexuality and diversity". The course has a focus on different discourses about - and perspectives on - gender, sexuality, equality and family constellations.

Promising practices:

## 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 Denmark

The Committee observes that Denmark has provided information on research undertaken on the issues raised by CSGSIV.<sup>119</sup> The research on CSGSIV was conducted within a wider framework, as part of a broader research project. It was included in research covering several broader topics, such as abuse or harassment online, boys' and girls' views on gender, body, sexuality and digital behaviour<sup>120</sup> in Denmark.<sup>121</sup>

The Committee also observes that Denmark collaborates with NGOs and non-governmental initiatives or research centres. The Danish government launched a study which was carried out by VIVE<sup>122</sup> – The Danish Centre of Applied Social Science, an independent research and analysis centre operating under the Ministry of Social Affairs and the Interior.<sup>123</sup>

Additionally, Denmark has participated for at least one year in the EU Kids Online surveys.<sup>124</sup> However, regarding surveys undertaken in the context of EU Kids Online, information is lacking to determine which body was in charge of supporting and/or carrying out research in Denmark.<sup>125</sup>

- Therefore the Committee invites Denmark 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, for the purpose of observing and evaluating the phenomenon of sexual exploitation and sexual abuse of children, including on the issues arising from child self-generated sexual images and/or videos, with due respect for the requirements of personal data protection.<sup>126</sup>

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<sup>119</sup> Para. 437.

<sup>120</sup> Report "Unge opfattelser af køn, krop og seksualitet" (Adolescents' perceptions of gender, body and sexuality): <https://www.vive.dk/da/udgivelser/unges-opfattelser-af-koen-krop-og-seksualitet-7006/>

<sup>121</sup> Para. 438.

<sup>122</sup> Study by VIVE – The Danish Centre of Applied Social Science: <https://www.vive.dk/da/udgivelser/unges-opfattelser-af-koen-krop-og-seksualitet-7006/>

<sup>123</sup> Para. 450.

<sup>124</sup> Para. 440.

<sup>125</sup> Para. 458.

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<sup>126</sup> Recommendation XI-4.

## Generic recommendations of the Committee on research

The Committee invites all Parties, including Denmark:

- to collect data and undertake research at the national and local levels to observe and evaluate the phenomenon of child self-generated sexual images and/or videos.<sup>127</sup>
- to ensure that data on the phenomenon of child self-generated sexual images and/or videos and the risks associated with it is regularly collected and research on the issue is regularly undertaken.<sup>128</sup>
- to build on the findings from existing research on child self-generated sexual images and/or videos, when available, to ensure that policies and measures are best developed and appropriately targeted to tackle the issues raised by child self-generated sexual images and/or videos.<sup>129</sup>

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<sup>127</sup> Recommendation XI-1.

<sup>128</sup> Recommendation XI-2.

<sup>129</sup> Recommendation XI-3.

## Promising Practice

EU Kids Online is a multinational research network, working to increase knowledge of the opportunities and risks children face online. A significant number of Parties including Denmark have participated in this research network for one or several years.

Promising practices: