



FACTSHEET

Lanzarote Committee key monitoring findings 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 (CSGIV)”

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Introduction

The Committee of the Parties (the Lanzarote Committee) which monitors the implementation of the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (the Lanzarote Convention), has been concerned for several years by the staggering increase of exploitation of child self-generated sexual images and/or videos.

The most recent figures are highlighted by many authoritative sources, in particular, the [Annual Report of the Internet Watch Foundation](#) stresses a 77% rise in child 'self-generated' sexual abuse material from 2019 to 2020 indicating also that in 80% of these cases, the victims were 11 to 13-year-old girls. [WeProtect Global Alliance's 'Estimates of childhood exposure to online sexual harms and their risk factors' report](#) reveals that 65% of young people surveyed in Western Europe had experienced at least one instance of online sexual harm during childhood. The Alliance's [Global Threat Assessment](#) 2021 report also points out that child sexual abuse online went up by 50% in some European countries during the pandemic. [Europol's Internet Organised Threat Assessment \(IOCTA\)](#) reiterates that the COVID-19 pandemic has significantly influenced the development of a number of threats, including with respect to explicit sexual self-generated material which is being distributed also for profit.

Acknowledging already in 2017 that the exponential exploitation of child self-generated sexual material could become a serious threat to children, maximising their risk of becoming victims of sexual exploitation and sexual abuse online, the Lanzarote Committee decided to focus its 2nd thematic [monitoring round](#) on **the challenges raised by child self-generated sexual images and/or videos**.

The result of this monitoring round is a report adopted on 10 March 2022 which contains 10 thematic chapters, each providing a comparative overview of the situation in the 43 Parties monitored.¹ Each chapter highlights promising practices for inspiration of what works and identifies the gaps that still need to be addressed to effectively implement the Lanzarote Convention when conduct involving child self-generated material is at stake. The report also contains a series of recommendations addressed to the Parties to the Convention indicating the steps to take to effectively implement the Convention but also the way forward to protect children against the exploitation of their self-generated sexual images and/or videos. Some recommendations are general in nature, while others are addressed to specific Parties.

In addition to the 10 thematic chapters, the Lanzarote Committee dedicates the first chapter of its report to children's views on some specific issues of its monitoring work.² [Children's' contributions](#) submitted to the Lanzarote Committee provided it with a concrete insight into their understanding of the challenges raised by the increase in child-generated sexual images and/or videos. The key messages resulting from children's' participation in the monitoring round have also been reflected throughout the whole report and several recommendations that the Committee addresses to Parties are based on their specific input.

This factsheet provides an overview of the key findings of the Committee's report, highlighting a few promising practices. For more details, check out the full report and other related information [here](#)!

¹ This 2nd monitoring round concerns the following 43 Parties: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine.

² Contributions were received from children from 10 different Parties to the Convention, with a total of 306 children participating. The compilation gathering the original contributions received by children in this context is available [here](#).

Legal frameworks

The report provides an in-depth analysis of 43 different national legal frameworks as regards conduct related to child-generated sexual images and/or videos and provides guidance to Parties to guarantee the child's best interest. Interpreting the Lanzarote 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.

Main recommendations of the Lanzarote Committee on the legal frameworks

The Committee asks Parties:

- not to prosecute children for possessing their own self-generated sexual images and/or videos, the CSGSIV of another child (when the depicted child provided his/her informed consent) and the SGSIV of another child as a result of receiving such material without actively asking for it.³
- not to prosecute children for sharing their CSGSIV with another child when the sharing is voluntary, consensual and intended solely for their own private use.⁴
- to prosecute as a last resort the distribution or transmission by children of sexual material generated by other children when such material qualifies as "child pornography" in accordance with Article 20(2) of the Lanzarote Convention.⁵
- to ensure that if exemptions from criminal liability exist⁶ for adults' possession of child self-generated sexual images and/or videos, all the following safeguards are in place:
 - the child depicted has reached the legal age for sexual activities and has given consent for the adult's possession of his/her SGSIV;
 - the person possessing the CSGSIV and the child depicted on the images and/or videos are of

- similar ages and maturity (e.g., by setting a maximum age difference among them);
- the production and possession of the CSGSIV did not involve any abuse.⁷

The Committee encourages Parties:

- to use the term "child sexual abuse material" (CSAM) instead of "child pornography" for material depicting acts of sexual abuse of children and/or focusing on the genitalia of the child.⁸
- to introduce explicit references to conduct involving child self-generated sexual images and/or videos in their legal frameworks.⁹
- to consider criminalising the offence of "grooming" (solicitation of children for sexual purposes), even when it does not lead to either a face-to-face meeting or to producing CSAM.¹⁰
- to create a specific incrimination to address sexual extortion of children, or to prosecute both the initial detention of the child-self generated material and the act of extortion when such material is used by the offender to force, coerce or threaten the child to provide additional material, other sexual favours, a financial gain or other gain to the offenders.¹¹

Example of a promising practice:

Slovenia reported it has a specific provision dealing with sexual extortion of children in the context of conduct involving child self-generated sexual images and/or videos: Article 176(2) of the Criminal Code which provides that the use of force or threat as well as deception, excess or abuse of powers to obtain pornographic or sexual material from a child constitutes a distinct criminal offence.

³ Recommendation II-6

⁴ Recommendation II-8

⁵ Recommendation II-9

⁶ Amongst the Parties having such exemptions, the Committee identified 5 Parties that do not have all these safeguards in place.

⁷ Recommendation II-5

⁸ Recommendation II-1

⁹ Recommendation II-2

¹⁰ Recommendation II-10

¹¹ Recommendation II-11

Investigations and prosecution

In its [Interpretative Opinion on the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of ICTs](#) (12 May 2017), the Lanzarote 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. The implementation report provides more specific guidance to the authorities likely to come into contact with unlawful conduct involving child self-generated sexual images and/or videos, be they law-enforcement, prosecution or court units.¹²

Main recommendations of the Lanzarote Committee on investigations and prosecution

On the specialisation and training of authorities, the Committee encourages Parties 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 that they reflect current practices used by perpetrators.¹³
- training on ICT facilitated sexual offences against children, including when such offences involve CSGSIV and ICT facilitated coercion or extortion of children, is available to agents working in law enforcement, prosecution and within courts who are likely to come into contact with such cases, and/or that they are specialised in dealing with such offences.¹⁴

On the identification of victims and perpetrators, the Committee:

- asks 27 Parties to take the necessary measures to ensure an effective investigation and prosecution of ICT facilitated sexual offences against children, allowing, where appropriate, for the possibility of covert operations.¹⁵
- encourages Parties 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, include the establishment and use of national child abuse material databases, and that resources are sufficiently allocated.¹⁶
- encourages Parties 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.¹⁷

Example of a promising practice:

In some Parties, victim identification functions are located within units dedicated specifically to child sexual abuse materials, e.g.: Finland's Child Abuse Material Group, France's Centre for the analysis of images of child pornography (CNAIP), Italy's National Centre for the Fight against Child Pornography on the Internet (CNCPO), and the Republic of Moldova's Child Protection Section of the Centre for Combating Cybercrime.

¹² See, also, Articles 34 and 36 of the Lanzarote Convention.

¹³ Recommendation III-4

¹⁴ Recommendation III-5, III-10, III-14, III-16, III-17

¹⁵ Recommendation III-28

¹⁶ Recommendation III-24

¹⁷ Recommendation III-25, III-29

Jurisdiction rules and international cooperation

Offences related to conduct involving child self-generated sexual images and/or videos have an inherently international aspect due to their online component. 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.

The 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.

Main recommendations on jurisdiction rules and international cooperation

On jurisdiction rules, the Committee asks:

- 23 Parties 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 related to conduct involving material generated by children, when committed by one of their nationals or by a person having habitual residence in its territory.¹⁸
- 12 Parties to remove the requirement for dual criminality 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 their nationals.¹⁹
- Parties in general 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.²⁰

On international cooperation, the Committee encourages Parties:

- to assess, strengthen and develop international cooperation between the Parties of the Lanzarote Convention 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.²¹
- to strengthen cooperation with relevant intergovernmental bodies, and with transnational networks and other international organisations and initiatives due to their capacity to mobilisation, their world-wide scope, and their flexibility to work, 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.²²

Example of a promising practice:

In Iceland, Article 6 of the General Penal Code explicitly mentions the Lanzarote Convention among the international instruments on the basis of which specific jurisdictional rules apply. It provides that “punishment shall be imposed according to the Icelandic Penal Code for the following offences even if they are committed outside the Icelandic state and irrespective of the identity of the perpetrator (...);”.

¹⁸ Recommendation IV-5

¹⁹ Recommendation IV-6

²⁰ Recommendation IV-1

²¹ Recommendation V-6

²² Recommendation V-8

Protection of child victims

The report explores the national mechanisms for the protection of child victims of offences related to conduct involving child self-generated sexual images and/or videos in a specific chapter on assistance to victims. It identifies the different reporting mechanisms, including helplines, available to children and those who wish to help them, as well as any other measures, legislative or otherwise, to provide support, assistance and psychological help to children.

Main recommendations on assistance to victims

The Lanzarote Committee encourages Parties:

- to promote awareness raising or specialised training for professionals who provide advice to 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 on how to provide appropriate support to these victims and to those who wish to help them.²³
- to ensure that measures to assist child victims of sexual exploitation and abuse, in the short and long term, in their physical and psycho-social recovery are available to child victims of sexual exploitation and abuse facilitated by ICTs, including offences due to the production, possession, distribution or transmission of child self-generated sexual images and/or videos.²⁴

Examples of promising practices:

In Bulgaria, the Safe Internet Hotline and Consultative Line are working to combat the spread of CSAM and to remove inappropriate or harmful online content for children, in close cooperation with national law enforcement authorities and Interpol. Anyone wishing to report illegal online content or behaviour can easily do so anonymously to www.safenet.bg.

A similar mechanism exists in Croatia, where anyone can report child sexual abuse material, as well as any other sexual images or videos on a dedicated web application. The reporting procedure is simple and child-friendly, which helps reducing the fear and psychological pressure that can be caused by more formal reporting procedures. Child victims whose sexual images are published on the Internet receive assistance at the Polyclinic for the Protection of Children and Young People of the City of Zagreb, an institution specialised in helping children who suffer from psychological trauma.

²³ Recommendation VI-2

²⁴ Recommendation VI-4

Prevention

Finally, the report devotes a large part of its analysis to the various national prevention frameworks in place to prevent harm from occurring in the first place. Effective prevention mechanisms are the result of data collection, education – both formal and informal –, awareness-raising, training of professionals working with children, as well as cooperation of multiple actors, among them civil society. The report explores these different dimensions and provides a detailed analysis of what is in place in the Parties in this regard. Useful links to all such material and initiatives are contained in Appendix II to the report.

Main recommendations on prevention

The Lanzarote Committee encourages Parties:

- to expand cooperation with civil society in order to better prevent sexual exploitation and sexual abuse of children, including when facilitated by ICTs and as regards the challenges raised by the exploitation of child self-generated sexual images and/or videos.²⁵
- 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.²⁶
- to collect data and undertake research at the national and local level, for the purpose of observing and evaluating the phenomenon of child self-generated sexual images and/or videos.²⁷
- to address in educational contexts the issue of the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards child self-generated sexual images and videos.²⁸
- to provide information to children on the risks of child sexual exploitation and abuse facilitated by ICTs, including as regards child self-generated sexual images and/or videos, within a more general context of sexuality education.²⁹
- 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 videos, for example through education or continuous training.³⁰

Examples of promising practices:

In Albania, the #Openyoureyes campaign used a combination of visual message channels (TV ads, billboards and posters) to increase the impact of raising children's awareness of the risks of sexual violence they may face online and the risk that the sexual content they generate may be misused by others.

In Cyprus, the National Strategic and Action plan for the protection and prevention of child sexual abuse and exploitation and child pornography provides that state authorities should implement prevention projects and programmes in cooperation with another services/NGOs/private sector.

In Belgium, the eSafety label enables schools in the Flemish Community to receive an action plan addressing weaknesses in school policy and to increase ICT safety, especially with regard to the problems that can be raised by conduct involving child self-generated sexual images and videos.

In Portugal, under the SeguraNet project, all educational communities are invited to promote activities in the field of digital safety. Among them, an annual competition has involved students of all ages, parents and teachers, on digital safety issues, including sexting and online predators.

²⁵ Recommendation VII-3

²⁶ Recommendation VIII-1

²⁷ Recommendation XI-1

²⁸ Recommendation IX-1

²⁹ Recommendation IX-7

³⁰ Recommendation X-2