



## **FACTSHEET – LIECHTENSTEIN**

### **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 Liechtenstein.

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)<sup>1</sup>;
- **“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 Liechtenstein 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

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<sup>1</sup> 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](mailto: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 Liechtenstein

#### General remarks

The Committee notes that the legal framework of Liechtenstein refers explicitly to child self-generated sexual material,<sup>2</sup> and uses the term “child pornography” as defined within Article 20(2) of the Convention.<sup>3</sup>

The Committee **invites** Liechtenstein:

- to rather use the term “child sexual abuse material” (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.<sup>4</sup>

#### Reservations allowed by Article 20(3) 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. Liechtenstein made such a reservation:<sup>5</sup> “adolescent persons (from 14 to 18) are exempt from penalties relating to “child pornography” in such circumstances.<sup>6</sup>

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

The Committee notes that the majority of Parties do not prosecute the production and possession of CSGSIV 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, Liechtenstein 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 14 years old.<sup>7</sup> Liechtenstein 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. However, the Committee underlines that relying on the age of sexual consent alone, to exclude criminal responsibility for the scenarios listed in paragraphs 3-6 of the 2019 Opinion, is insufficient as, in such case, younger children may not be covered from the exemption of criminal responsibility.<sup>8</sup>

- The Committee **requests** that Liechtenstein ensures in its legal framework that a child will not be prosecuted when he/she possesses their own CSGSIV; CSGSIV of another child with the informed consent of the child depicted on them; or CSGSIV as a result of receiving them passively without actively asking for them.<sup>9</sup>

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<sup>2</sup> Para. 43.

<sup>3</sup> Para. 49.

<sup>4</sup> Recommendation II-3.

<sup>5</sup> Para. 55.

<sup>6</sup> Para. 56.

<sup>7</sup> Para. 71.

<sup>8</sup> Para. 73.

<sup>9</sup> Recommendation II-6.

### 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 Liechtenstein.<sup>10</sup> Furthermore, Liechtenstein has rules that lead to the criminalisation of the distribution by children of CSGSIV of other children.<sup>11</sup>

The Committee **requests** that Liechtenstein ensures that:

- a child will not be prosecuted for sharing his/her CSGSIV with another child when such sharing is voluntary, consensual, and intended solely for their own private use.<sup>12</sup>
- the distribution or transmission by children of CSGSIV 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.<sup>13</sup>

### On the "sexual extortion of children":

The Committee notes that Liechtenstein reported that, at the time of responding, there had been no such cases tried at court.<sup>14</sup>

In cases where the sexual extortion is intended to procure additional sexual images or videos, the Committee observes that Liechtenstein prosecutes for offences related to "child pornography", in concurrence with offences where threat is a core element, such as extortion or coercion.<sup>15</sup>

Liechtenstein referred to a further offence which may be established, in recognition of the constituent elements of coercion/extortion: corruption of children.<sup>16</sup>

When it is intended to procure other sexual favours from the child depicted on the images/videos or from another children, Liechtenstein 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, to participation in pornographic performances and corruption of children.<sup>17</sup> In addition, Liechtenstein prosecutes conduct relating to the possession of the initial child sexual image or video as an offence related to "child pornography" under Article 20.<sup>18</sup> Liechtenstein would also prosecute for sexual assault and for coercion and aggravated coercion.<sup>19</sup>

In the case where it is intended to procure a financial gain, or other property from the child, Liechtenstein indicated that the conduct will be qualified as extortion or aggravated extortion.<sup>20</sup>

- When dealing with sexual extortion cases involving children, the Committee **invites** Liechtenstein to ensure that sexual extortion of children involving CSGSIV is investigated and prosecuted<sup>21</sup> and 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>22</sup>

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<sup>10</sup> Para. 78.

<sup>11</sup> Para. 82.

<sup>12</sup> Recommendation II-8.

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

<sup>14</sup> Para. 95.

<sup>15</sup> Para. 98.

<sup>16</sup> Para. 100.

<sup>17</sup> Para. 102.

<sup>18</sup> Para. 103.

<sup>19</sup> Para. 104.

<sup>20</sup> Para. 106.

<sup>21</sup> Recommendation II-12.

<sup>22</sup> Recommendation II-11.

## Generic recommendations of the Committee on the legal framework

On the legal framework, the Committee **invites** all Parties, including Liechtenstein:

- to introduce a definition of 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”](#).<sup>23 24</sup>
- 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.<sup>25</sup>
- to contemplate appropriate legal responses to conduct involving non-visual CSGSIV produced by children in the context of offences covered by the Convention.<sup>26</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 CSGSIV.<sup>27</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 CSAM.<sup>28</sup>

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<sup>23</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>24</sup> Recommendation II-1.

<sup>25</sup> Recommendation II-2.

<sup>26</sup> Recommendation II-4.

<sup>27</sup> Recommendation II-7.

<sup>28</sup> 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 and recommendations of the Committee on Investigations and Prosecution specific to Liechtenstein

The Committee observes that in Liechtenstein, which does not have specialised units in law enforcement, cases of ICT facilitated sexual offences against children are managed by units specialised in combating serious crimes.<sup>29</sup> The Committee also notes that the Crime Investigation Division is able to conduct separate complex forensic examinations as one of its main capacities.<sup>30</sup>

- Therefore, the Committee **requests** Liechtenstein to establish specialised law enforcement units, services or persons in charge of dealing with ICT facilitated sexual offences against children.<sup>31</sup>

Liechtenstein specified that it does not have specialised training in place for law enforcement agents.<sup>32</sup>

- Therefore, the Committee **requires** Liechtenstein to ensure training on sexual offences against children to all law enforcement agents who are likely to come into contact with such cases, including front desk officers, rather than reserving it to specialised units.<sup>33</sup>
- The Committee also **requests** Liechtenstein to include ICT facilitated sexual offences against children in training of law enforcement agents who are likely to come into contact with such cases.<sup>34</sup>

The Committee observes that Liechtenstein has training in place for prosecutors on 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.<sup>35</sup> However, Liechtenstein specified that no specialised training was in place for judges.<sup>36</sup>

- Therefore, the Committee **requests** Liechtenstein to ensure that training on ICT-facilitated sexual offences against children is available for prosecutors and judges who are or will be working on these issues.<sup>37</sup>

Liechtenstein indicated that it has victim identification units within law enforcement for cases of ICT facilitated sexual offences against children, and that such units are located within cybercrime or high-tech crime departments.<sup>38</sup> Furthermore, Liechtenstein informed the Committee that it can access the National Image Hash Value Database (NDHS) of the Swiss Cybercrime Coordination Unit.<sup>39</sup>

The Committee notes that Liechtenstein is connected to the ICSE database, but does not actively contribute to it, because of a lack of national experts specialising in the identification of victims of online CSAM.<sup>40</sup>

- Therefore, the Committee **invites** Liechtenstein to ensure that any obstacles to active contribution to INTERPOL's ICSE's database are removed and that national contributions are implemented in practice, regardless of the nationality of the victims.<sup>41</sup>

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<sup>29</sup> Para. 117.

<sup>30</sup> Para. 121.

<sup>31</sup> Recommendation III-1.

<sup>32</sup> Para. 155.

<sup>33</sup> Recommendation III-12.

<sup>34</sup> Recommendation III-13.

<sup>35</sup> Paras. 156, 157.

<sup>36</sup> Para. 169.

<sup>37</sup> Recommendations III-16 and III-18.

<sup>38</sup> Para. 180.

<sup>39</sup> Para. 183.

<sup>40</sup> Para. 188.

<sup>41</sup> Recommendation III-27.



Regarding challenges encountered during the course of investigations and prosecution, Liechtenstein mentioned the assessment of (potential) victims' ages as a challenging and time-consuming task,<sup>42</sup> the use of the Darknet and virtual private networks which make it more difficult to detect offences and their perpetrators,<sup>43</sup> and the obtention of electronic evidence that can be validly used before courts.<sup>44</sup>

- To improve the effective implementation of the Convention, the Committee **requests** Liechtenstein 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>45</sup>

### 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>46</sup>

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

- 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>47</sup>
- 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.<sup>48</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>49</sup>

- To ensure that units, services or persons within courts responsible for ICT-facilitated sexual offences against children have sufficient specialisation in offences involving CSGSIV.<sup>50</sup>
- To have units, sections or persons specialised in ICT-facilitated sexual offences committed by children against other children for authorities responsible for investigation and for authorities responsible for prosecution.<sup>51</sup>
- 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.<sup>52 53</sup>
- 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.<sup>54</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

<sup>42</sup> Para. 182.

<sup>43</sup> Para. 195.

<sup>44</sup> Para. 203.

<sup>45</sup> Recommendation III-28.

<sup>46</sup> Recommendations III-3 and III-7.

<sup>47</sup> Recommendation III-4.

<sup>48</sup> Recommendation III-5.

<sup>49</sup> Recommendation III-9.

<sup>50</sup> Recommendation III-10.

<sup>51</sup> Recommendation III-11.

<sup>52</sup> Such trainings can also be part of broader training programmes.

<sup>53</sup> Recommendation III-14.

<sup>54</sup> Recommendations III-17 and III-19.

- ensure consistency at all stages.<sup>55</sup>
- 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.<sup>56</sup>

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.<sup>57</sup>

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

- 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>58</sup>

- 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.<sup>59</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>60</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 analysed in a timely manner so that investigations are carried out without any unjustified delay.<sup>61</sup>

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<sup>55</sup> Recommendation III-20.

<sup>56</sup> Recommendation III-21.

<sup>57</sup> Recommendation III-30.

<sup>58</sup> Recommendation III-24.

<sup>59</sup> Recommendations III-25, III-29.

<sup>60</sup> Recommendation III-31.

<sup>61</sup> 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 and recommendations of the Committee on jurisdiction rules specific to Liechtenstein

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

The Committee notes that Liechtenstein has not established laws clarifying the circumstances in which its national criminal law will apply to a transnational situation following the territoriality principle, or has not communicated so to the Committee.<sup>62</sup>

- Therefore, the Committee **requests** Liechtenstein 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 Liechtenstein.<sup>63</sup>

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

It appears that Liechtenstein has jurisdiction over offences covered by the Convention committed by one of its nationals or by a person who has its 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))

Liechtenstein did not provide information as to whether it applies this condition for prosecution.

- The Committee **requires** Liechtenstein, to improve the effective implementation of the Convention, 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, offences concerning child prostitution, the production of “child pornography” and offences concerning the participation of a child in pornographic performances, when committed by one of its nationals or by a person who has his or her habitual residence in its territory.<sup>64</sup>

#### 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

Liechtenstein reported that it would assume jurisdiction over offences involving sexual abuse or sexual exploitation of children, irrespective of the laws of the State where the offence was committed, if committed by one of its nationals or by a person who has his or her habitual residence in its territory.<sup>65</sup> Furthermore, Liechtenstein indicated that its law will be applicable to offences related to child sexual exploitation and sexual abuse committed by a foreigner present in Liechtenstein who cannot be extradited.<sup>66</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 observes that the passive personality principle is applied in Liechtenstein in respect of offences committed against a national or persons who have their habitual residence in Liechtenstein, but only for offences punishable of imprisonment of at least 6 years.<sup>67</sup> The Committee further notes that in order to apply

<sup>62</sup> Para. 214.

<sup>63</sup> Recommendation IV-1.

<sup>64</sup> Recommendation IV-5.

<sup>65</sup> Para. 224.

<sup>66</sup> Para. 230.

<sup>67</sup> Para. 231.

the passive personality principle in Liechtenstein, the dual criminality principle is not a prerequisite of prosecution.<sup>68</sup>

The Committee **requests** Parties that are not already doing so, including Liechtenstein:

- 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>69</sup>

#### **Generic recommendations of the Committee on the Jurisdiction rules**

- The Committee **invites** Parties, including Liechtenstein to remove the requirement for dual criminality when committed by one of their nationals, for offences of:
  - possessing, offering, distributing, transmitting, procuring child pornography, and the fact of knowingly

- gaining access to child pornography through ICTs, when CSGSIV are involved,<sup>70</sup>
- solicitation of children for sexual purposes.<sup>71</sup>

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<sup>68</sup> Para. 232.

<sup>69</sup> Recommendation IV-9.

<sup>70</sup> Recommendation IV-7.

<sup>71</sup> Recommendation IV-8.

## 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 Liechtenstein

Liechtenstein did not provide information as to whether it allows children who fall victims when they are in the territory of a Party other than the one where they reside may make a complaint before the competent authorities of their State of residence.

- The Committee **requires** Liechtenstein to ensure that victims of sexual exploitation or sexual abuse in matters related to CSGSIV in the territory of a Party other than the one where they reside may make a complaint before the competent authorities of their State of residence.<sup>72</sup>

### Generic recommendations of the Committee on international cooperation

- On international cooperation, the Committee **requests** all Parties, including Liechtenstein to extend their international cooperation with other Parties to improve the effective implementation of the Convention.<sup>73</sup>

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

- 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.<sup>74</sup>
- 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.<sup>75</sup>

- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.<sup>76</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 CSGSIV.<sup>77</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 CSGSIV.<sup>78</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

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<sup>72</sup> Recommendation V-17.

<sup>73</sup> Recommendation V-3.

<sup>74</sup> Recommendations V-6, V-11.

<sup>75</sup> Recommendations V-4, V-7, V-12, V-15.

<sup>76</sup> Recommendation V-5.

<sup>77</sup> Recommendations V-8, V-13.

<sup>78</sup> Recommendation V-9.

matters related to CSGSIV.<sup>79</sup> 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.<sup>80</sup>

- 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.<sup>81</sup>

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<sup>79</sup> Recommendation V-10.

<sup>80</sup> Recommendations V-14, V-16.

<sup>81</sup> 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 Liechtenstein

The Committee observes that in Liechtenstein, helplines for children are accessible 24 hours a day, 7 days a week.<sup>82</sup>

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

especially the child, can understand, and it is free of charge.<sup>83</sup>

The Committee observes that Liechtenstein has legislation containing adequate provisions to assist child victims which focuses on assistance to child victims of sexual violence.<sup>84</sup>

The Committee highlights that Liechtenstein is one of only two Parties to provide independent psychotherapists and psychiatrists as services that child victims can access free of charge through their health insurance. This practice provides children with greater opportunities to access services.<sup>85</sup>

However, the Committee notes that Liechtenstein has numerous services to assist victims and their families, including the aforementioned service of private practitioners and the 24/7 Crisis Intervention Team, but offers no statistical data on any dimension of the proportion of child victims in such contexts.<sup>86</sup>

### Generic recommendations of the Committee on assistance to victims

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

- 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.<sup>87</sup>

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<sup>82</sup> Para. 280.

<sup>83</sup> Recommendation VI-1.

<sup>84</sup> Paras. 286, 287.

<sup>85</sup> Para. 294.

<sup>86</sup> Paras. 296, 299.

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

## 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 Liechtenstein

The Committee recognises Liechtenstein's efforts to develop and support different activities aimed at raising the awareness of not only children but also adults, such as parents, educators, doctors and social workers, about the existing risks and dangers of ICTs for children.<sup>88</sup>

Other civil society projects in Liechtenstein - whether or not carried out in cooperation with the State - aimed at preventing abuses related to the sharing of such content are educational activities.<sup>89</sup>

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

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

- 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.<sup>90</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>91</sup>
- To support civil society to carry out projects and programmes that include the issue of CSGSIV.<sup>92</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>93</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 CSGSIV.<sup>94</sup>

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<sup>88</sup> Para. 315.

<sup>89</sup> Para. 323.

<sup>90</sup> Recommendation VII-3.

<sup>91</sup> Recommendation VII-4.

<sup>92</sup> Recommendation VII-5.

<sup>93</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>94</sup> Recommendations VII-6, VII-7.



## 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 Liechtenstein:

- 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>95</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>96</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>97</sup>
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.<sup>98</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>99</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>100</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>101</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>102</sup>
- to take the necessary measures to ensure coordination 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>103</sup>

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<sup>95</sup> Recommendation VIII-1.

<sup>96</sup> Recommendation VIII-2.

<sup>97</sup> Recommendation VIII-3.

<sup>98</sup> Recommendation VIII-4.

<sup>99</sup> Recommendation VIII-5.

<sup>100</sup> Recommendation VIII-6.

<sup>101</sup> Recommendation VIII-7.

<sup>102</sup> Recommendation VIII-8.

<sup>103</sup> 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.

### Observation of the Committee on education for children specific to Liechtenstein

The Committee observes that in Liechtenstein, information related to child sexual exploitation and abuse and/or challenges raised by ICTs is provided during secondary education only.<sup>104</sup>

### Generic recommendations of the Committee on education for children

- The Committee **requires** all Parties, including Liechtenstein 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.<sup>105</sup>
- The Committee **invites** all Parties, including Liechtenstein:
  - to address in educational contexts the issue of the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards CSGSIV.<sup>106</sup>
  - 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).<sup>107</sup>
  - to consistently involve children in the development of internet safety awareness programmes.<sup>108</sup>
- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.<sup>109</sup>
- 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.<sup>110</sup>
- to provide information to children on the risks of child sexual exploitation and abuse facilitated by ICTs, including CSGSIV, within a more general context of sexuality education.<sup>111</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 CSGSIV.<sup>112</sup>

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<sup>104</sup> Para. 393.

<sup>105</sup> Recommendation IX-3.

<sup>106</sup> Recommendation IX-1.

<sup>107</sup> Recommendation IX-2.

<sup>108</sup> Recommendation IX-4.

<sup>109</sup> Recommendation IX-5.

<sup>110</sup> Recommendation IX-6.

<sup>111</sup> Recommendation IX-7.

<sup>112</sup> 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 Liechtenstein

The Committee notes that in Liechtenstein 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.<sup>113</sup> Similarly, only some of the professionals working in contact with children seem to have been trained on the possibility to report situations where they have reasonable grounds for believing that a child is a victim of sexual exploitation or sexual abuse.<sup>114</sup> Furthermore, some persons working in contact with children receive awareness of the protection and rights of children, in different frameworks and on different topics.<sup>115</sup>

- Therefore, the Committee **requests** Liechtenstein to ensure that the persons who have regular contact with children have adequate knowledge of sexual exploitation and sexual abuse of children, including when facilitated by ICTs, for example through education or continuous training.<sup>116</sup>

The Committee also **requires** Liechtenstein:

- 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>117</sup>

to ensure that the persons who have regular contacts with children are equipped to identify any situation of sexual exploitation and sexual abuse of children:

- in the health sector
- in the social protection sector
- in areas relating to sport, culture and leisure activities.<sup>118</sup>

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

- in the education sector
- in the health sector
- in the social protection sector
- in areas relating to sport, culture and leisure activities.<sup>119</sup>

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<sup>113</sup> Para. 428.

<sup>114</sup> Para. 429.

<sup>115</sup> Para. 432.

<sup>116</sup> Recommendation X-1.

<sup>117</sup> Recommendation X-4.

<sup>118</sup> Recommendation X-5.

<sup>119</sup> Recommendation X-6.

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

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

- 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.<sup>120</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 CSGSIV.<sup>121</sup>

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<sup>120</sup> Recommendation X-2.

<sup>121</sup> Recommendation X-3.

## 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 Liechtenstein

Liechtenstein informed that no research was undertaken on issues raised by CSGSIV and/or on the psychological effects on persons who have had such material shared online.<sup>122</sup>

Liechtenstein not being isolated in this respect, the Committee **invites** all Parties:

- to collect data and undertake research at the national and local levels to observe and evaluate the phenomenon of CSGSIV.<sup>123</sup>
- 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.<sup>124</sup>
- 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.<sup>125</sup>
- 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.<sup>126</sup>

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<sup>122</sup> Para. 443.

<sup>123</sup> Recommendation XI-1.

<sup>124</sup> Recommendation XI-2.

<sup>125</sup> Recommendation XI-3.

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