



FACTSHEET – FINLAND

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)”

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I. Introduction

Protecting children from sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs) is a common challenge faced by all States. The often transnational nature of these offences makes international cooperation of the utmost importance especially to identify and protect victims as well as to identify and prosecute perpetrators.

The Council of Europe [Convention on the Protection of Children against sexual exploitation and sexual abuse](#) (“Lanzarote Convention”) is a comprehensive instrument that sets out the applicable standards necessary to:

- Prevent child sexual exploitation and abuse, including where this is facilitated by ICTs;
- Protect victims;
- Prosecute perpetrators; and
- Promote national and international co-operation to strengthen these actions.

The [Committee of the Parties to the Lanzarote Convention](#) (“the Lanzarote Committee”) monitors the implementation of the Convention in thematic monitoring rounds. This allows for all Parties to be monitored simultaneously on the same theme.

Particularly concerned by the exponential increase in offences committed using child self-generated sexual images and/or videos (CSGSIV), the Lanzarote Committee decided to dedicate its second monitoring round to this topic. The 43 States that were Party to the Convention at the time the monitoring round was launched took part, including Finland.

The [implementation report](#) adopted by the Lanzarote Committee in the context of this monitoring round is based on information provided by [State Parties](#) and [other stakeholders](#) in response to a questionnaire. The implementation report also contains information received from 306 [children](#) in 10 Parties who chose to participate.

The Lanzarote Committee’s recommendations to improve or reinforce the protection of children against sexual exploitation and sexual abuse can be found in boxes in each of the 10 thematic chapters. The key messages resulting from the children’s participation are also reflected throughout the whole report. Each chapter also includes examples of promising practices.

The Lanzarote Committee indicates the different levels of urgency applicable to the recommendations made by using the following terms:

- **“Require”**: when the steps recommended correspond to obligations arising from the Lanzarote Convention, as clarified by its Explanatory report;
- **“Request”**: when the steps recommended correspond to obligations arising from the Lanzarote Convention, as clarified by documents adopted by the Committee (e.g. previous monitoring round findings, opinions, other)¹;
- **“Invite”**: when the steps recommended correspond to promising practices or other measures to enhance protection of children against sexual violence even beyond specific requirements of the Lanzarote Convention.

This factsheet is based on the implementation report and has been prepared by the Lanzarote Committee Secretariat as a practical tool to be used by Finland to clearly identify the relevant recommendations and actions addressed by the Lanzarote Committee to it. Therefore, it does not include updated information on measures implemented by the Parties since the adoption of the report

¹ See Rule 30 (General comments, proposals and opinions) of the Lanzarote Committee’s Rules of Procedure.

in March 2022. Parties are encouraged to inform the secretariat of any relevant measures implemented after that date, which may have an impact on the Committee's analysis and recommendations by completing this [online form](#) or by email to lanzarote.committee@coe.int.

Key findings of the implementation report as to all Parties

The Committee raised particular concerns that in the vast majority of State Parties, children are at risk of criminal liability in relation to their own self-generated materials, and that many Parties do not provide for the specific offence where a child is a victim of extortion involving the use of its CSGSIV.

Strengthening international cooperation was identified as of particular importance in this context, given that these offences often contain a transnational element. The Lanzarote Committee also called on Parties to establish jurisdiction where any constituent element of an offence takes place within their territory.

Many Parties were found to provide mechanisms to facilitate reporting of these crimes but without providing specific services to support and assist children who have been victims of online sexual abuse to recover. Lack of public awareness and education, including among children, about the specific risks associated with ICT facilitated sexual abuse and self-generated content was also identified as a common challenge.

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 Finland

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

The Committee observes that Finland is among the Parties not having made a reservation under Article 20(3) second indent of the Convention, that exempts from criminal liability children having reached the age of sexual consent if the possession of the sexual images and videos is for private use only and with the consent of the person depicted in them.² In this regard, the Committee highlights that Article 8(3) of EU Directive 2011/93 on combating the sexual abuse and sexual exploitation of children and child pornography similarly establishes that: *“It shall be within the discretion of Member States to decide whether Article 5(2) and (6)³ 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.”*⁴ The Committee 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 Finland⁵ chose to apply the above-mentioned Article 8(3).⁶

The interplay of the age of criminal responsibility and the age of sexual consent

The Committee observes that the production of sexually explicit images by children themselves and the possession of such images by children below the legal age for sexual activities are criminalised in Finland.⁷ The Committee however notes that the majority of Parties do not prosecute such conduct as they may subject the criminalisation to other conditions (e.g. the context of the possession, the legal age for sexual activities, etc). On this, Finland pointed at the age of criminal responsibility below which children cannot be held criminally liable for acts they commit to demonstrate compatibility with the exclusion of criminal liability for the production and possession of CSGSIV, which is 15 years old.⁸ 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. The situation is particularly of concern with respect to Parties with a particularly low age of criminal responsibility.⁹

² Para. 58.

³ 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.

⁴ Para. 59.

⁵ In Finland, when a child can be considered to have validly consented to sharing a sexual image of himself/herself solely for his/her similarly aged partner’s private use, neither the child nor the similarly aged partner are held criminally liable.

⁶ Para. 60.

⁷ Paras. 67, 68.

⁸ Para. 71.

⁹ Para. 72.

- The Committee **requests** that Finland ensures 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.¹⁰

Sharing own self-generated material and other children's self-generated material

The Committee observes that children are potentially criminally liable for the distribution or transmission of their own CSGSIV in Finland.¹¹ Furthermore, Finland has rules that lead to the criminalisation of the distribution by children of CSGSIV of *other* children.¹²

The Committee **requests** that Finland ensures that:

- a child will not be prosecuted for sharing his/her sexual images and/or videos with another child when such sharing is voluntary, consensual, and intended solely for their own private use.¹³
- 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) of the Convention.¹⁴

On the "sexual extortion of children":

The Committee observes that Finland could not provide data or details about cases of sexual extortion of children involving CSGSIV.¹⁵

In cases where the sexual extortion is intended to procure additional CSGSIV, the Committee observes that Finland prosecutes for offences related to "child pornography", in concurrence

with offences where the threat is a core element, such as extortion or coercion. Furthermore, Finland indicated that for the acts in question, it could also be possible to prosecute for sexual abuse of a child, aggravated sexual abuse of a child, or for the attempt at one of these offences.¹⁶

When it is intended to procure other sexual favours from the child depicted in the images/videos or from another child, Finland 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 and participation in pornographic performances.¹⁷ In addition, Finland prosecutes conduct relating to the possession of the initial child sexual image or video as an offence related to "child pornography" under Article 20.¹⁸ Furthermore, Finland¹⁹ would prosecute for sexual coercion, in general (not specifically targeting children) and qualifies such conduct as trafficking in human beings.²⁰

In the case where it is intended to procure a financial gain or other property from the child, Finland indicated that the conduct would be qualified as extortion or aggravated extortion.²¹

When dealing with sexual extortion cases involving children, the Committee **invites** Finland:

- 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

¹⁰ Recommendation II-6.

¹¹ Para. 78.

¹² Para. 82.

¹³ Recommendation II-8.

¹⁴ Recommendation II-9.

¹⁵ Para. 95.

¹⁶ Para. 98.

¹⁷ Para. 102.

¹⁸ Para. 103.

¹⁹ If the victim is a child under 16 years of age, such an act also constitutes sexual abuse of a child, without exception.

²⁰ Para. 104.

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 Finland:

- to introduce a definition of “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”](#).^{24 25}
- to introduce explicit references in its 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.²⁶
- to rather use the term “CSAM” 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.²⁷

- 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 Convention.²⁸
- 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.²⁹
- 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.³⁰

²⁴ 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.](#)

²⁵ Recommendation II-3.

²⁶ Recommendation II-2.

²⁷ Recommendation II-1.

²⁸ Recommendation II-4.

²⁹ Recommendation II-7.

³⁰ Recommendation II-10.

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 of the Committee on investigations and prosecution specific to Finland

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

- specialised units dealing with ICT facilitated offences against children within law enforcement,³¹ and a section/department dedicated exclusively to child abuse material:³² the CAM (Child Abuse Material) Group which includes five permanent policemen. However, the group does not yet have an official status within the organisation.³³ The Committee notes that in Finland, cases concerning sexual abuse or exploitation of children facilitated by ICTs are managed by offices dedicated to combating cybercrime.³⁴
- specialised investigative units and prosecution services for handling ICT facilitated sexual offences where these are committed by children.³⁵
- training modules provided by State authorities, as well as by external organisations, for law enforcement agents related to aspects of child sexual exploitation and sexual abuse, composed of its own training programme, used either in full or in part to carry out such training.³⁶
- training provided by State authorities and external training for prosecutors on aspects of child sexual exploitation and sexual abuse.³⁷ Finland indicated that this training covers CSAM specifically.³⁸ Finland indicated that

9 prosecutors at the national level are specialised in offences which include ICT facilitated sexual offences against children. In addition to these special prosecutors, there are 11 specialising prosecutors located in local prosecution offices who are being trained to be experts on all sexual violence related crimes. In addition, there are a few prosecutors who have expertise on cybercrimes. They provide training, advice and guidance to other prosecutors on all matters related to ICT facilitated offences.³⁹

- training provided by State authorities for judges on aspects of child sexual exploitation and sexual abuse.⁴⁰ The Committee further notes that Finnish judges were offered an optional course on the Convention and related legislative amendments in 2011.⁴¹

- victim identification functions located within law enforcement units dedicated specifically to child abuse material or cyber-related sexual offences.⁴²

Additionally, the Committee observes that Finland makes an active contribution to the INTERPOL's international child sexual exploitation (ICSE) database.⁴³

Regarding the handling of evidence, Finland reported that searching, isolating, and analysing the data of devices require a considerable amount of time, resources, and work.⁴⁴

³¹ Para. 115.

³² Para. 116.

³³ Para. 118.

³⁴ Para. 125.

³⁵ Paras. 135, 138.

³⁶ Paras. 145, 146, 148.

³⁷ Paras. 156, 157, 158.

³⁸ Para. 164.

³⁹ Para. 128.

⁴⁰ Para. 167.

⁴¹ Para. 168.

⁴² Para. 180.

⁴³ Para. 186.

⁴⁴ Para. 207.

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.⁴⁵

The Committee **invites** all Parties, including Finland:

- 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.⁴⁶
- 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.⁴⁷
- 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.⁴⁸
- to ensure that units, services or persons within courts responsible for ICT facilitated sexual offences against children have sufficient specialisation in offences involving CSGSIV.⁴⁹
- 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.^{50,51}
- 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.⁵²

- 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.⁵³
- 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.⁵⁴

On measures to ensure the effective investigation and prosecution:

• 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.⁵⁵

It also **invites** all Parties, including Finland:

- 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.⁵⁶
- 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.⁵⁷
- 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

⁴⁵ Recommendations III-3 and III-7.

⁴⁶ Recommendation III-4.

⁴⁷ Recommendation III-5.

⁴⁸ Recommendation III-9.

⁴⁹ Recommendation III-10.

⁵⁰ Such trainings can also be part of broader training programmes.

⁵¹ Recommendation III-14.

⁵² Recommendations III-17 and III-19.

⁵³ Recommendation III-20.

⁵⁴ Recommendation III-21.

⁵⁵ Recommendation III-30.

⁵⁶ Recommendation III-24.

⁵⁷ Recommendations III-25, III-29.

proceedings is made possible, fully upholding the rights of the parties involved.⁵⁸

- 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.⁵⁹

Promising practices

In Finland, there are specialised public prosecutors (senior specialised prosecutors and district prosecutors) in all prosecutor districts of the National Prosecution Authority who are responsible for prosecution of sexual offences and ICT facilitated sexual offences, including when committed by children against other children. In addition, the specialised prosecutors have undergone all training available on issues such as “child abuse materials” and “sexual offences against children” and have become trainers themselves. Training courses on the issue of ICT facilitated sexual offences against children, including offences involving the production of sexual images or videos representing a child are also available to prosecutors.

Victim identification functions are located within a unit dedicated specifically to CSAM, called the Child Abuse Material Group.

A Finnish policeman from the National Bureau of Investigation was sent by the National Police Board in 2016 and 2017 to Interpol’s Crimes Against Children Office for six months to familiarise himself with the work of the unit specialising in victim identification and will also participate in a victim identification course arranged by Interpol and Europol.

⁵⁸ Recommendation III-31.

⁵⁹ Recommendation III-32.

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 of the Committee on jurisdiction rules specific to Finland

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))

Finland has established laws clarifying the circumstances in which its national criminal law will apply to a transnational situation following the territoriality principle. Accordingly, in Finland, an offence is considered to have occurred where the criminal act was committed and where the consequences of the offence, in accordance with the offence's statutory definition, became apparent.⁶⁰

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

It appears that Finland assumes jurisdiction in cases where the offence covered by the Convention is committed by one of its nationals or by a person who has 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))

It appears that Finland does not apply this condition for prosecution.

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

Finland reported that it would assume jurisdiction over offences involving sexual abuse or sexual exploitation of children committed by one of its nationals or by a person who has his or her habitual residence in its territory, irrespective of the laws of the State where the offence was committed.⁶¹

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))

Finland applies the passive personality principle in respect of offences committed against one of its nationals, only for offences punishable of imprisonment of at least 6 years, and against a person who has his or her habitual residence in its territory, only for serious or especially serious crimes.⁶² Furthermore, Finland indicated that in order to apply the passive personality principle, the dual criminality principle is not a prerequisite for prosecution.⁶³

The Committee **requests** Parties that are not already doing so, including Finland, 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.⁶⁴

⁶⁰ Para. 214.

⁶¹ Para. 224.

⁶² Para. 231.

⁶³ Para. 232.

⁶⁴ Recommendation IV-9.

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 of the Committee on international cooperation specific to Finland

Finland mentioned the cooperation with other Nordic countries in relation to extradition (Nordic arrest warrant, transfer of proceedings and enforcement of sentences in criminal matters).⁶⁵ Finland also mentioned other forms of police cooperation with other States.⁶⁶

The Committee observes that INHOPE,⁶⁷ the PROMISE Barnahus Network,⁶⁸ WeProtect Global Alliance,⁶⁹ ECPAT,⁷⁰ END Violence against Children⁷¹ and EMPACT (European Multidisciplinary Platform Against Criminal Threats) cybercrime CSE/CSA⁷² conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in Finland.⁷³

Furthermore, the Committee notes that law enforcement representatives from Finland 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).⁷⁴

Finland also referred to the awareness-raising and training in EMPAT with regard to protection of victims.⁷⁵

Lastly, the Committee observes that Finland 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,⁷⁶ on the requirements for victims to report to another country of the European Union if the offense was committed in that country.⁷⁷

Generic recommendations of the Committee on international cooperation

• On international cooperation, the Committee **requests** all Parties, including Finland, to extend their international cooperation with other Parties to improve the effective implementation of the Convention.⁷⁸

The Committee **invites** all Parties, including Finland:

• 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.⁷⁹

⁶⁵ Para. 253.

⁶⁶ Para. 262.

⁶⁷ www.inhope.org/

⁶⁸ <https://www.barnahus.eu/en/>

⁶⁹ <https://www.weprotect.org/>

⁷⁰ <https://ecpat.org/>

⁷¹ <https://www.end-violence.org/>

⁷² <https://www.europol.europa.eu/empact>

⁷³ Para. 255.

⁷⁴ Para. 259.

⁷⁵ Para. 261.

⁷⁶ 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.”

⁷⁷ Para. 271.

⁷⁸ Recommendation V-3.

⁷⁹ Recommendations V-6, V-11.

- to expand international cooperation with countries which are not Parties to the Convention to disseminate the standards of the 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 Convention, in matters related to CSGSIV.⁸⁰
- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.⁸¹
- 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.⁸²
- 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.⁸³

- 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.⁸⁴
- to maintain and develop efforts to strengthen international cooperation with other Parties and non-Parties to the Convention, in investigation and proceedings concerning the offences established in accordance with the 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.⁸⁵
- 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.⁸⁶

⁸⁰ Recommendations V-4, V-7, V-12, V-15.

⁸¹ Recommendation V-5.

⁸² Recommendations V-8, V-13.

⁸³ Recommendation V-9.

⁸⁴ Recommendation V-10.

⁸⁵ Recommendations V-14, V-16.

⁸⁶ Recommendation V-19.

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 Finland

The Committee observes that there are helplines for children that are accessible 24 hours a day, 7 days a week in Finland⁸⁷ and that it collaborates with different bodies, including ministries and NGOs. This can be very effective for victims who benefit from the synergy and broader services.⁸⁸ However, the Committee observes a **difficulty in implementing the Convention** in Finland, as it has set up a paid telephone line,⁸⁹ which undermines general access to the service, even more so in the case of vulnerable children.⁹⁰

As to data collection and information on the number of victims who have received support, assistance, and psychological help in the context of CSGSIV, the Committee notes that Finland did not provide information specifically related to the question.⁹¹

The Committee also observes that in Finland, different local authorities have different services available. A standard and congruent service across the country may make it easier for children to access and receive help when they need it.⁹²

- Therefore, to improve the effective implementation of the Convention, the Committee **requires** Finland 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, taking due account of the child's views, needs and concerns.⁹³

Generic recommendations of the Committee on assistance to victims

The Committee **invites** all Parties, including Finland:

- 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.⁹⁴

- 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.⁹⁵

⁸⁷ Para. 280.

⁸⁸ Para. 277.

⁸⁹ Under an agreement negotiated by the Government of Åland, children can contact the *Barnens hjälptelefon* (Children's telephone helpline), which is charged at the local rate. This is in addition to *Nollalinja* ("Zero Line") in Finland, which is a nationwide free-of-charge helpline open 24/7 for

anyone who has experienced violence or a threat of violence in a close relationship.

⁹⁰ Para. 283.

⁹¹ Para. 296.

⁹² Para. 300.

⁹³ Recommendation VI-3.

⁹⁴ Recommendation VI-2.

⁹⁵ Recommendation VI-4.

Promising practice

Free applications have been developed in Finland, in collaboration between state authorities and organisations advocating for children's rights. They aim at facilitating the reporting of online violence against children, for example sexual harassment online, and contain information to help children solve different problematic situations, including online exposure to self-generated sexual content.

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 Finland

The Committee observes that in Finland, NGOs are the most involved counterparts in this field, along with the media and different helplines.⁹⁶

Finland indicated that civil society is consulted by the State during the drafting of new legislation.⁹⁷

Finland also indicated that the interaction with civil society includes preventive and awareness-raising activities to minimise the risk of abuse that children face online,⁹⁸ and there are some projects specifically aimed at educating and raising awareness of children on the issue of CSGSIV.⁹⁹ Other civil society projects in Finland -

whether or not carried out in cooperation with the State - aimed at preventing abuses related to the sharing of such content are educational activities.¹⁰⁰

Finland is among the few Parties that mentioned programmes meant to assist victims of offences related to CSGSIV in its reply to the Committee.¹⁰¹ The Committee observes that in Finland, telephonic and electronic helplines address violence taking place in the digital environment, which is rare among the Parties.¹⁰² The Committee notes that NGOs also offer free psychological support to children in Finland.¹⁰³

Generic recommendations of the Committee on civil society involvement and cooperation

The Committee **invites** all Parties, including Finland:

- 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.¹⁰⁴
- 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.¹⁰⁵

- to support civil society to carry out projects and programmes that include the issue of CSGSIV.¹⁰⁶
- to encourage the participation of children, according to their evolving capacity, in the development and implementation of state policies, programmes or other initiatives¹⁰⁷ 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.¹⁰⁸

Promising practices

NGOs from Finland broadcast animated video clips for children and parents, some of them addressing the issue of online self-generated sexual content and how to prevent sexual harassment and sexual violence.

⁹⁶ Para. 308.

⁹⁷ Para. 313.

⁹⁸ Para. 320.

⁹⁹ Para. 321.

¹⁰⁰ Para. 323.

¹⁰¹ Para. 327.

¹⁰² Para. 328.

¹⁰³ Para. 329.

¹⁰⁴ Recommendation VII-3.

¹⁰⁵ Recommendation VII-4.

¹⁰⁶ Recommendation VII-5.

¹⁰⁷ 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.

¹⁰⁸ Recommendations VII-6, VII-7.

In Finland, helplines/hotlines work directly in cooperation with the Police or a Criminal investigation department, in order to report directly any suspicion of abuse. Finland also has a "chat" to facilitate the handling of child sexual abuse, where children can discuss their situations with the same counsellor and schedule regular appointments with him/her.

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 Finland:

- 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.¹⁰⁹
- 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.¹¹⁰
- 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.¹¹¹
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.¹¹²
- 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.¹¹³
- 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.¹¹⁴
- 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.¹¹⁵
- 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.¹¹⁶
- 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.¹¹⁷

¹⁰⁹ Recommendation VIII-1.

¹¹⁰ Recommendation VIII-2.

¹¹¹ Recommendation VIII-3.

¹¹² Recommendation VIII-4.

¹¹³ Recommendation VIII-5.

¹¹⁴ Recommendation VIII-6.

¹¹⁵ Recommendation VIII-7.

¹¹⁶ Recommendation VIII-8.

¹¹⁷ Recommendation VIII-9.

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 Finland

The Committee observes that in Finland, elements of information on the prevention against sexual exploitation and sexual abuse, including when facilitated by ICTs, are being taught to children, as in the self-governing province of Aaland. Save the Children Aaland, which is financially supported by the government, organises school visits to disseminate information and advice relating to internet use and media consumption for children of primary and secondary education levels.¹¹⁸

The Committee notes that several civil society actors raised the concern that there is fragmentation in the provision of information on the prevention of sexual exploitation and sexual abuse of children to children of primary and secondary education levels and on the risks associated with CSGSIV, because these topics are addressed under different headings and involve multiple learning providers and delivery models, which ultimately also affects the way the issues are addressed. The Committee mentioned Finland as an example where questions related to sexuality and bullying/harassment are embedded in the national core curriculum in a cross-disciplinary manner and discussed, more specifically, in many different subjects such as health education, social studies, ethics, psychology and biology. Civil society sources add that the amount of information on the issue of child sexual abuse varies greatly in different textbooks.¹¹⁹

The Committee observes that some NGOs in Finland have addressed the need to consider the LGBTIQ youth, for whom technology may well offer the only place to discover, ask questions, and get information, but at the same time might create higher risks for them. A study entitled “How is the LHBTIQ-youth doing in Finland” (Mitä kuulu sateenkaarinuorille Suomessa?), showed that 40% of trans youth have been requested to send nude photos or take their clothes off in front of a camera, 10% have found themselves in situations where someone approached them online to try to get sexual favours, and 25-28% of the youth participating in the study had been approached online by a person who was five years or older than them.¹²⁰

Regarding the context in which information is provided to children on the risks of sexual exploitation and sexual abuse, Finland indicated many different subjects, such as health education, social studies, “Ethics, Psychology and Biology”.¹²¹

- Therefore, The Committee **invites** Finland to provide information to children on the risks of child sexual exploitation and abuse facilitated by ICTs, including as regards CSGSIV, within a more general context of sexuality education.¹²²

¹¹⁸ Para. 386.

¹¹⁹ Para. 388.

¹²⁰ Para. 390.

¹²¹ Para. 399.

¹²² Recommendation IX-7.

Generic recommendations of the Committee on education for children

- The Committee **requires** all Parties, including Finland 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.¹²³

The Committee **invites** all Parties, including Finland:

- to address in educational contexts the issue of the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards CSGSIV.¹²⁴
- 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).¹²⁵

- to consistently involve children in the development of internet safety awareness programmes.¹²⁶

- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.¹²⁷

- 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.¹²⁸

- 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.¹²⁹

¹²³ Recommendation IX-3.

¹²⁴ Recommendation IX-1.

¹²⁵ Recommendation IX-2.

¹²⁶ Recommendation IX-4.

¹²⁷ Recommendation IX-5.

¹²⁸ Recommendation IX-6.

¹²⁹ Recommendation IX-8.

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 Finland

The Committee observes that 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 in Finland (such information is provided to future professionals as part of their curriculum during their education).¹³⁰

The Committee notes that in Finland, some of the professionals working in contact with children have been trained and/or received education on how to identify potential situations where a child

is a victim of sexual exploitation or sexual abuse.¹³¹ Similarly, only some of the professionals working in contact with children seem to have been trained on the possibility of reporting situations where they have reasonable grounds for believing that a child is a victim of sexual exploitation or sexual abuse.¹³² Furthermore, some persons working in contact with children receive awareness of the protection and rights of children in different frameworks and on different topics in Finland.¹³³

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

The Committee also **invites** all Parties, including Finland:

- 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 CSGSIV, for example

through education or continuous training.¹³⁴

- 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 CSGSIV.¹³⁵

Promising practices

In Finland, the professionals working for and with children need to be aware of the Child Welfare Act and the duty to notify. There is also online training available for all professionals in the area on how to protect children from violence and how to act when there is suspicion of child sexual abuse. This training is available, for example, on the website of the Finnish Institute for Health and Welfare and in the national Barnahus-project.¹³⁶ The Ministry of Education and Culture finances together with the

¹³⁰ Para. 416.

¹³¹ Para. 428.

¹³² Para. 429.

¹³³ Para. 432.

¹³⁴ Recommendation X-2.

¹³⁵ Recommendation X-3.

¹³⁶ <https://thl.fi/fi/tutkimus-ja-kehittaminen/tutkimukset-ja-hankkeet/barnahus-hanke/koulutuksia-ja-seminaareja>

Ministry of Health and Social Welfare “You are not alone” service, which aims to prevent and reduce bullying, experiences of sexual harassment and all kinds of violence in sports. The service, established together with the Family Federation in Finland and Finnish sports, offers support for individuals who experienced such violence as well as gives guidance and education for sports organisations and clubs on how to intervene in and handle cases of harassment, bullying and violence.

In Finland, A SETSTOP project (2017-2019) developed content for teachers’ education of all levels on gender equality and non-discrimination.

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 Finland

Finland has provided information on research undertaken on the issues raised by CSGSIV in general.¹³⁷ The Committee observes that in Finland, research on CSGSIV was conducted within a wider framework as part of a broader research project¹³⁸ covering peer-based online sexual harassment amongst children and youth.¹³⁹

Finland has informed of its participation for one or several years in the EU Kids Online research, which is a multinational research network, seeking to enhance knowledge of children's online opportunities, risks and safety. Surveys carried out in the framework of EU Kids Online collect data and information on, *inter alia*, children's practice of sending and receiving sexual messages online.¹⁴⁰

The Committee observes that in Finland, a study conducted by the Central Union for Child Welfare in 2016 on the protection of the privacy of children in digital media included data on the occurrence or absence of harm suffered by children as a result of pictures posted by themselves.¹⁴¹

To improve the effective implementation of the Convention, the Committee **invites** all Parties, including Finland:

- to collect data and undertake research at the national and local levels to observe and evaluate the phenomenon of CSGSIV.¹⁴²
- 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.¹⁴³
- 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.¹⁴⁴

The Committee notes that NGOs have also undertaken research on the topic in Finland, such as the Central Union for Child Welfare and Save the Children Finland.¹⁴⁵

Moreover, the Committee notes that in the context of the EU Kids Online surveys, according to EU Kids Online 2020 Report,¹⁴⁶ the Finnish national authorities supported the research and enabled the surveys to be carried out.¹⁴⁷

¹³⁷ Para. 437.

¹³⁸ Study by Save the Children Finland:

https://pelastakaalapset.s3.eu-west-1.amazonaws.com/main/2018/08/31131602/Sexting_raportti_web-002.pdf

¹³⁹ Para. 438.

¹⁴⁰ Para. 440.

¹⁴¹ Para. 441.

¹⁴² Recommendation XI-1.

¹⁴³ Recommendation XI-2.

¹⁴⁴ Recommendation XI-3.

¹⁴⁵ Para. 452.

¹⁴⁶ See EU Kids Online Report 2020:

<https://www.lse.ac.uk/media-and-communications/assets/documents/research/eu-kids-online/reports/EU-Kids-Online-2020-10Feb2020.pdf>

¹⁴⁷ Para. 454.

To improve the effective implementation of the Convention, the Committee **invites** all Parties, including Finland:

- 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.¹⁴⁸

Promising practice

EU Kids Online is a multinational research network working to increase knowledge of the opportunities, risks and safeties children face online. Finland has participated in this research network for several years.

In conducting research, information gathered from hotlines can be a tool used for the purpose of observing and evaluating the phenomenon of sexual exploitation and sexual abuse of children, including the issue of CSGSIV. Save the Children Finland and the Central Union for Child Welfare Finland have informed of making use of information from hotlines. This can be of particular use when resources for the development for large-scale studies are lacking. Case-analysis of information from national hotlines, with due respect for the requirements of personal data protection, may provide valuable input to policymaking.

¹⁴⁸ Recommendation XI-4.