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FACTSHEET – SLOVAK REPUBLIC

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 Slovak Republic.

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

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

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

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

This factsheet is based on the implementation report and has been prepared by the Lanzarote Committee Secretariat as a practical tool to be used by Slovak Republic 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 2022. Parties are

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

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

Key findings of the implementation report as to all Parties

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

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

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

II. Legal frameworks

Interpreting the Convention, in conjunction with its [Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children](#) (6 June 2019), the Committee identifies what Parties ought to have in place as well as what they are encouraged to do to better protect children against the exploitation of their self-generated sexual images and/or videos (CSGSIV).

Observations and recommendations of the Committee on the legal framework specific to the Slovak Republic

What constitutes “child pornography” under the Lanzarote Convention?

The Committee observes that in the legislative framework of the Slovak Republic the term “child pornography” is used as defined within Article 20(2) of the Convention.²

However, the Committee **invites** the Slovak Republic:

- acknowledging that the term “child pornography” can be misleading and undermine the gravity of the crimes it refers to, 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”](#)³ 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.⁴
- 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.⁵
- 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”](#)^{6, 7}

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

The Committee observes that children who are below the age of criminal responsibility, which is the age of 14, and above the legal age for sexual activities cannot be held criminally liable for production and possession of CSGSIV in the Slovak Republic.⁸ However, the Committee notes that relying on the age of sexual consent, 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.^{9 74.} The Committee highlights that particular attention must be paid where there is a gap between the age of criminal responsibility and the age of consent (particularly where the age of criminal responsibility is relatively low, or the age of sexual consent relatively high).¹⁰

- The Committee **requests** that the Slovak Republic ensures in its legal framework¹¹ that a child will not be prosecuted when he/she possesses:
 - their own self-generated sexually suggestive or explicit images and/or videos;
 - self-generated sexually suggestive or explicit

² Para. 49.

³ 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.](#)

⁴ Recommendation II-1.

⁵ Recommendation II-2.

⁶ 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.](#)

⁷ Recommendation II-3.

⁸ Paras. 71, 73.

⁹ Para. 73.

¹⁰ Para. 74.

¹¹ The expression “legal framework” is not limited to legislation but should be understood in a broader way, e.g., through prosecutorial guidance or practice.

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.¹²

Criminalisation of conduct related to “offering or making available” CSAM and its relationship with the sharing their own other children’s self-generated material

The Committee observes that the Slovak Republic has rules that lead to the criminalisation of the distribution by children of their own CSGSIV or the CSGSIV of other children.¹³

Therefore, the Committee **requests** that the Slovak Republic ensures that:

- a child will not be prosecuted for sharing his/her sexual images and/or videos with another child when such sharing is voluntary, consensual, and intended solely for their own private use.¹⁴
- the distribution or transmission by children of sexual 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.¹⁵

On the prosecution of conduct amounting to “sexual extortion of children”

In cases where the sexual extortion is intended to procure additional sexual images or videos, the Committee observes that the Slovak Republic prosecutes for offences related to “child pornography”, in concurrence with offences where threat is a core element, such as extortion or coercion.¹⁶ It also referred to further offences, such as corruption of children.¹⁷

In cases where the sexual extortion is intended to procure other sexual favours from the child depicted on the CSGSIV or from another child, the Slovak Republic would prosecute for sexual abuse of a child in accordance with Article 18, offences related to child prostitution, to participation in pornographic performances, corruption of children, solicitation of children for sexual purposes¹⁸, extortion, and trafficking in human beings.¹⁹ The Slovak Republic would also prosecute conduct relating to the possession of the initial child sexual image or video as an offence related to “child pornography” under Article 20.²⁰

In cases where the sexual extortion is intended to procure a financial gain, the Slovak Republic stated that the conduct would be qualified as extortion or aggravated extortion or child prostitution.²¹

Generic recommendations of the Committee on the legal framework

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

- to contemplate appropriate legal responses to conduct involving non-visual self-generated sexual material produced by children in the context of offences covered by the Lanzarote Convention.²²
- 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.²³

- 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 self-generated sexual images and/or videos.²⁴
- to take into account the situation where self-generated sexual images and/or videos are used to force, coerce or threaten the child to give

¹² Recommendation II-6.

¹³ Paras. 78, 82.

¹⁴ Recommendation II-8.

¹⁵ Recommendation II-9.

¹⁶ Para. 98.

¹⁷ Para. 100.

¹⁸ Para.102.

¹⁹ Para.104.

²⁰ Para.103.

²¹ Para. 106.

²² Recommendation II-4.

²³ Recommendation II-7.

²⁴ Recommendation II-10.

additional self-generated sexual images and/or videos, 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.²⁵

- to ensure that sexual extortion of children involving self-generated sexual images and/or videos is investigated and prosecuted.²⁶

²⁵ Recommendation II-11.

²⁶ Recommendation II-12.

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 the Slovak Republic

The Committee observes that in the Slovak Republic, sexual offences committed by adults or by children against children and facilitated by ICT are dealt with by the Cybercrime Department of the Criminal Police Office, which is part of the Presidium of the Police Force.²⁷

The Committee also observes that the Slovak Republic's investigation, prosecution, and legal services are already in line with some of its recommendations as the Slovak Republic has:

- their own training programmes, used either in full or in part to carry out training for law enforcement agents related to aspects of child sexual exploitation and sexual abuse.²⁸
- other forms of training for law enforcement agents more generally, provided through annual working meetings with a training component.²⁹ In the Slovak Republic, mandatory training is provided for representatives of the criminal police chosen from every municipality.³⁰ The content of training range across sexual offences and violence against children to combating online child sexual abuse and exploitation, specifically.³¹
- their own training programmes in place and external training available for prosecutors and judges.³² Judges and prosecutors are trained together and/or have the same training options available to them.³³ Training of prosecutors is organised by national judicial academy.³⁴
- victim identification units within law

enforcement located in cybercrime or high-tech crime departments for cases of ICT facilitated sexual offences against children.³⁵

To improve the effective implementation of the Convention, the Committee **requests** the Slovak Republic:

- to ensure that training on ICT facilitated sexual offences against children is available for prosecutors who are or will be working on these issues.³⁶
- to ensure that training on ICT facilitated sexual offences against children is available for judges who are or will be working on these issues.³⁷
- to take the necessary legislative or other measures, in conformity with the fundamental principles of their 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.³⁸

The Committee also **invites** the Slovak Republic:

- 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.³⁹
- to provide specific training⁴⁰ on ICT facilitated sexual offences against children,

²⁷ Para. 136.

²⁸ Paras. 145, 146.

²⁹ Para. 150.

³⁰ Para. 151.

³¹ Para. 152.

³² Para. 156, 157, 158, 167.

³³ Para. 167.

³⁴ Para. 159.

³⁵ Para. 180.

³⁶ Recommendation III-16.

³⁷ Recommendation III-18.

³⁸ Recommendation III-28.

³⁹ Recommendation III-11.

⁴⁰ Such trainings can also be part of broader training programmes.

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.⁴¹

- to ensure that training on the challenges raised by CSGSIV and ICT- facilitated coercion or extortion of children⁴² is available to prosecutors and judges.⁴³
- 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.⁴⁴
- 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.⁴⁵

The Committee observed that the speed of development of modern technologies and the internet is a challenge as it requires constant development of IT experts’ knowledge, which can be crucial during the investigation phase. These identified difficulties underscore the need for ongoing, post-qualification training of all professionals involved in proceedings concerning

ICT-facilitated sexual exploitation and abuse, which is ideally mandatory.⁴⁶ Additionally, the Slovak Republic indicated that a key challenge for a successful prosecution phase is to obtain electronic evidence that can be validly used before courts.⁴⁷

The Committee also observed that in the Slovak Republic, the legal framework on telecommunication data storage is a problem in the prosecution phase, particularly insofar as providing a unified and reasonable time up until which data is stored by telecommunications service providers. In this regard, the Slovak Republic explained that, after the Court of Justice of the European Union (CJEU) annulled Directive 2006/24/EC on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks,⁴⁸ at the European Union level, provision of information on user IP addresses has been left dependent on the decision of the telecommunication services provider.⁴⁹

Additionally, the Committee observed that the Slovak Republic is connected to the INTERPOL’s ICSE database, however, does not actively contribute to it.⁵⁰

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.⁵¹

The Committee **invites** all Parties, including the Slovak Republic:

- 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. Additionally, the Committee invites all Parties to exchange best practices between the relevant investigative units.⁵²
- 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.⁵³

⁴¹ Recommendation III-14.

⁴² Such trainings can also be part of broader training programmes.

⁴³ Recommendations III-17 and III-19.

⁴⁴ Recommendation III-20.

⁴⁵ Recommendation III-21.

⁴⁶ Para. 173.

⁴⁷ Para. 203.

⁴⁸ Joined cases C-293/12 and C-594/12 (judgment of 8 April 2014).

⁴⁹ Para. 198.

⁵⁰ Para. 186, 188.

⁵¹ Recommendations III-3 and III-7.

⁵² Recommendation III-4.

⁵³ Recommendation III-5.

- 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.⁵⁴
- to ensure that units, services or persons within courts responsible for ICT-facilitated sexual offences against children have sufficient specialisation in offences involving CSGSIV.⁵⁵

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.⁵⁶

It also **invites** all Parties, including the Slovak Republic:

- 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.⁵⁷

- 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.⁵⁸
- 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.⁵⁹
- 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.⁶⁰

⁵⁴ Recommendation III-9.

⁵⁵ Recommendation III-10.

⁵⁶ Recommendation III-30.

⁵⁷ Recommendation III-24.

⁵⁸ Recommendations III-25, III-29.

⁵⁹ Recommendation III-31.

⁶⁰ 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 the Slovak Republic

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 the Slovak Republic has established laws clarifying the circumstances in which their national criminal law will apply to a transnational situation following the territoriality principle. Accordingly, a criminal offence is considered to have been committed within its territory in cases when: the offender commits the act, either in whole or in part, on its territory, even if the resultant violation or threat to an interest protected by Criminal Code occurs entirely or partially outside its territory; or, in cases where the offender commits the act outside the Slovak Republic, but the resultant violation or threat to the interest protected by Criminal Code was takes place, or was intended to take place on the territory of the Slovak Republic.⁶¹

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

It appears that the Slovak Republic has jurisdiction over offences committed abroad by its nationals, as well as persons who have their 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))

The Slovak Republic did not provide information as to whether there is a condition requiring prosecution to be initiated only upon a report from the victim or denunciation from the State

where the offence was committed.

- Therefore, the Committee **requires** the Slovak Republic to remove the requirement that prosecution can only be initiated following a report from the victim or a denunciation from the State of the place where the offence was committed for offences of sexual abuse (Article 18), offences concerning child prostitution (Article 19), the production of “child pornography” (Article 20(1)(a)) and offences concerning the participation of a child in pornographic performances (Article 21), when committed by one of their nationals or by a person who has his or her habitual residence in its territory.⁶²

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 Slovak Republic reported that it would assume jurisdiction over offences involving sexual abuse or sexual exploitation of children, irrespective of the laws of the State where the offence was committed, if committed by one of their nationals or by a person who has his or her habitual residence in its territory.⁶³

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

The Committee notes that as detailed in the Explanatory Report of the Convention, Parties are not obliged, but can endeavour, to establish jurisdiction over an offence committed against one of its nationals or a person having habitual

⁶¹ Para. 214.

⁶² Recommendation IV-5.

⁶³ Para. 224.

residence in the territory under Article 25(2). The passive personality principle is applied in respect of offences committed against a national in the Slovak Republic. In order to apply the passive personality principle, the penal code of the Slovak Republic requires dual criminality.⁶⁴

- The Committee **requests** Parties that are not already doing so, including the Slovak Republic, 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.⁶⁵

Generic recommendations of the Committee on the jurisdiction rules

The Committee also **invites** the Slovak Republic 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,⁶⁶

- solicitation of children for sexual purposes.⁶⁷

⁶⁴ Para.231, 232.

⁶⁵ Recommendation IV-9.

⁶⁶ Recommendation IV-7.

⁶⁷ 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 of the Committee on international cooperation specific to the Slovak Republic

The Committee observes that WeProtect Global Alliance,⁶⁸ and EMPACT⁶⁹ conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in the Slovak Republic.⁷⁰

The Slovak Republic has also referred to international police cooperation in the area of prevention and investigation.⁷¹ The Committee observes that European law enforcement representatives from the Slovak Republic attend the Europol's central training course "Combatting the Sexual Exploitation of Children on the Internet" (COSEC) and the Europol-

Interpol-Cepol co-organised training course on victim identification (VID training course).⁷²

Lastly, the Committee observes that the Slovak Republic does not have the limitation introduced in the Directive 2012/29 of the European Parliament and the Council of 25 October 2012, establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA,⁷³ on the requirements for victims to report to another country of the European Union if the offence was committed in that country.⁷⁴

Generic recommendations of the Committee on international cooperation

- On international cooperation, the Committee **requests** all Parties, including the Slovak Republic to extend their international cooperation with other Parties to improve the effective implementation of the Lanzarote Convention.⁷⁵

The Committee **invites** all Parties, including the Slovak Republic:

- 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.⁷⁶
- to expand international cooperation with

countries which are not Parties to the Lanzarote Convention to disseminate the standards of the Lanzarote Convention, including for the purpose of preventing and combating sexual exploitation and sexual abuse of children, for the purpose of protecting and providing assistance to victims and concerning the offences established in accordance with the Lanzarote Convention, in matters related to CSGSIV.⁷⁷

- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.⁷⁸
- to strengthen cooperation with relevant intergovernmental bodies and with transnational networks and other international organisations and initiatives due to their capacity to

⁶⁸ <https://www.weprotect.org/>

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

⁷⁰ Para. 255.

⁷¹ Paras. 259, 262.

⁷² Para. 259.

⁷³ See, Article 17§2: "Member States shall ensure that victims of a criminal offence committed in Member States other than that where they reside may make a complaint to the competent authorities of the Member State of

residence, if they are unable to do so in the Member State where the criminal offence was committed or, in the event of a serious offence, as determined by national law of that Member State, if they do not wish to do so."

⁷⁴ Para.271.

⁷⁵ Recommendation V-3.

⁷⁶ Recommendations V-6, V-11.

⁷⁷ Recommendations V-4, V-7, V-12, V-15.

⁷⁸ Recommendation V-5.

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.⁷⁹

- 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.⁸⁰

- to support regional and international capacity building efforts to improve policy and operational measures including the pooling and sharing of successful education and awareness-raising tools for the purpose of preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.⁸¹

- 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 CSGSIV.⁸²

- 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.⁸³

⁷⁹ Recommendations V-8, V-13.

⁸⁰ Recommendation V-9.

⁸¹ Recommendation V-10.

⁸² Recommendations V-14, V-16.

⁸³ 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 the Slovak Republic

The Committee observes that the Slovak Republic carried out advertising campaigns to raise awareness on violence facilitated by ICTs, informing all children about the possibility of calling for help when encountering sexual abuse and violence.⁸⁴ The Committee also observes that although the Slovak Republic has legislation containing adequate provisions to assist child victims, most of them concern the protection of children in general.⁸⁵ It is however worth noting that some of its laws specify the child's right to access help even without parental consent. Such clauses eliminate certain paradoxes that are often left to the discretion of professionals.⁸⁶

To improve the effective implementation of the Convention, the Committee **requires** the Slovak Republic 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.⁸⁷

- to assist child victims of sexual exploitation and abuse, 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.⁸⁸

- Additionally, the Committee **invites** the Slovak Republic to ensure that the assistance measures are available to child victims of sexual exploitation and abuse facilitated by ICTs, including of offences due to the production, possession, distribution or transmission of CSGSIV.⁸⁹

Generic recommendations of the Committee on assistance to victims

- The Committee **invites** all Parties, including the Slovak Republic 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.⁹⁰

⁸⁴ Para. 279.

⁸⁵ Para. 286.

⁸⁶ Para. 291.

⁸⁷ Recommendation VI-1.

⁸⁸ Recommendation VI-3.

⁸⁹ Recommendation VI-4.

⁹⁰ 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 and recommendations of the Committee on civil society involvement and cooperation specific to the Slovak Republic

The Committee observes that the Slovak Republic develops and supports different activities which are aimed at raising the awareness of not only children but also adults such as parents, educators, doctors and social workers about existing risks and dangers of ICTs for children.⁹¹ In addition, some civil society projects specifically aim at educating and raising awareness of children on the issue of CSGSIV.⁹²

The Committee also observes that most victim assistance mechanisms in the Slovak Republic are limited to offering a helpline to report illegal material online or offences. Where they do exist, these telephonic and electronic helplines usually

concern fairly broad issues such as children's rights in general.⁹³

To improve the effective implementation of the Convention, the Committee **requires** the Slovak Republic:

- to involve civil society bodies in the implementation of preventive measures in the field of sexual exploitation and abuse of children.⁹⁴
- to encourage the financing of projects and programmes carried out by civil society aiming at preventing and protecting children from sexual exploitation and sexual abuse.⁹⁵

Generic recommendations of the Committee on civil society involvement and cooperation

The Committee **invites** all Parties, including the Slovak Republic:

- 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.⁹⁶
- 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.⁹⁷

- to support civil society to carry out projects and programmes that include the issue of CSGSIV.⁹⁸
- to encourage the participation of children, according to their evolving capacity, in the development and implementation of state policies, programmes or other initiatives⁹⁹ 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.¹⁰⁰

⁹¹ Para. 315.

⁹² Para. 321.

⁹³ Para. 328.

⁹⁴ Recommendation VII-1.

⁹⁵ Recommendation VII-2.

⁹⁶ Recommendation VII-3.

⁹⁷ Recommendation VII-4.

⁹⁸ Recommendation VII-5.

⁹⁹ 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.

¹⁰⁰ 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 the Slovak Republic:

- 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.¹⁰¹
- 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.¹⁰²
- 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.¹⁰³
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.¹⁰⁴
- 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.¹⁰⁵

- 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.¹⁰⁶
- 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.¹⁰⁷
- 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.¹⁰⁸
- 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.¹⁰⁹

¹⁰¹ Recommendation VIII-1.

¹⁰² Recommendation VIII-2.

¹⁰³ Recommendation VIII-3.

¹⁰⁴ Recommendation VIII-4.

¹⁰⁵ Recommendation VIII-5.

¹⁰⁶ Recommendation VIII-6.

¹⁰⁷ Recommendation VIII-7.

¹⁰⁸ Recommendation VIII-8.

¹⁰⁹ Recommendation VIII-9.

Promising practice

In the Slovak Republic, the Sheeplive project¹¹⁰ is a TV cartoon series for children and an international internet portal in 25 languages. It focuses on the safety of children and young people, and particularly the risks related to the Internet, mobile devices and new technologies. The project is precautionary in nature for younger children. For teenagers, it seeks to highlight inappropriate behaviour, and for adults it is supposed to be informative. The “Don’t Dance with the Wolf” episode¹¹¹ specifically considers the question of misuse of sexual photos and videos generated by children themselves.

¹¹⁰ www.ovce.sk

¹¹¹ <http://sk.sheeplive.eu/fairytales/netancuj-s-vlkom> This video has been produced in Estonian, German, Hungarian, Polish, Romani, Russian, Slovakian and Slovenian versions and has been subtitled in Bulgarian, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Polish, Portuguese, Romani, Romanian, Slovakian, Slovenian, Spanish and Swedish.

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 recommendation of the Committee on education for children specific to the Slovak Republic

The Committee observes a **difficulty to implement the Convention** in the Slovak Republic, as although information on sexual exploitation and sexual abuse and risks related with the CSGSIV is mentioned as being part of the national curriculum or other non-formal educational settings, it is not clear whether all children benefit from it.

In the Slovak Republic, it is possible for schools to organise awareness-raising activities promoted by regional coordinators for the protection of children, such as showing videos on the risks associated with sexual images and/or videos produced by children, but this is not compulsory and these activities are not part of the national curriculum. It seems that each region is free to decide to organise such activities, which, when they are carried out, can be provided as part of the school subjects of civic education or ethics.¹¹²

- Therefore, Committee **requires** the Slovak Republic 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.¹¹³

Additionally, the Committee **invites** the Slovak Republic:

- 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).¹¹⁴

The Committee also observes that 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 broader topics related to “Informatics” and “civic education” in the Slovak Republic.¹¹⁵

Generic recommendations of the Committee on education for children

The Committee **invites** all Parties, including the Slovak Republic:

- to consistently involve children in the development of internet safety awareness programmes.¹¹⁶
- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.¹¹⁷

- 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.¹¹⁸

¹¹² Para. 389.

¹¹³ Recommendation IX-3.

¹¹⁴ Recommendation IX-2.

¹¹⁵ Paras. 398, 399.

¹¹⁶ Recommendation IX-4.

¹¹⁷ Recommendation IX-5.

¹¹⁸ Recommendation IX-6.

- 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.¹¹⁹
- 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.¹²⁰

¹¹⁹ Recommendation IX-7.

¹²⁰ 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 the Slovak Republic

The Committee observes that in the Slovak Republic, the professionals who will or already work with children receive information on the protection of children against sexual exploitation and sexual abuse and the risks associated with CSGSIV both during their curriculum and as part of training during their professional life.¹²¹

The Committee also notes that health workers in specialised departments such as paediatrics, paediatric gynaecologist, midwifery and care to women in a family and in a community, paediatric surgery, gynaecology and obstetrics receive courses on the protection of children against sexual exploitation and sexual abuse.¹²²

To improve the effective implementation of the Convention, the Committee **requires** the Slovak Republic:

- 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.¹²³

- 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.¹²⁴

- to encourage awareness of the protection and rights of children among persons who have regular contacts with children in the education, health, social protection, judicial and law-enforcement sectors and in areas relating to sport, culture and leisure activities.¹²⁵

¹²¹ Paras. 410, 412, 416.

¹²² Para. 421.

¹²³ Recommendation X-4.

¹²⁴ Recommendations X-5 and X-6.

¹²⁵ Recommendation X-7.

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

The Committee also **invites** all Parties, including the Slovak Republic:

- 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.¹²⁶

- 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.¹²⁷

Promising practices

In the Slovak Republic, "pedagogical employees and expert employees" are informed on the challenges associated with CSGSIV in accredited programmes provided by the Methodological and Pedagogical Centre of the Ministry of Education, Science, Research and Sport. Their aim is to provide knowledge and tools for the identification of socio-pathological phenomena threatening the development of children's personality, the protection of personality and the elimination of the possibilities of threats, such as the generation and dissemination of child pornography. They also focus on the danger of social networks and the elimination of possible risks while working on the Internet. Additionally, the 55 coordinators on the protection of children against violence, located in districts across the country, promote awareness-raising activities – such as videos reflecting situations where children are at risk as a result of the dissemination of CSGSIV – among teachers, various pedagogical staff or persons working in contact with children in their leisure time.

¹²⁶ Recommendation X-2.

¹²⁷ 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 the Slovak Republic

The Committee observes that the Slovak Republic has participated for at least one year in the EU Kids Online surveys which is a multinational research network, which seek to enhance knowledge of children's online opportunities, risks and safety. Surveys carried out under the framework of EU Kids Online collect data and information on, *inter alia*, children's practice of sending and receiving sexual messages online.¹²⁸

The Committee also observes that in the Slovak Republic, some of the research projects and publications on the topic were carried out by public authorities, such as the Research Institute for Child Psychology and Pathopsychology, under the Ministry of Education.¹²⁹ In the context of the EU Kids Online surveys, the Slovak Republic

indicated that the research was respectively conducted by the National Media and Infocommunications Authority (NMHH) and the Research Institute for Child Psychology and Pathopsychology.¹³⁰

Additionally, the Committee observes that research has been carried out in the Slovak Republic both on the issues raised by CSGSIV, as well as on the psychological effects arising from CSGSIV being shared online. For instance, the Research Institute for Child Psychology and Pathopsychology led research on "Mental health of children and youth" which addressed as one of its topics the health problems resulting from the phenomenon of CSGSIV.¹³¹

Generic recommendations of the Committee on research

The Committee **invites** all Parties, including the Slovak Republic:

- to collect data and undertake research at the national and local levels to observe and evaluate the phenomenon of CSGSIV.¹³²
- 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.¹³³
- 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.¹³⁴

- 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.¹³⁵

¹²⁸ Para. 440.

¹²⁹ Para. 451.

¹³⁰ Para. 453.

¹³¹ Para. 441.

¹³² Recommendation XI-1.

¹³³ Recommendation XI-2.

¹³⁴ Recommendation XI-3.

¹³⁵ Recommendation XI-4.

Promising practice

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