



## FACTSHEET – NORTH MACEDONIA

### 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)”**

Last update: 25.05.2023

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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 North Macedonia.

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 North Macedonia 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 in March

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

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 North Macedonia

#### On the exemption from criminal liability of children as clarified by the Committee's 2019 Opinion

The Committee observes that in North Macedonia children are potentially criminally liable for production, possession, distribution and transmission of their own or other children's CSGSIV.<sup>2</sup>

Therefore, the Committee **requests** that North Macedonia ensures that:

- a child will not be prosecuted when he/she possess:
  - 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.<sup>3</sup>
- 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.<sup>4</sup>
- the distribution or transmission by children of self-generated sexually explicit images and/or videos of *other* children is prosecuted as a last resort when such images and/or videos qualify as "child pornography" in accordance with Article 20(2) Lanzarote Convention.<sup>5</sup>

- Additionally, the Committee **invites** North Macedonia to introduce explicit references in its respective legal framework to conduct concerning child self-generated sexual images and/or videos, identifying the circumstances when children should not be held criminally liable and when they should be prosecuted only as a last resort.<sup>6</sup>

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

As to the practice concerning prosecution of cases of sexual extortion of children, North Macedonia reported that, at the time of responding, there had been no such cases tried in court.<sup>7</sup>

- Therefore, the Committee **invites** North Macedonia to ensure that sexual extortion of children involving child self-generated sexual images and/or videos is investigated and prosecuted.<sup>8</sup>

The Committee observes that, in cases where the sexual extortion is intended to procure additional sexual images or videos of the child, North Macedonia would prosecute for offences related to child pornography, the presence of a threat not being taken into account.<sup>9</sup> North Macedonia also referred to further offences which may be established, such as the offence of corruption of children.<sup>10</sup>

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<sup>2</sup> Paras. 67, 68, 78, 82.

<sup>3</sup> Recommendation II-6.

<sup>4</sup> Recommendation II-8.

<sup>5</sup> Recommendation II-9.

<sup>6</sup> Recommendation II-2.

<sup>7</sup> Para. 95.

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

<sup>9</sup> Para. 99.

<sup>10</sup> Para. 100.

CSGSIV threatens the child for some other kind of sexual gain, the Committee observes that North Macedonia would prosecute for sexual abuse of a child in accordance with Article 18, offences related to child prostitution participation in pornographic performances, and <sup>11</sup> trafficking in human beings.<sup>12</sup> In addition, North Macedonia would prosecute conduct relating to the possession of the initial child sexual image or video as an offence related to “child pornography” under Article 20.<sup>13</sup>

When the sexual extortion is intended to procure a financial gain, North Macedonia would qualify the conduct as extortion or aggravated extortion.<sup>14</sup>

### Generic recommendations of the Committee on the legal frameworks

The Committee **invites** all Parties, including North Macedonia:

- to rather use the term “child sexual abuse material” (CSAM) for material depicting acts of sexual abuse of children and/or focusing on the genitalia of the child following the guidance set out in the [“Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse”](#)<sup>16</sup> 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>17</sup>

- The Committee **invites** Parties that are not already doing so, 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 child self-generated sexual images and/or videos and the act of extortion.<sup>15</sup>

- to contemplate appropriate legal responses to conduct involving non-visual self-generated sexual material produced by children in the context of offences covered by the Convention.<sup>18</sup>

- to adopt legislative or other measures which promote as a priority educational and other measures that will aim to support children in safely exploring their sexual development while understanding and avoiding risks deriving from the production and possession of self-generated sexual images and/or videos.<sup>19</sup>

- to consider criminalising the offence of “grooming” (solicitation of children for sexual purposes), even when it does not lead to a face-to-face meeting or producing child sexual abuse material.<sup>20</sup>

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<sup>11</sup> Para. 102.

<sup>12</sup> Para. 104.

<sup>13</sup> Para. 103.

<sup>14</sup> Para. 106.

<sup>15</sup> Recommendation II-11.

<sup>16</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>17</sup> Recommendations II-1 and II-3.

<sup>18</sup> Recommendation II-4.

<sup>19</sup> Recommendation II-7.

<sup>20</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 North Macedonia

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

- specialised units dealing with ICT facilitated offences against children within law enforcement.<sup>21</sup>
- specialised court departments for "child crimes" that are composed of judges specialised in juvenile cases, under Article 101 of the Law on Juvenile Justice.<sup>22</sup>
- specialised investigative units for handling ICT facilitated sexual offences where these are committed by children.<sup>23</sup>
- training in place for prosecutors on aspects of child sexual exploitation and sexual abuse.<sup>24</sup>
- mandatory annual training in place for judges specialising in juvenile cases under Article 101 of the Law on Juvenile Justice.<sup>25</sup>

The Committee also observes that North Macedonia makes an active contribution to the INTERPOL's international child sexual exploitation (ICSE) database.<sup>26</sup>

To improve the effective implementation of the Convention, the Committee **requires** North Macedonia:

- 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>27</sup>

- to set up victim identification function within law enforcement in charge of combating ICT facilitated sexual offences against children.<sup>28</sup>

The Committee also **requests** North Macedonia:

- 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>29</sup>
- 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>30</sup>
- 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>31</sup>

Additionally, the Committee **invites** North Macedonia:

- to provide specific training on ICT facilitated sexual offences against children, including when such offences involve child self-generated sexual images and/or videos, and ICT facilitated coercion or extortion to law enforcement agents who are likely to come into contact with such cases,<sup>32</sup> and to ensure

<sup>21</sup> Para. 115.

<sup>22</sup> Para. 129.

<sup>23</sup> Para. 135.

<sup>24</sup> Para. 156.

<sup>25</sup> Para. 167, 168.

<sup>26</sup> Para. 186.

<sup>27</sup> Recommendation III-12.

<sup>28</sup> Recommendation III-23.

<sup>29</sup> Recommendation III-13.

<sup>30</sup> Recommendation III-16 and III-18.

<sup>31</sup> Recommendation III-28.

<sup>32</sup> Recommendation III-14.

that such training is available to prosecutors and to judges.<sup>33</sup>

- to offer joint (or “joined-up”) training for professionals, and particularly law enforcement, prosecutors and judges, involved in legal proceedings involving ICT-facilitated child sexual exploitation and sexual

abuse, in order to ensure consistency at all stages.<sup>34</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>35</sup>

### Generic recommendations of the Committee on investigations 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>36</sup>

The Committee **invites** all Parties, including North Macedonia:

- 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>37</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 child self-generated sexual images and/or videos.<sup>38</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>39</sup>
- to ensure that units, services or

persons within courts responsible for ICT-facilitated sexual offences against children have sufficient specialisation in offences involving child self-generated sexual images and/or videos.<sup>40</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>41</sup>

It also **invites** all Parties, including North Macedonia:

- 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>42</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>43</sup>
- to take the necessary legislative or other measures to ensure that preservation of specified stored computer data in connection

<sup>33</sup> Recommendation III-17 and III-19.

<sup>34</sup> Recommendation III-20.

<sup>35</sup> Recommendation III-21.

<sup>36</sup> Recommendation III-3 and III-7.

<sup>37</sup> Recommendation III-4.

<sup>38</sup> Recommendation III-5.

<sup>39</sup> Recommendation III-9.

<sup>40</sup> Recommendation III-10.

<sup>41</sup> Recommendation III-30.

<sup>42</sup> Recommendation III-24.

<sup>43</sup> Recommendation III-25, III-29.



with a specific criminal investigation or proceedings is made possible, fully upholding the rights of the parties involved.<sup>44</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>45</sup>

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<sup>44</sup> Recommendation III-31.

<sup>45</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 North Macedonia

#### 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))

North Macedonia did not provide information on the extent to which it applies the principle of territoriality to establish jurisdiction.

- To improve the effective implementation of the Convention, the Committee **requests** North Macedonia to take the necessary legislative or other measures to establish jurisdiction over transnational cases of child sexual exploitation and abuse facilitated by ICTs, when one of the constituent elements of the offence has taken place in their territory.<sup>46</sup>

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

The Committee observes that North Macedonia does not establish jurisdiction over offences established in accordance with the Convention committed abroad by persons who have their habitual residence in their territory.<sup>47</sup>

- Hence, the Committee **requires** North Macedonia to establish jurisdiction over offences established under the Convention committed abroad by persons who have their habitual residence in North Macedonia.<sup>48</sup>

#### 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 North Macedonia 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

The Committee observes that North Macedonia did not provide information as to whether it subordinates jurisdiction to the condition that the acts are criminalised at the place where they were performed.

- Therefore, to improve the effective implementation of the Convention, the Committee **requires** North Macedonia to remove the requirement for dual criminality when committed by one of their nationals, 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 their nationals.<sup>49</sup>

- Additionally, the Committee **invites** North Macedonia 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 child self-generated sexual images and/or videos are involved,<sup>50</sup> and solicitation of children for sexual purposes.<sup>51</sup>

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

The Committee notes that as detailed in the

<sup>46</sup> Recommendation IV-1.

<sup>47</sup> Para. 217.

<sup>48</sup> Recommendation IV-4.

<sup>49</sup> Recommendation IV-6.

<sup>50</sup> Recommendation IV-7.

<sup>51</sup> Recommendation IV-8.

Explanatory Report of the Convention, Parties are not obliged, but can endeavour, to establish jurisdiction over an offence committed against one of its nationals or a person having habitual residence in the territory under Article 25(2). The passive personality principle is applied in respect of offences committed against a national in North Macedonia only for offences punishable of imprisonment of at least 6 years. If the act is not punishable under the jurisdiction of the state where it was committed, it can be

prosecuted in North Macedonia only with the consent of the public prosecutor.<sup>52</sup>

- The Committee **requests** Parties that are not already doing so, including North Macedonia, 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>53</sup>

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<sup>52</sup> Para. 231, 232.

<sup>53</sup> 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 and recommendations of the Committee on international cooperation specific to North Macedonia

The Committee observed that WeProtect Global Alliance<sup>54</sup> and ECPAT<sup>55</sup> conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in North Macedonia.<sup>56</sup>

- To improve the effective implementation of the Lanzarote Convention,

the Committee **requires** North Macedonia to ensure that victims of sexual exploitation or sexual abuse in matters related to child self-generated sexual images and/or videos 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>57</sup>

### Generic recommendations of the Committee on international cooperation

- On international cooperation, the Committee **requests** all Parties, including North Macedonia to extend their international cooperation with other Parties to improve the effective implementation of the Lanzarote Convention.<sup>58</sup>

The Committee **invites** all Parties, including North Macedonia:

- to assess, strengthen and develop international cooperation with other Parties to prevent and combat sexual exploitation and sexual abuse of children and to provide assistance to victims in matters related to child self-generated sexual images and/or videos.<sup>59</sup>
- to expand international cooperation with countries which are not Parties to the Lanzarote Convention to disseminate the standards of the Lanzarote Convention, including for the purpose of preventing and combating sexual exploitation and sexual abuse of children, for the purpose of protecting and providing assistance to victims and investigation and proceedings concerning the offences established in accordance with

the Lanzarote Convention, in matters related to child self-generated sexual images and/or videos.<sup>60</sup>

- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.<sup>61</sup>
- to strengthen cooperation with relevant intergovernmental bodies and with transnational networks and other international organisations and initiatives due to their capacity to mobilisation, their worldwide scope, and their flexibility to work, for the purpose of preventing and combating sexual exploitation and sexual abuse of children as well as for protecting and providing assistance to victims, in matters related to child self-generated sexual images and/or videos.<sup>62</sup>
- to consider requesting the establishment of cooperation projects managed by the Council of Europe to assist them in their efforts to preventing and combating sexual exploitation and sexual abuse of children in matters related to child self-generated sexual images and/or videos.<sup>63</sup>

<sup>54</sup> <https://www.weprotect.org/>

<sup>55</sup> <https://ecpat.org/>

<sup>56</sup> Para. 255.

<sup>57</sup> Recommendation V-17.

<sup>58</sup> Recommendation V-3.

<sup>59</sup> Recommendations V-6, V-11.

<sup>60</sup> Recommendations V-4, V-7, V-12, V-15.

<sup>61</sup> Recommendation V-5.

<sup>62</sup> Recommendation V-8, V-13.

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

- to support regional and international capacity building efforts to improve policy and operational measures including the pooling and sharing of successful education and awareness-raising tools for the purpose of preventing and combating sexual exploitation and sexual abuse of children in matters related to child self-generated sexual images and/or videos.<sup>64</sup>
- to maintain and develop efforts to strengthen international cooperation with other Parties and non-Parties to the Lanzarote Convention, in investigation and proceedings concerning the offences established in accordance with the Lanzarote Convention, in

particular in the area of police cooperation, namely ensuring that their law-enforcement agencies can connect and contribute to the Europol and Interpol databases, and develop the areas of data, training, vetting, and selection, in matters related to child self-generated sexual images and/or videos.<sup>65</sup>

- to integrate, where appropriate, prevention and the fight against sexual exploitation and sexual abuse of children in matters related to child self-generated sexual images and/or videos, in assistance programmes for development provided for the benefit of third States.<sup>66</sup>

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<sup>64</sup> Recommendation V-10.

<sup>65</sup> Recommendations V-14, V-16.

<sup>66</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 North Macedonia

The Committee observes that although North Macedonia has legislation containing adequate provisions to assist child victims, it concerns the protection of children in general.<sup>67</sup>

Therefore, the Committee **requires** North Macedonia 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.<sup>68</sup>

- 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>69</sup>

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

The Committee also **invites** all Parties, including North Macedonia:

- to promote awareness raising or specialised training for professionals who advise children through telephone or internet helplines on ICT-facilitated sexual exploitation and abuse of children – including the risks associated with child self-generated sexual images and/or videos – and how to provide appropriate support to victims and to those

who wish to help them.<sup>70</sup>

- 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.<sup>71</sup>

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<sup>67</sup> Para. 286.

<sup>68</sup> Recommendation VI-3.

<sup>69</sup> Recommendation VI-1.

<sup>70</sup> Recommendation VI-2.

<sup>71</sup> Recommendation VI-4.

## VII. Civil society involvement and cooperation

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

### Observations and recommendations of the Committee on civil society involvement and cooperation specific to North Macedonia

The Committee observed that in North Macedonia, NGOs, along with the media, are the most involved counterparts in the prevention of child sexual abuse and exploitation and victim assistance activities.<sup>72</sup>

- To improve the implementation of the Convention, the Committee **requires** North Macedonia to involve civil society bodies in

implementing preventive measures in the field of sexual exploitation and abuse of children.<sup>73</sup>

- Additionally, the Committee **requests** North Macedonia to encourage the financing of projects and programmes carried out by civil society aiming to prevent and protect children from sexual exploitation and sexual abuse.<sup>74</sup>

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

The Committee **invites** all Parties, including North Macedonia:

- to expand cooperation with civil society to better prevent sexual exploitation and sexual abuse of children, including when facilitated by ICTs and the challenges raised by the exploitation of child self-generated sexual images and/or videos.<sup>75/76</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>77</sup>
- to support civil society to carry out

projects and programmes that include the issue of child self-generated sexual images and/or videos.<sup>78</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>79</sup> and to seek children's views at the stage of drafting new legislation concerning the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs and as regards child self-generated sexual images and/or videos.<sup>80</sup>

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<sup>72</sup> Para. 308.

<sup>73</sup> Recommendations VII-1.

<sup>74</sup> Recommendations VII-2.

<sup>75</sup> Examples of projects and/or programmes will enable assessment of follow-up to this recommendation.

<sup>76</sup> Recommendation VII-3.

<sup>77</sup> Recommendation VII-4.

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

<sup>79</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>80</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**

North Macedonia not being isolated in this respect, the Committee **invites** all Parties who are not yet doing so:

- 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>81</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>82</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>83</sup>
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.<sup>84</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>85</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>86</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>87</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>88</sup>
- to take the necessary measures to ensure co-ordination between the agencies responsible for raising awareness of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves.<sup>89</sup>

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<sup>81</sup> Recommendation VIII-1.

<sup>82</sup> Recommendation VIII-2.

<sup>83</sup> Recommendation VIII-3.

<sup>84</sup> Recommendation VIII-4.

<sup>85</sup> Recommendation VIII-5.

<sup>86</sup> Recommendations VIII-6.

<sup>87</sup> Recommendation VIII-7.

<sup>88</sup> Recommendation VIII-8.

<sup>89</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.

### Observations and recommendations of the Committee on education for children specific to North Macedonia

The Committee observes that North Macedonia is among the minority of Parties that explicitly address the challenges raised by CSGSIV within the information on the prevention of sexual exploitation and sexual abuse of children as part of the national curriculum.<sup>90</sup> In North Macedonia, such education is provided in the course of primary and secondary education.<sup>91</sup>

The Committee observes that the information on the risks of sexual exploitation and sexual abuse facilitated by ICTs and/or on the challenges raised by CSGSIV is delivered in the framework of topics related to the digital

environment, namely “Computer work and programming”; other related information is addressed in the broader context of health and social issues, covered in “Life skills education”.<sup>92</sup>

- The Committee **invites** North Macedonia 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.<sup>93</sup>

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

- The Committee **requires** all Parties, including North Macedonia, 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>94</sup>

The Committee **invites** all Parties, including North Macedonia:

- to consistently involve children in the development of internet safety awareness programmes.<sup>95</sup>
- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.<sup>96</sup>

- to provide information to children on child sexual exploitation and sexual abuse, facilitated by ICTs, including as regards child self-generated sexual images and/or videos, in their national curriculum or other non-formal educational contexts, in a form which is adapted to the evolving capacity of the children and therefore which is appropriate for their age and maturity.<sup>97</sup>

- to ensure that parents, caregivers, and educators are involved, where appropriate, in the provision of information to children on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, in particular as regards child self-generated sexual images and/or videos.<sup>98</sup>

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<sup>90</sup> Para. 383.

<sup>91</sup> Para. 392.

<sup>92</sup> Para. 398, 399.

<sup>93</sup> Recommendation IX-7.

<sup>94</sup> Recommendation IX-3.

<sup>95</sup> Recommendation IX-4.

<sup>96</sup> Recommendation IX-5.

<sup>97</sup> Recommendation IX-6.

<sup>98</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 North Macedonia

The Committee observes that a part of the professionals who will or already work with children receive training and/or education on the protection of children against sexual exploitation and sexual abuse in North Macedonia, and the teaching focuses specifically on the risks of child sexual exploitation and abuse facilitated by ICTs.<sup>99</sup>

Although the Convention specifies that people in many sectors should receive adequate knowledge about these issues, the Committee also observed that in North Macedonia, the people most likely to receive education and/or training on child sexual exploitation and abuse are mostly those working in educational institutions, such as teachers.<sup>100</sup>

Therefore, the Committee **requires** North Macedonia:

- 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>101</sup>

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

- in the education sector

- in the health sector

- in the social protection sector

- in areas relating to sport, culture, and leisure activities.<sup>102</sup>

- to encourage awareness of the protection and rights of children among persons who have regular contact with children in the education, health, social protection, judicial and law-enforcement sectors and in areas relating to sport, culture, and leisure activities.<sup>103</sup>

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<sup>99</sup> Para. 416.

<sup>100</sup> Para. 420.

<sup>101</sup> Recommendation X-4.

<sup>102</sup> Recommendation X-5, X-6.

<sup>103</sup> Recommendation X-7.

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

The Committee also **invites** all Parties, including North Macedonia:

- to ensure that the persons who have regular contacts with children (i.e. in the education, health and social protection, sectors and in areas relating to sport, culture and leisure activities), have an adequate knowledge of the risks associated with child self-generated sexual images and/or videos, for example through education or continuous training.<sup>104</sup>

- to ensure that all the sectors where professionals work in contact with children, including when working on a voluntary basis, have adequate knowledge of sexual exploitation and sexual abuse of children, including when facilitated by ICTs and with specific reference to the risks associated with child self-generated sexual images and/or videos, for example through education or continuous training.<sup>105</sup>

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<sup>104</sup> Recommendation X-2.

<sup>105</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 North Macedonia

The Committee observes a **difficulty to implement the Convention** in North Macedonia as 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>106</sup>

North Macedonia 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 child self-generated sexual images and/or videos.<sup>107</sup>
- to ensure that data on the phenomenon of child self-generated sexual images and/or videos and the risks associated with it is regularly collected and research on the issue is regularly undertaken.<sup>108</sup>

- to build on the findings from existing research on child self-generated sexual images and/or videos, when available, to ensure that policies and measures are best developed and appropriately targeted to tackle the issues raised by child self-generated sexual images and/or videos.<sup>109</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 child self-generated sexual images and/or videos, with due respect for the requirements of personal data protection.<sup>110</sup>

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<sup>106</sup> Para. 443.

<sup>107</sup> Recommendation XI-1.

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

<sup>109</sup> Recommendation XI-3.

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