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Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Replies to the thematic questionnaire

HUNGARY

2nd thematic monitoring round

"The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)"

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Prevention

Question 1 Awareness-raising or educational activities/tools/materials/measures

1.1. Are there awareness-raising or educational activities/tools/materials/measures addressed to children, about the risks they face when they produce and/or share:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

The protection of children and young adults from all kinds of sexual exploitation is a top priority in Hungary. Civil organisations, professional forums and official bodies also put emphasis on dealing with all forms of online and offline abuses.

The following list contains programs, materials and tools regarding both point a. and b. together.

1.1.1. In order to prevent actions having negative impact on children's moral development through the use of the internet, the police provide two prevention programs: DADA and ELLEN-SZER, also, the National Crime Prevention Council (Nemzeti Bűnmegelőzési Tanács) has been participating in the education of the trainers of these programmes. The **DADA program** was developed for primary school students. The lessons consist not only of lectures but also of discussions about problems raised by the students, role-playing and other constructive pedagogical methods. The aim of the programme is to show children the dangers of the internet and social media, how to be aware thereof and how to handle emergency situations and how to distinguish the positive and negative influencers and agendas. Some of the topics are discussed with the help of short videos.

1.1.2. The programme called **ELLEN-SZER** is for secondary school students with the aim to teach them how to think independently and critically, to develop their decision-making skills and systematic thinking as well as their social skills, empathy and emotional intelligence. The basic principle of the programme is to enhance the safety of young people, without giving a false sense of security, from the most serious deviancies and criminal activities, like violence and substance abuse. In order to avoid becoming victims, during exercises the young people concerned must ask for help and use the techniques learnt during the courses. They should not take part or encourage challenges that can cause damage to themselves or even someone else. An important priority area of the programme is raising awareness of the possible dangers of the internet, cyber bullying and safe internet use, and it consists of 14 different topics, two of them are "*The Risks of the Internet*" and "*The Online World*". The programme is running for 2 educational years, and it is not part of the national educational curricula. It's provided by the local police officers and it is free for the schools.

1.1.3. One of the trainings organised by the International Federation of Educative Communities (FICE) called **Children's Parliament** is dealing with the prevention of those activities, which aim to increase popularity and fame on the internet. The programme is implemented in cooperation with the police. The National Crime Prevention Council has been participating in the work of FICE and also in the training of police lecturers and teachers.

1.1.4. Besides the thematic crime prevention programmes there are also **crime prevention counsellors** in schools who discuss with the children the risks and dangers of producing or sharing sexual content. The work of the police officers in the thematic crime prevention programmes and the work of the crime prevention counsellors are regulated by a police standard and guidance.

1.1.5. There are also **short movies/videos** in this topic that aim to raise awareness to sexual abuse prevention. The videos are played during the above mentioned programmes. The framework for making these videos is called Modern Prevention Programme (KOMP). A short movie called "Internet and young people" deals with the problem of sending intimate photos on the internet. The movie was supported financially by the National Crime Prevention Council and was shown to teachers, parents and police officers in the framework of training courses.

1.1.6. The National Media and Infocommunications Authority (hereinafter: NMHH) created the **Magic Valley media literacy education centres**[1] [2] to support children in their conscious and safe media use. Magic Valley's ultimate goal is to raise children's awareness on how they are affected by the media in a playful manner by offering interactive, creative activities. In this process, students are assisted by a state-of-the-art equipment pool and skilled media literacy instructors. The first Magic Valley of Hungary opened in Budapest in 2014, followed by a second centre in Debrecen in 2017. The centres can be visited as part of a school trip free of charge, teachers can register their classes online.

Sessions are organised by the NMHH around six core topics. As part of the internet session, there are strategies and quizzes to show how to surf the world wide web consciously and safely and how to use smartphones and tablets without carelessly giving out personal information. During the session (called: „Netneg"[3]) the instructors invite children to participate in decisions focusing on the meaning and possible consequences of online data protection, cyberbullying, grooming and sexting.

The functions of Magic Valley are both awareness-raising and education which is carried out by the Digital Literacy Development Unit of NMHH. There are 6 instructors in Budapest and 5 instructors in Debrecen. The „Netneg" session started in Debrecen in February 2017 and recently in Budapest as well. 2036 students participated on „Netneg" session in Debrecen between 1st March and 16th June 2017.

Magic Valley prepared a video about sexting which is used by other educational communities as well, and as we know it is also used by National Safer Internet Programme.[4]

1.1.7. The **Youth Media Festival**[5]organised by National Society of Student and Youth Journalists. The NMHH takes part yearly in Media Festival where it can promote the workshops of Magic Valley and Internet Hotline. The colleagues of the NMHH can meet young journalists and students between the age of 10 and 25 there who are especially interested in the effects of social media. The NMHH makes quizzes about the conscious use of web including sexting and online data protection. The NMHH can reach approximately up to 300 students on each occasion.

1.1.8. In 2014 the NMHH extended its pursuits in child protection by including a special target group when, in cooperation with the Hungarian Foundation of SOS Children's Villages International, it launched its **corporate social responsibility programme**[6] NMHH organizes visits to the Children's Villages and youth centres, offering playful activities and games facilitating the discovery of the possibilities and the potential risks of the internet to children aged 6 to 18 and young adults aged 18 and above, who live in the Villages without their biological families, have lower-than-average self-confidence and are thus more vulnerable in the digital world.

[1] http://magicvalley.hu/
[2] https://www.youtube.com/watch?v=mAi7m041TYk
[3] https://www.youtube.com/watch?v=JMuS_rzV9JY
[4] https://www.youtube.com/watch?v=t56c6fWDk24
[5] https://www.due.hu/esemeny/249/24-orszagos-ifjusagi-sajtofesztival
[6] http://english.nmhh.hu/responsibility-sustainability

At these all-day events, the NMHH professionals share their expertise and topical knowledge with the disadvantaged children, equipping them with the tools and mind-set necessary for resisting the media's various manipulation techniques and taking with a pinch of salt any information gleaned from the media, while also teaching them about the main communication technologies. In connection with social media, the NMHH professionals talk about the problem of cyberbullying, danger of online dating, sexting, and online data protection, as well as about the risks they face when they produce and/or share self-generated sexually explicit images and/or videos or self-generated sexual content. Within this programme, the NMHH can reach approximately 120 persons each year (SOS children, young adults, foster parents and SOS personnel together).

1.1.9. Under Act CXC of 2011 on National Public Education (hereinafter: Public Education Act), the personality, human dignity and rights of a child/student shall be respected, and protection has to be provided for them against physical and mental violence. In order to support the operation of a child-protection warning system and the coordination between the education sector and social services, several social workers and/or child-protection professionals are present in schools where needed (funded from state budget), from January 2016 [Government Decree No. 326/2013 (VIII. 30.) on the career development system and the implementation of Act XXXIII of 1992 on the legal status of public servants within public education institutions]. Since December 2013, Hungary amended its legislation on internet child protection (Act CCXLV of 2013 on the amendment of certain acts for the purpose of protecting children). Internet service providers must guarantee free and accessible filtering programs for all and according to Public Education Act schools are obliged to download them.

1.1.10. In January 2014, **the program titled "The Internet doesn't forget!"** was launched, which, on its website, draws attention to the dangers of sharing information, data and images on social networking websites. In addition, the related series of presentations informs young people how to avoid becoming victims, what potential dangers exist, how they can help others, and why it is important to handle personal data with care.

1.1.11. In 2016, as one of the pillars of Hungary's Digital Welfare Program (Digitális Jólét Program), **the Digital Child Protection Strategy of Hungary** (a Magyarország Digitális Gyermekvédelmi Stratégiája, hereinafter: DCPS)[7] was launched [Government Decree No. 1488/2016. (IX. 2.) on the establishment of a secure internet service for children, a conscious and value-generating internet use, and on Hungary's Digital Child Protection Strategy]. The main aim of creating DCPS was to ensure that children are equipped with adequate knowledge, practice and tools to recognise the dangers of the internet and to be familiar with the opportunities, challenges and threats of online space even before entering it, therefore the DCPS set out to help the children, the families, the communities, the NGOs, the educational institutions to use the internet in a safe and valuable manner. Bearing this in mind, the DCPS makes it possible to identify and assess the dangers and risks of the digital world to children, and attempts to eliminate them, or at least tries to reduce the harmful effects thereof.

The implementation of the Strategy's Action Plan is an on-going project managed with the involvement of several ministries as the main responsible authorities and other governmental and non-governmental organizations as contributors. The most relevant goals are the provisions on guaranteeing access to up to date and efficient filtering softwares for each public educational institution; awareness raising programs for students, teachers and parents concerning safe internet

[7] 1488/2016. (IX. 2.) Korm. Határozat a Gyermekek Számára Biztonságos Internetszolgáltatás megteremtéséről, a tudatos és értékteremtő internethasználatról és Magyarország Digitális Gyermekvédelmi Stratégiájáról. Full version of the DCPS Study as background paper to the DCPS (hereinafter DCPS study) can be accessed here: http://www.kormany.hu/download/6/0e/c0000/Magyarorsz%C3%A1g%20Digit%C3%A1lis%20Gyermekv%C3%A9delmi%20Strat%C3%A9gi%C3%A1ja.pdf

usage with special regard to the risks of sexually explicit contents; and at last, the creation of a collective on-line knowledge base with references of all available resources, teaching materials, tools and good practices.

The implementation of the programs included in the DCPS's Action Plan proceed according to the provisions planned, including hardware and software developments in schools, awareness rising training for teachers in the field of restorative harm management (in cooperation with the Ministry of Justice).

The development of the curriculum and the training on media literacy is of priority relevance, the latter one shall be provided for a minimum of 500 persons working in the child protection system within the frame of HRDOP-3.8.2-16 "Development of social human capacities" priority tender.

According to the curriculum has not yet been completed, we have no information about the extent of the curriculum in connection to online sexual content.

The DCPS is built on three pillars: (1) awareness raising and media literacy (2) protection and security, and (3) sanctioning of offenders and assistance to victims.

According to Pillar I. of DCPS on awareness and media literacy aims at:

- preparing children for the proper use of online services, to take advantage of opportunities it provides, as well as to avoid and manage the risks thereof, as well as to enforce their rights;
- empowering teachers involved in the media education with fresh, competitive, relevant knowledge and enabling them with possibilities of constantly updating the knowledge gained;
- creating media literacy training for persons who are necessarily in contact with children regarding digital violation of their security and rights, as well as violations that goes beyond internet usage, in particular members of the investigating authorities, law enforcement agencies, courts, and also even parents;
- creating a web page library, an easy and accessible availability of information available in the area of child protection on the Internet;
- prescribing the development of awareness-building programs for schools and the community. Stating the above, the DCPS stresses out that it is necessary to establish cooperation between public education, other participants of state actors, civil organizations, market participants, other professional and advocacy groups, and the media[8].

  Throughout this questionnaire, the awareness raising program derived from the DCPS will be referred to as one which covers the problem of self-generated sexually explicit contents, images and/or videos.

At the same time, Pillar III. of the DCPS on sanctioning and assistance aims at:

- data collection and regular monitoring of offences, tendencies and effects of online offences is needed to understand and effectively address real issues;
- introduction of alternative (reparative) remedies for grievance management since this should play a greater role in remedying the acts committed by both children and other offenders;
- launching appropriate programs for reducing and effectively combating online bullying, and training of those involved in dealing with harmful effects thereof;
- awareness raising of existing remedies more extensively.

[8] DCPS Study p. 20

1.1.12. There is no project or measure within Human Resources Operation Programme (HRDOP)[9] directly connected this issue, however, there are measures where activities might be financed targeting children producing or sharing materials. Relevant examples are as follows:

- **HRDOP 1.2.1 Protective Networks for Families** (Védőháló a családokért) - The call for proposal is to support activities, advice and programs to serve the prevention of family crises, to provide information on child raising, to improve the social equality of women, to help communication among young people and between adults and young people, to prevent different forms of violence. The target group is children under the age of 18 and their parents are included. Beneficiaries: NGOs, churches, non-profit organisations;
- **EFOP 1.2.2 Support for Youth Programs** (Ifjúsági programok támogatása) - related topics: personality development, development of self-knowledge competence, development of problem-solving skills, mental health preservation. Beneficiaries: NGOs, churches. Target group: Young people aged 15-29.

1.1.13. In the framework of public education development program, the **Virtual Knowledge Centre against School Conflicts** was established in 2015. Through the Centre a wide range of methodological tools and collection of good practices are available for schools to support them in conflict management and negotiation technique methods.[10]

1.1.14. In order to improve legal knowledge, the National Office for the Judiciary (Országos Bírósági Hivatal, hereinafter: OBH) launched its national programme called **"Open Court"** ("Nyitott bíróság") in 2012, which was joined by all the regional courts of appeal (ítélőtábla) and county courts (törvényszék). The most important part of the programme is the lectures held during classroom lessons. These lectures are held by judges, court secretaries and clerks for students between ages 12-18 both in primary and secondary school. Amongst others, topic of the lectures includes the dangers of using the internet and the victimisation of young people (especially when they share data or photos of themselves), and also cyberbullying.

In 2016, the following lectures can be highlighted:

- County Court of Eger (Egri Törvényszék): "Communication and law. The internet and mobile communications, as well as personal rights. The dangers of communication and their legal consequences.", "The limits of making acquaintanceships, harassment";
- Budapest Municipal Court (Fővárosi Törvényszék): "Dangers of using computers and the internet", "Juvenile Delinquency and victimisation";
- County Court of Nyíregyháza (Nyíregyházi Törvényszék): "The WEB. 2.0. internet services, related criminal offences and dangers.", "The internet does not forget";
- County Court of Székesfehérvár (Székesfehérvári Törvényszék): lectures on cyberbullying;
- County Court of Szekszárd (Szekszárdi Törvényszék): lectures on prevention of cyberbullying;
- County Court of Szolnok (Szolnoki Törvényszék): lectures on the dangers of internet and safe internet use ("net activity");
- County Court of Zalaegerszeg (Zalaegerszegi Törvényszék): lecutres on cyberbullying.

The aforementioned lectures drew attention also to the conscious use of internet and the dangers hidden in sharing pornographic or sexually depicting contents.

In 2017, 2325 programs were organised and 58.710 students participated, who were mostly between the age of 12 and 18. According to the experience of the lectures, it can be said that the student were asking for more information about issues directly related to them, including for

[9] https://www.palyazat.gov.hu/human_resource_development_operational_programme
[10] http://iskon.opkm.hu/shw.php

example the use of the internet and social media sites, and they are open to learn about possible legal problems that may arise in connection with the use of such instruments. The programmes gave priority to deal with subjects related to the use of the internet in 2017.

1.1.15. National Authority for Data Protection and Freedom of Information (NAIH) is continuing its children's online protection project called "**Key to the world of the net!**" https://www.naih.hu/adatvedelemr-l-fiataloknak--kulcs-a-net-vilagahoz--projekt.html (Hungarian) https://www.naih.hu/key-to-the-world-of-the-net-.html (English) started in 2013. The main outcome of the project is a study (second edition in 2016) with a target group of children aged 10-16 and a nation-wide media campaign with a music video promoting awareness raising among children and youth. In 2017 we concentrate on children under 10 and a related study is under preparation.

Also, NAIH joined the **EU Arcades Project** http://arcades-project.eu/ in 2014-16 with the aim to produce easy-to-use handbooks for teachers on privacy and data protection https://www.naih.hu/-arcades--project.html. The handbooks were disseminated in a training organised for 200 teachers in 2015 in Budapest. Within the Arcades Project a national competition among primary and high schools was announced for a "Best privacy lesson". The videos and the lesson plans are also available on NAIH homepage.

Moreover, NAIH representatives regularly visit high schools to give privacy lessons.
The materials and handbooks are all available from NAIH website for free use what has been often doe by schools and NGOs. They often consult with NAIH as well before publishing the materials (e.g. recently a school for children living with hearing problems has issued a leaflet on the topic).

1.1.16. The Hungarian Police participated in the EUROPOL coordinated public awareness and prevention campaign against online sexual coercion and extortion.[11]

1.1.17. The Internet Hotline launched a brand new hotline website including new logo and new contents in 2017.

The Internet Hotline has been operated in Hungary since 2011, it was time to refresh the website and refill it with up-to-date and relevant contents. The reporting interface is transferred on the home page and there is also some short legal information on the nine reporting categories. The new website is responsive therefore it is easy to report illegal or harmful contents on mobile devices as well.

Beside the facilitation of reporting the main goal of Internet Hotline is to raise awareness about the safe use of internet and potentially harmful phenomena on internet like sexting and online grooming. It is also important to demonstrate the work of Internet Hotline as a real solution and an effective help in case of infringement on internet. The articles of „Knowledge base" are easily understandable for children due to short leads. Moreover these brief summaries lead to other relevant articles and informative contents on the web.

The new website is also available in English: http://english.nmhh.hu/internethotline/

[11] Further information: https://www.europol.europa.eu/activities-services/public-awarenessand-prevention-guides/online-sexual-coercion-and-extortion-crime
Report: https://www.europol.europa.eu/publications-documents/online-sexual-coercion-andextortion-form-of-crime-affecting-children-law-enforcement-perspective

1.1.18. Since late July 2018, NMHH has been promoting the Internet Hotline in a new campaign. The campaign features commonly used emojis in two different contexts: in one, they have a harmless meaning, whilst in the other their meaning is abusive, offensive and threatening. The advertisements mainly targeting children of 11 to 16 years of age provide guidance for recognizing problems as well as dealing with them. The nmhh.hu/para URL highlighted in the campaign takes you to the website of the Internet Hotline, where online infringing content can be reported quickly and anonymously. (The term „para" is an untranslatable pun.)

The first phase of the campaign is running on online platforms used by the target group and in glossy magazines to inform parents, which will later be combined with appearances in public spaces. In the next few months, NMHH will continue the campaign with new elements.

Since the start of the campaign, within the last 7 weeks, the Internet Hotline has received more than 100 reports and the viewing of Internet Hotline website has also grown, more than 53,000 page views have been recorded. These first results are quite reassuring.
The statement about the campaign:
http://english.nmhh.hu/article/197197/Online_freaks_the_new_campaign_of_the_NMHH_explains_online_infringements_using_emojis

1.2. Are there awareness-raising or educational activities/tools/materials/measures specifically targeting children as bystanders/observers of other children producing and/or sharing:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

Just like regarding the problem of online and offline bullying, the measures, tools and programmes provided by Hungary do not separate observers, bystanders, victims or perpetrators from each other when talking about preventive measures. For that reason the preventive activities mentioned under point 1.1. also apply to observers.

1.3. Are there awareness-raising activities/tools/materials/measures addressed to parents and persons who have regular contact with children (teachers, psychologists, health care professionals, etc.) about the risks children face when they produce and/or share:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

- The **Magic Valley centres** can indirectly reach the students' parents as well because the children are given brochures about the sessions to take home. Also, in Magic Valley there are awareness-raising discussions with teachers who are responsible for their students about the conscious and safe media use of children including sexting, cyberbullying and online data protection. After each visiting the Centre forwards a short guide "*What does our child on web?"*[12] home to the parents through the teachers. In a small chapter we help adults who are involved in the parenting to help children recognise and avert deception, reduce concomitant shame and guilt, and offer solution strategies.[13]

[12] http://buvosvolgy.hu/cikk/129/Szuloknek
[13] http://buvosvolgy.hu/cikk/129/Szuloknek

- The NMHH have published in 2014 a **teaching aid "*About the Media – for you*"**,[14] this is a media education promotional booklet series for children aged 6 to 16. This publication offers learning and reference points for children in areas of media education less extensively covered in textbooks, but which help enhance their quality of life, preserve their mental health (e.g. consumption, cyberbullying, healthy body image). The booklets target three separate age groups, the 6 to 9, the 10 to 12, and the 13 to 16 cohorts, all addressing their topics from multiple perspectives. The booklet for ages between 13-16 contents the chapter of sexting.[15]

- In 2018, NMHH published a booklet for parents with the title "Understand your kids!". The booklet guides parents on protecting their children online, on talking about dangerous phenomena on internet (for example cyberbullying, grooming, sexting) with them. It also includes other useful and practical advice for parents.[16]

- During the corporate social responsibility programme,[17] the NMHH also arranges special sessions for foster parents, in special view of online grooming and its consequences (for example sexting).

- For several years now there is a **training program for teachers called „Crime prevention in schools"**, which, among others, also focuses on the prevention of sexual offences. The program is financed and implemented by the National Crime Prevention Council.

- A **short movie called "Internet and young people"** deals with the problem of sending intimate photos on the internet. The movie was supported financially by the National Crime Prevention Council and was shown to teachers, parents and police officers in the framework of training courses.

- In the framework of the **"One month – one topic for the safety of internet usage" online campaign** the police publish regular newsletters. Some of them contain information about the risk of sexting for parents (online grooming, protection of privacy).[18]

- The NMHH operates the **Internet Hotline** which is available to the public for reporting online content that is illegal or harmful to minors or anybody (for example cyberbullying and content made accessible without permission). The Internet Hotline personnel regularly give lectures on the danger of internet for children. These lectures are addressed typically for experts in child protection and crime prevention who are visiting schools. We have interesting discussions with them about the risks of sexting including self-generated sexually explicit images and videos and self-generated sexual content as well.[19] See more at Question 6.

- National Police Headquarters' *"One month – one topic for the safety of internet usage"* online campaign.

[14] http://magicvalley.hu/cikk/128/Publications
[15] http://magicvalley.hu/cikk/127/About_the_Media__for_you
[16] http://english.nmhh.hu/article/194574/Understand_your_kids
[17] http://english.nmhh.hu/responsibility-sustainability
[18] http://www.police.hu/hu/hirek-es-informaciok/bunmegelozes/aktualis/egy-honap-egy-tema-a-biztonsagos-internethasznalatert
[19] http://english.internethotline.hu/

→ Please specify which entities carry out the above-mentioned awareness raising or educational activities (questions 1.1, 1.2 and 1.3) and how they coordinate their action.

- Ministry of Justice
- Ministry of Interior
- Ministry of Human capacities
- Office of Education
- National Crime Prevention Council
- National Police Headquarters
- National Bureau of Investigation
- Crime Prevention and Educational Service Center
- International Federation of Educative Communities (FICE)
- National Media and Infocommunications Authority (NMHH)
- National Infocommunications Service Company: runs the www.biztonsagosinternet.hu webpage
- National Authority for Data Protection and Freedom of Information
- National Council for Telecommunications and Information Technology
- National Cybersecurity Coordination Council
- National Society of Student and Youth Journalists
- National Office for the Judiciary
- Virtual Knowledge Centre against School Conflicts
- "Blue Line" Child Crisis Foundation
- Hungarian Foundation of the International Children's Safety Service: runs the www.saferinternet.hu
- SOS Children's Villages International: they do not have independent programmes regarding the subject of this Questionnaire, the NMHH offers such activities within their framework.
- The **Office of the State Commissioner for Educational Rights** was established in 1999 [Decree No. 40/1999 (X.8.) of the Ministry for Education on the functions and rules of operation of the Office of the State Commissioner for Educational Rights]. The State Commissioner for Educational Rights contributes to the promotion of rights concerning education of children, students, teachers, parents. Any child, pupil, parent, educator, student, researcher, teacher or their associations may file a petition in individual cases, if in

their judgement their guaranteed rights have been infringed or there is a direct threat of such infringement. The Commissioner shall investigate all petitions.

- Government Decree No. 484/2013 (XII.17.) on the rules of the establishment and management, as well as the functions and competence of the National Cybersecurity Coordination Council, the Cybersecurity Forum and the specialised cybersecurity working groups called upon the establishment of the **National Cybersecurity Coordination Council** (Nemzeti Kiberbiztonsági Koordinációs Tanács) which includes members such as the minister of interior, minister of human capacities, minister of defence, minister of justice, minister of foreign affairs, minister for national development, minister for national economy and minister of agriculture. Furthermore, the president of the State Audit Office, the president of the Central Bank, the president of the NMHH, the president of the National Authority for Data Protection and Freedom of Information, the president of the National Council for Telecommunications and Information Technology and the president of the Hungarian Energy and Public Utility Regulatory Authority may support the Council, if requested by the president of the Council. The specialised cybersecurity working groups help the Council in making decisions and the enforcement thereof, one of the working groups is specialised on child protection. Among its members, the child protection working group has experts from the Department of Crime Prevention and Victim Protection of the National Police Headquarters, the State Secretariat for Education of the Ministry of Human Capacities, the Office of the Commissioner for Fundamental Rights and several telecommunication companies. The working groups involve public officials from the relevant national authorities and a non-governmental expert. Upon the suggestions of the working groups the Council can issue recommendations regarding a given topic.

→ Please share links to awareness-raising or educational materials (e.g. booklet, video, smartphone application, manual on non-formal education, tool-kit, internet tools) produced for the above mentioned activities (questions 1.1, 1.2 and 1.3).

- You are not alone:
  http://www.hirado.hu/2017/06/19/a-rendorseg-figyelmeztet-kampany-indult-a-gyermekek-online-molesztalasa-ellen/#
  http://www.csagyi.hu/hirek/item/341-az-europai-unio-harca-a-gyermekek-szexualis-kizsakmanyolasa-ellen
  http://www.police.hu/hu/hirek-es-informaciok/bunmegelozes/aktualis/nem-vagy-egyedul-0
  http://www.police.hu/hirek-es-informaciok/bunmegelozes/aktualis/egy-honap-egy-tema-a-biztonsagos-internethasznalatert

- Crime Prevention and Educational Service Centre:
  http://bunmegelozesikozpont.hu/

- Children's Parliament:
  http://www.fice.hu/palyazatok/gyermekparlament-2/gyermekparlament-2015/
  http://www.fice.hu/palyazatok/gyermekparlament-2/gyermekparlament-2016/

- **www.saferinternet.hu**: a wealth of educational materials, tips for secure internet and videos that help to draw attention to the dangers of sexting can be found. The target group is not just the teenagers, but their parents, teachers and little children as well.

- **www.biztonsagosinternet.hu**, which is supported by the European Union, and where harmful contacts can be reported.

- The Internet does not forget:
  http://www.azinternetnemfelejt.hu/

- Safe Internet:
  http://biztonsagosinternet.hu/

- Safe Browsing:
  http://biztonsagosbongeszes.org/

- the Digital Child Protection Strategy:
  http://www.kormany.hu/hu/miniszterelnoki-kabinetiroda/digitalis-jolet-program

- Virtual Knowledge Centre against School Conflicts:
  http://iskon.opkm.hu/shw.php

- DADA-, Ellen-Szer:
  http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A16U0016.ORF&txtreferer=00000001.txt
  http://www.police.hu/hu/hirek-es-informaciok/bunmegelozes/aktualis/nem-vagy-egyedul-0
  http://www.police.hu/sites/default/files/online_grooming.pdf
  http://www.police.hu/sites/default/files/online_megfelemlites.pdf

- Video about sexting prepared by Magic Valley:
  https://www.youtube.com/watch?v=t56c6fWDk24

- YouTube channel of the National Crime Prevention Council:
  https://m.youtube.com/channel/UCO3EB3aNIebzYwjtp_GVTIw

- Materials prepared by the County Court of Nyíregyháza can be found here:
  The WEB. 2.0. internet services, related criminal offences and dangers: http://nyiregyhazitorvenyszek.birosag.hu/sites/default/files/field_attachment/web2_magyarazattal.pdf

- The internet does not forget:
  http://nyiregyhazitorvenyszek.birosag.hu/video/20160714/nyitott-birosag-program-az-internet-nem-felejt-online-bunozes

  http://kolcseygimnazium.hu/osztalyfonoki-munkakozosseg (Ferenc Kölcsey High School of Nyíregyháza)
  http://www.vasarhelyi.info/component/content/article/249-iskola/hirek/199-nyitott-birosag-program-az-internet-nem-felejt-online-bunozes?Itemid=101 (Pál Vásárhelyi Trade High School)

- NAIH:
  https://www.naih.hu/adatvedelemr-l-fiataloknak--kulcs-a-net-vilagahoz--projekt.html (Hungarian)
  https://www.naih.hu/key-to-the-world-of-the-net-.html (English)
  http://arcades-project.eu/
  https://www.naih.hu/-arcades--project.html

Question 2. Civil society involvement

2.1. How do State authorities encourage the implementation of prevention projects and programmes carried out by civil society with regard to:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

2.1.1. The National Police Force has a cooperation agreement with "Kék Vonal" ("Blue Line") Child Crisis Foundation (hereinafter: Blue Line) to provide assistance for children. "Blue Line" has a helpline and often involves the police in the implementation of different projects, for example: "**ITanoda for the Future of Avas**". The project aims at developing basic skills and learning capabilities of children and young people aged 11-20 in the disadvantaged neighbourhood of Miskolc. The objectives are: to prevent drop-out of pupils with disadvantaged background, to increase their school results by providing assistance in learning, to develop their basic skills and motivation as well as their carrier skills. For these goals they organize mentored assistance in learning at daily level, out-of-school programmes, carrier orientation programmes, parental club, and consultancy for pupils as well as their parents.

2.1.2. Another significant project is "**European NGO Alliance for Child Safety Online III"**. ENACSO III project is actually supporting the work of the ENACSO network. *The overriding goal is to create a safer online environment for children through fulfilling the following objectives:*

- To monitor and to assess the online environment from a child right's perspective and provide recommendations for the development of future policies at national, European as well as international levels.
- To ensure the development of an effective strategy to promote and advocate among relevant stakeholders so that our positions and recommendations will be taken into account. This will also be carried out, by updating and strengthening the role of the "agenda for action", with the involvement of both key stakeholders as well as children and young people.
- To strengthen the active role of all network members, ensuring the development of shared positions and advocacy strategies to be implemented at national as well as at European and international levels.
- To ensure the meaningful participation of children within all the relevant processes related to the project; from the development of positions/recommendations and strategies to their implementation, both at European and international levels and above all within network members' countries.

"Blue Line" operates as one of the 17 members of the Network, representing Hungary in the European-level alliance.

2.1.3. **Delete Cyberbullying:** "Blue Line" participates in a European project co-financed by the DAPHNE programme. The project started in February 2013 and finished in June 2014. The main goals of this project were:

- to call attention to the phenomenon of cyberbullying as a real and high-level danger for children, to set up working groups to collect and share good practices on recognizing and preventing cyberbullying at school and family level;
- to develop recommendations about this issue for decision makers at national and EU level.
- to develop an online, user-friendly campaign material.

2.1.4. **Clubhouses for Tolerance** project's purpose is to engage the Miskolc and Kecskemét Clubhouses in increasing the awareness in Hungary about the growing intolerance in the society by the use of visual art products developed by the children attending the Clubhouses. Its objectives are as follows:

- to involve the children of the Clubhouses into visual arts project where their personal sensitivity towards intolerance will be evoked as well as they can experience success, creativity and self-actualization;
- to involve artists into the creative process in order to provide assistance to children as well as increase the public visibility of the project;
- to create arts product with the use of visual art as well as IT tools which can provoke the members of the public as well as increase awareness and sensibility towards discrimination, intolerance, anti-Semitism and anti-Roma feelings;
- to open up an exhibition in Miskolc of the art products for the public via a large-scale Opening Ceremony event at the end of the project.

2.1.5. The **Better Internet for Kids Network Pilot project** is a 12-month project in which EUN Partnership and INHOPE will, in close partnership with 24 organisations which make up 11 national Safer Internet Centres (SICs), plan, develop and roll out a multilingual platform to deliver integrated, interoperable core services across the 11 participating countries. Its goals are:

- to stimulate the production of creative and educational online content for children and develop platforms which give access to age-appropriate content;
- to scale up awareness raising and teaching of online safety in all EU schools to develop children's digital and media literacy and self-responsibility online;
- to create a safe environment for children where parents and children are given the tools necessary for ensuring their protection online – such as easy-to-use mechanisms to report harmful content and conduct online, transparent default age-appropriate privacy settings or user-friendly parental controls;
- to combat child sexual abuse material online by promoting research into, and use of innovative technical solutions by police investigations.

The police is in close cooperation with NGOs, which consult the authorities on prevention projects and help us promote projects launched by the Police.

2.1.6. The **DCPS** aims at mobilizing not only the governmental sector, but also the business sector and the civil society in order to ensure that children are protected from online harms and dangers. Having set one of its priorities in raising awareness of the community and the schools, it addresses cyberbullying activities spread in youth, and identifies sexting – sharing and disseminating depictions of youth and children (persons under 18 y.o.a.) in sexual positions or nude or inadequate clothing – as a form of that.

The DCPS orders that the state has to support the awareness raising efforts of civil organizations by issuing tenders designed according to the priorities of the DCPS. The DCPS Study states that "thanks to civil organizations and the industrial players there are plenty of 'seemingly best practices' available on the palette of awareness raising and education which are, in reality, rather occasional – that is, they lack prior needs-assessment surveys, follow up evaluation, and continuity." As a necessity, the DCPS ordains that tender opportunities are to be renewed so that in the future, only those programs can get financial tender support that include evaluative assessment and follow up plan as well.[20]

[20] DCPS Study p. 86

2.1.7. In the framework of the Open Court Programme, the courts cooperate with other relevant authorities, including child protection services, local governments, governmental offices, police, prosecutors' offices and penal institutions; they give information from different aspects of the issues as part of lectures provided within the programme.

It is less likely that non-governmental organisations initiate cooperation with the courts, but there are some examples that they request attendance at the programme, like a non-governmental organisation for retired persons.

2.2. Please provide information on prevention activities (including awareness-raising and educational activities, research etc.) implemented by civil society (including those carried out by civil society at their own initiative) with regard to:

a. self-generated sexually explicit images and/or videos;
b. self-generated sexual content?

2.2.1. The NMHH and the Ministry of Human Capacities support the work of **International Children's Safety Service** on yearly basis. International Children's Safety Service is a non-profit civil organization with the priority of giving financial, social and health-related support and subsistence to children in need, irrespectively of national, political or religious affiliation. It also serves as awareness raising centre and also consortium leader of the European Union Safer Internet Program since 2009 (www.saferinternet.hu[21]. The International Child Rescue Service as awareness raising centre organizes domestic and international conferences[22] for professionals on media literacy of children, some of the conference's main focus are the effect of the media on children and youth including for example sexting and online data protection. It also provides safer internet assembly lectures for schools tailored to the special requests of the school or the class visited. The Service in these lectures however, does not provide concentration to self-generated sexual depictions or sexting.

2.2.2. The **„Blue Line"** deals with problems of the victims of sexting related offences as well. The Foundation is supported by the European Union, and the Ministry of Human Capacities among other supporters.

2.2.3. The **Magic Valley** media literacy education centres have been created by the NMHH to support children in their conscious and safe media use. The centres can be visited as part of a school trip free of charge.

2.2.4. The **Threat Assessment of Bullying Behavior in Youth (TABBY) in Internet** (European Project JLS/2009-2010/DAP/AG/1340 AMG) and TABBY TRIP in Europe (European Project JUST/2011-2012/DAP/AG/3259) can be mentioned, which aimed at increasing the awareness of the risk when using the web or any electronic form of communication and at learning information and skills to protect themselves. TABBY questionnaire, which is a self-assessment tool of various risky activities pursued online includes cyberbullying and sexting as well. See more on website: tabby.eu.

2.2.7. Another civil society initiation is the **Digital Knowledge Academy (Digitális Tudás Akadémia)** (www.digitalisiranytu.hu) that established a voluntary based educators' network providing lectures for pupils, school staff, parents, and community.

[21] The other Safer Internet consortium partners in Hungary are "Blue Line" as helpline and the NMHH operated hotline (internethotline.hu) for reporting harmful and illegal content.
[22] The NMHH and the International Children's Safety Service organize a media conference in every second year.

2.2.8. The **UNICEF Hungarian Committee Foundation** and **Telenor Hungary** started off a joint activity in 2013, with the launch of **Alarm-clock (Ébresztő-óra) program**. The program, with the help of over 100 trained volunteers, introduces children's rights including violence against children, cyberbullying and digital safety, within a 90-minute free interactive lecture. Knowing children's rights is important even for developing social competencies and in the community integration process which might be crucial for 'digital native' youth to use the internet safely, free from cyberbullying. Originally, the 2 organizations aimed to reach out for 2,000 pupils a year, however the actual number of already accessed children counted over 11,000 within the first 2 years of the project (2013-2015).

Question 3. National curriculum

Does national curriculum (primary and secondary schools, and vocational education) include awareness-raising about the risks of:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

3.1. According to the Hungarian system, curricular legislation of public education has several layers, built up on each other.

In primary and secondary education the national curriculum is regulated by the Government decree on the **National Curriculum** (Nemzeti Alaptanterv) (Government decree No. 110/2012 (VI.4.) on issuing, implementing and applying the national curriculum). The education on ethics (including issues of patience, understanding and tolerance, as well as standing up against all sorts of violence) is defined therein as a primary goal and development area. The National Curriculum does not create one particular school subject for the education concerning the issues in question, but considers it as a fundamental principle that should be discussed and emphasised appropriately in all classes and lessons whenever it is relevant, adjusted to the given age group.

The National Curriculum covers the responsible use of media and teachers, guidance counsellors, and principals can decide what to focus on in accordance with the local needs and resources.

On the basis of the National Curriculum, the minister responsible for education issues ministerial decrees called 'frame curricula' (Ministerial Decree No. 51/2012) regulating the goals, contents, minimum numbers of lessons per week etc. of each school subject. Ethics is a compulsory subject in all grades of primary education and in one grade in secondary education, including vocational secondary education. The topic of sexuality is also involved in the development area of „Critical thinking" for secondary school students.

The National Curriculum is to be reviewed every five years according to the regulations of the National Education Act. The new National Curriculum's draft version is in the phase of public discussion for the time being, thus it is not enacted yet. The new public educational content regulations are to be introduced in September 2019, but the basic approach as for the prohibition of any sort of discrimination and violence in schools, consequently the education to this end is determined and set in the draft as basic principle.

For primary school students in grades 5-8. and secondary school students in grades 9-12., the skill and knowledge development objectives within the area of informatics prescribe education concerning ethical media usage (including social media).[23]

[23] http://kerettanterv.ofi.hu/

3.2. These frames are further detailed and regulated by the individual educational institutions in their **local curriculum** contained in their pedagogical program. 10% of all classes defined as non-compulsory in the National Curriculum can be used for subjects that are up to the decision of the given institution. Within the framework of the form-master system, all aspects of sexual education are compulsory part of the program. Development of class community is also a fundamental aspect of the form-master program, as research shows that by improving community cohesion, internal discriminative attitudes within groups of students, including any form of aggression and violence (e.g. bullying), can significantly be reduced or even eliminated.

3.3. Realizing the importance of non-formal education, so called "**thematic weeks**" are included in the regulations concerning the agenda of the academic year for public educational institutions, issued by the Minister of Human Capacities. (Decree No. 14/2017 (VI.14.) of the Ministry for human capacities on the rules for the school year of 2017/20018). Within the framework of the "digital thematic week" schools are given the opportunity to adopt and implement programs with the help of project packages and resources available on the website designated specifically to this program.[24]

In the 2017/2018 academic year, 120,000 pupils from 920 schools participated in the programmes of the Digital Thematic Week, 3,000 digital school projects were carried out, 1,500 satellite events of partner institutions took place, and 190 applications for new projects were submitted.

3.4. There is no project or measure in Human Resources Operation Programme (HRDOP) directly connected this issue, however, there are measures where activities might be financed targeting national curriculum and awareness raising about risks of children during producing or sharing materials on the internet. Relevant examples are as follows:

- EFOP 3.2.9 **Development of kindergarten and school social assistance activities** (Óvodai és iskolai szociális segítő tevékenység fejlesztése) - targeting competent social and child protection professionals in the nursery and school social assistance. During the realization, the locally available specialist can assist with the problems described in question 1.3.

3.5. A **book by Sándor Kóczián** about online child protection was published in 2014, it was supported by Institute for Media operated by NMHH. This book is about the media regulation in connection with child protection: how can we protect our children in online world? What kind of risks the children have to face on internet? It summarizes the Hungarian regulation moreover it gives a comparison with Great Britain's, Germany's and France's media law.[25]

3.6. In the framework of its crime prevention programs the National Police Headquarters draws the children's, their parents' and their teachers' attention to the importance of the safe Internet usage with presentations and information materials in both primary and high schools.

[24] http://digitalistemahet.hu/
[25] http://mtmi.hu/cikk/632/Hogyan_vedhetjuk_a_kiskoruakat_az_elektronikus_mediaval_szemben

Question 4. Higher education curriculum and continuous training

Do higher education curriculum and continuous training for those who will or already work with children include the issues raised by:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

In higher education, there is no specific curriculum or training available on self-generated sexually explicit images and/or videos/content. Even teachers' and educators' higher education curriculum lack cyberbullying and sexting as part of that.

The National Police Headquarters conducts training programs for the police staff by which the police officers can obtain working knowledge on the safe internet usage and risks of children becoming victims of Internet related crimes.

Question 5. Research

5.1. Have public authorities or other bodies initiated/supported research on the issues raised by:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

The answer is yes: **the DCPS** sets central-promotion of research programs, and urges to conduct a national representative longitudinal survey on school pupils' population in media literacy as priorities. To this end, recently a **2-year (2017-2019) project was launched by the Office of Education (Oktatási Hivatal)**[26] in the Ministry of Human Capacities aiming at mapping pupils' digital literacy. In the framework of the project, there is a risk-assessment tool to be developed which will sensitize pupils and raise media-related knowledge in itself. This risk-assessment tool measures digital literacy, enhances digital competencies, and develops social competencies such as group work, adaptation to group norms, integration to the community, self-esteem, assertiveness, helping and mentoring peers.[27]

A national representative study of the **National Crime Prevention Council** of the Ministry of Interior (**Belügyminisztérium Nemzeti Bűnmegelőzési Tanácsa)** reflects 5th, 7th, 9th and 11th grade students' attitudes and knowledge on crimes and the risks pursued, including sharing and disseminating personal data and images online in the 2016/17 academic year, on a 10,000 sample. The results of the study are not published yet, but according to the executive summary[28] the answerers the most severe transgression is when someone takes nude or intimate depictions of a person under 18 (86% of the answerers). False bomb reporting (76%) and certificate counterfeit (70%) only follows this in severity. Note, that the original aim of the study was to evaluate the school based crime prevention programs (DADA and ELLEN-SZER) or the police. Although the programs originally aimed to tackle with and dismantle drug and psychoactive substance abuse at school, later on they were replenished with teaching skills of safe internet use.[29]

No request for research in this field was filed by the National Office for the Judiciary in 2017 and till the end of June 2018.

[26] https://www.oktatas.hu/
[27] https://www.palyazat.gov.hu/megjelent-a-kznevels-keretrendszerhez-kapcsold-mrsi-rtkelsi-s-digitlis-fejlesztsek-innovatv-oktatsszervezsi-eljrsok-kialaktsa-megjtsa-cm-felhvs
[28] The executive summary was provided by the National Crime Prevention Council for individual request.
[29] For further details including publication date please contact the National Crime Prevention Committee: nbt.titkarsag@bm.gov.hu

5.2. Have public authorities or other bodies conducted or supported research in particular on the psychological effects on those persons whose:

a. self-generated sexually explicit images and/or videos as children have been shared online?
b. self-generated sexual content as children has been shared online?

So far, no Hungarian public authorities have conducted research in this area. However, NMHH has completed a research in form of a personal questionnaire in October-November 2017 with the involvement of 2,000 children (aged between 7 and 16 years) and their parents (2,000 persons), altogether 4,000 persons. The questionnaire has focused on media usage behaviour, understanding media content, parental control and among these issues online dangers, harassing and invidious phenomena in digital world and self-protection strategies and techniques.

Regarding parents' views on sexually explicit content, the results of the research show that 45% of the respondents (parents) claimed that they do have prohibitive rules towards their children regarding the watching of TV programmes that contain sexual content, and 46% said that they have the same rules in terms of websites displaying sexual content. In addition, 27% of the parents expressed that they worry about sexual content that their children are exposed to in television. A brief press release in English, including the announcement of the research results, can be found here:
http://english.nmhh.hu/article/197727/Third_NMHH_media_literacy_education_centre_to_open_in_Sopron

The final report of the research in Hungarian can be downloaded from here:
http://english.nmhh.hu/document/197726/NMHH_PSYMA_7_16_eves_2017_final.pdf

The NMHH is preparing a competency test about national media literacy led by the Education Office. Approximately 3-5000 students will be asked from 2019. Nonetheless, the wide focus of the test, the NMHH would like to examine the students' wellbeing as well regarding the sharing of self-generated sexually explicit images and/or videos and self-generated sexual content.

→ Please specify whether the public authorities or other bodies having initiated/supported the research above (questions 5.1 and 5.2) are aware of their outcomes.

Eu Kids Online II. was vital to chart and understand the complex nature of the changing risk context for children and their families, so as to inform policy makers, educators and the public about emerging online trends and possible solutions. In Hungary this research is supported by the NMHH.

The European Research Framework Program was launched in autumn 2010. The first report major comprehensive research report was followed by a number of thematic analyses. The closing of the project was published on 18th July, 2012, which was probably the most comprehensive empirical study about the risks of using the internet.

The research showed that 16% of the respondents had already seen images or videos with sexual content on some platform. Boys and older students were more concerned than the other groups. Sexual online contents were commonly encountered by children accidentally or by video sharing. Sexual content means mostly nude people and images of sexual acts. 7% of the respondents from the age group 11-16 had already received a message with sexual contents via the Internet. The age group 15-16 was the most jeopardized. Those who were experienced in using the internet or were using the internet in their own rooms got victim of sexting more often. Sexting was realized mostly in the form of private messages or Facebook posts. It was less common that someone was asked to

take part in a sexual conversation or send nude pictures. It was more common on the other hand that someone became the witness of a sexual act.

NAIH has made its own researches within the framework of its "Key to the world of the net" project.

Protection

Question 6. Assistance to victims

6.1. What specific reporting mechanisms, including helplines, are in place to ensure that child victims of exposure online of:

a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
b. self-generated sexual content are provided with the necessary support, assistance and psychological help?

Victims can report directly to the Police by calling 112, the number of the Emergency Call Centre.

There are no central reporting hotlines specifically for the above mentioned activities, but victims can report offences or crimes to the police via helplines too (like the Internet Hotline operated by the NMHH, the biztonsagosinternet.hu operated by the National Infocommunications Service Company (NISZ), the "Blue Line" and Yelon). Both entities should inform the victim and the family on the available support, assistance and psychological help which is provided by law.

6.1.1. The **Internet Hotline** is available to the public for reporting online content that is illegal or harmful to minors, works closely with the Hungarian Police. There are 9 categories in which public can file reports: content made accessible without permission; harassment; paedophile content; racist or xenophobic content; sites portraying violence; data phishing sites, content infected with viruses, spyware or worms; site, invitation or request offering or aimed at the promotion of narcotics; content promoting, facilitating or inciting acts of terrorism; other content that may be harmful to the development of minors. The Internet Hotline regularly receives reports in connection with the consequences of sexting: photos or videos made accessible without permission. In these cases the complainants are typically adolescents and young adults. Once a report about content made accessible without permission (for example a self-generated sexual content) is filed, it will be evaluated by Internet Hotline personnel and if the reported content is found to be objectionable (it means somebody has misused the reported photo or video) the content provider or the affected host is notified to take the questioned content offline. The Internet Hotline always brings the infringement to provider's attention. The most cases the process of Internet Hotline is successful and providers remove the contested content. As you can see Internet Hotline can provide technical support for children if somebody misuses their self-generated sexually explicit images or videos or their self-generated sexual content, for example posting an intimate photo on Facebook or sending it as message.

The NMHH has to emphasize that the activity of the Internet Hotline is not an authority procedure but an activity undertaken by the NMHH in the name of corporate social responsibility. Lacking statutory powers, the Internet Hotline and its operator, the NMHH cannot require the deletion of any content or the inclusion of a warning of content detrimental to minors. The Internet Hotline may only request the removal of the contested content by citing that it infringes legislation however the procedure of hotline is very effective and successful.

In 2017, the NMHH received 108 reports about content made accessible without permission, among them there were 6 reports in connection with sexting.[30]

6.1.2. The **National Infocommunications Service Company (NISZ)** (biztonsagosinternet.hu) is authenticated by the international hotlines association, the INHOPE (just like the one operated by the NMHH). It accepts reports of any kind of harmful and illegal contents. According to the statistics of NISZ, covering a yearly period between July 2016 and July 2017, most of the reports on online child sexual exploitation (images, videos) originated from Hungarian users; with this statistics, after Russia and the U.S., Hungary ranks the 3rd in the countries with the most numerous reporting of such content. (Table 1)

Table 1: The number of child sexual exploitation related reports, between 2016 July and 2017 July, countries' ranking (source: NISZ)

Ranking	Country	Occurrences
1	Russia	85
2	United States	45
3	Hungary	42
4	France	33
5	Netherlands	14
6	United Kingdom	3
7	Italy	2
8	Seychelles	2
9	Czech Republic	1
10	Germany	1
11	Iceland	1
12	Slovenia	1
13	Croatia	1
14	Canada	1

In the above mentioned time period (2016 July – 2017 July) NISZ processed 1,233 reports in Hungary, the vast majority of which was child sexual exploitation related (231+42+13=286; 23.2% - see Table 2). However, there is no statistical breakdown how many of these were peer-sexting-related.

Table 2: NISZ processed reports breakdown by type of content, between 2016 July and 2017 July, Hungary (source: NISZ)

Type of Content	Hotline Determination
Child Pornography	231
Child Erotica/Inappropriate Child-related images	42
Child Nudism	13
Child Grooming Activities	N/A
Child Trafficking	1
Child Sex Tourism	N/A
Adult Porn Accessible to Children	1
Adult Pornography	135
Extreme Adult Content	13
Racism and Xenophobia	2

[30] The reporting interface: http://english.internethotline.hu/reporting/

Promoting Violence Against an Individual	8
Terrorism	N/A
Drugs	4
Spam not containing or referring to illegal content	16
Other Content or Not Illegal	375
Queries	27
Not Accessible	66
Not Found	103
Outside Hotline Remit	196
Total Reports Received	**1233**

Speaking of specific peer-sexting-related content, "Blue Line" and Yelon accepts reports.

6.1.3. The **„Blue Line"**[31] was founded in 1993, therefore it has a more than twenty years past experience. The primary task of the „Blue Line" is to listen to the children and young people and help those of them who are in need. It reaches their tasks among others by operating child helplines. It works on implementing the rights of children as defined by the United Nations. Its mission is to accomplish that adults, as well as professional and governmental bodies working with children serve the interests of children above all other interests. It fulfils its tasks by operating a child helpline (telephone and online availability), organizing activities, programmes, clubs for children, and providing training and services for professional staff working with children.

"Blue Line" has several helplines:

- Missing Children Hotline: The service offers emotional, social, legal and administrative support for parents and children in connection with child disappearances. The operation of the service is based upon the Guide for Hotline Operators identified by Missing Children Europe.
- Child Helpline and Internet Safety Helpline: The goal is to help children and young people in need of support, care, and protection; to improve callers' safety. The main activities include telephone support for children and young people in difficult situations, education and promotion efforts encouraging young people to seek help and use the helpline's services.
- These two helplines can be called free of charge, 24-hour a day, anonymously. The helplines are operated by trained volunteers during the day, and by professional staff during the night.
- It offers also e-mail service through kek-vonal.hu website (called EMIL), and chat service also through the website.
- Children's Lawyer: This service is operated by the specialized lawyer of the Foundation together with pro-bono lawyers and lawyer trainees. The "Blue Line' Children's Lawyer service helps those children, young people, parents and professionals who turn to us for help. The service can be used through e-mail to: gyerekjogasz@kek-vonal.hu.

116-111 is the number of Child Helpline and Internet Safety Helpline. The main activities include telephone support for children and young people in difficult situations, education and promotion efforts encouraging young people to seek help and use the helpline's services. It can be called free of charge, 24-hour a day, anonymously. The helplines are operated by trained volunteers during the day, and by professional staff during the night. Children can call the helpline in connection with self-generated sexually explicit images or videos and their self-generated sexual content.

„Blue Line" gets 40,000 calls a year; the first half of 2017 they got 23,378 calls, from which 6,526 were so called consulting calls, and 51 were immediate action requirement (or interventional) calls. In all the calls in 2017, 21 were sexual depictions AND peer related. Compared to the sum amount of

[31] https://www.kek-vonal.hu/index.php/en/

calls, 21 is very few, but "Blue Line" expressed their concern that there might be much more cases in reality. A reason of this might be that most of such calls are registered as a wider category such as relational problem, peer-related problem, instead peer-related sexting. In the evolution of the cases, sexting emerges only as the final step, the conclusion of the harassment.

6.1.4. The **Yelon** is a sex education helpline launched by **Hintalovon Foundation**[32] in February 2017.[33] To this date, Yelon got 9 calls in child sexual exploitation cases, 3 of which needed service other than counselling – 2 cases psychological, 1 case psychological and legal aid. Yelon is an advocacy service run by adult professionals and youth volunteers, posting bulletin board briefs in youth sexuality and provides chat service for peers as well.

6.1.5. Victims can also call the 24/7, free of charge **helpline on 06-80-225-225 of the Ministry of Justice**. The staff informs all victims on the available options and procedures.

6.1.6. Please, see ANNEX 2. for extracts from NAIH study "Key to the world of the net" Page 106-107.

6.2. What legislative or other measures have been taken to ensure that child victims of online exposure of:

a. self-generated sexually explicit images and/or videos are provided with the necessary support, assistance and psychological help?
b. self-generated sexual content are provided with the necessary support, assistance and psychological help?

6.2.1. The **Act CVIII of 2001 on Electronic Commerce and on Information Society Services** transposed the E-Commerce Directive (Directive 2000/31/EC) into Hungarian law. According to this Act (Section 13, (13)) a child victim of online exposure of self-generated sexually explicit images or videos and self-generated sexual content has the right to notify the provider to remove the contested content. It is called **notice and takedown procedure**.

Section 13 (23) of the Act says "*Any minor whose personality rights are alleged to have been infringed upon by any information to which a service provider has given access - not including the standardized title of the information made available - (hereinafter referred to as "under-age data subject"), or the legal representative of an incompetent minor (hereinafter referred to as "legal representative") shall be entitled to notify the service provider specified in Subparagraphs lb)-ld) of Paragraph l) of Section 2 in a private document representing conclusive evidence or in an authentic instrument, or by any other means with facilities for the identification of the under-age data subject or his/her legal representative, such as a certified postal consignment (hereinafter referred to collectively as "notice") requesting to have the information alleged to violate the personality rights of the under-age data subject removed. In the case of any information alleged to violate the personality rights of an under-age data subject of limited legal capacity, the legal representative of such under-age data subject may also request the service provider to remove the information alleged to violate the personality rights of the under-age data subject. The notice shall elaborate the reasons as to why the content in question is considered to infringe upon the under-age data subject's personality rights".*

If the provider does not comply with the request the minor or its representative can bring the case of alleged infringement of the minor's personality rights before the Internet Roundtable on Child Protection (Section 13 (15)). The Roundtable was established by the NMHH, the purpose of the

[32] http://www.hintalovon.hu/
[33] https://yelon.hu/

21-strong advisory board is to encourage the protection of minors on the web. The Roundtable can also issue non-binding recommendations or public statements, especially if the raised issue represents a general problem.

6.2.2 Since **Act 31 of 1997 (Child Protection Act)** entered into force, **a child protection detection and signalling system** has been established by the local level of child welfare services for the aim to prevent endangerment and abuse of children and report these cases in the shortest time to the designed authorities. The members of child protection detection and signalling system, as defined by the Child Protection Act, are providers of health services, providers of personal care, public education institutions, the police, the prosecutor's office, the court, the probation officer, organizations established for the purpose of victim assistance and compensation, refugee reception stations, temporary accommodation for refugees, any associations, foundations and church legal entities, the labour authority, the reformatories, representatives of children's rights, the capital and county government departments acting in the field of child protection and guardianship.

The above mentioned institutions and persons are required to signal any case of child's endangerment to a child welfare service provider, and to initiate administrative proceedings in case of abuse or serious neglect, or other serious causes of danger, or the serious risk of self-inflicted behaviour of the child. With such an indication and initiative, practically any citizen and a social organization representing the interests of children can make signal to such institutions.

The detection and signalling system was transformed into a four level system, two of which were established on 1 January 2016:

- On a local level - the task of the Family and Child Welfare Service is to organize a local child protection signalling system, to formulate, operate and document cooperation forms. The signalling system's responder is responsible for signalling from the area on a weekly basis to the district's counselling counsellor. On the local level, organizing and convening the case conferences with the participation of the district level consultant (so he/she can find out about the circumstances and situation of a particular family prior to signing the protection proposal), as well as the organization of case discussions and annual professional meetings six times annually, where local issues and news are discussed. The district signalling consultant coordinates all inter-professional case discussions and professional meetings. The introduction of a local signalling action plan has been mandatory for the assessment of the functioning of the local child protection signalling system and the enhancement of its effectiveness.

- On the district level - the Family and Child Welfare Centre provides a continuous professional background for family caregivers working in the settlement level, responsible for signalling systems, receiving their signals and problems. The task of the district signalling consultant is to assist in the operation of the municipal level signalling systems and to provide professional support. He/she coordinates the work of the family caregivers of the settlement, and is responsible for organizing case discussions, inter-professional meetings organized for settlements, annual professional conferences.

Two further levels were set up as continuation of the signalling system reinforcement (at the former local and district level) since 1 January 2017:

- On the county/capital level - in the framework of the child protection detection and signalling system, in addition to the local and district level, tasks of the capital and county government departments acting in the field of child protection and guardianship have been

set up to facilitate the functioning of the signalling system as specified by law. The Budapest and county government offices provide support to the problems, difficulties and management of the child protection signalling system, the members of the child protection detection and signalling system as well as child welfare service providers. Its basic task is to initiate, implement and provide technical assistance to the professional activities, measures to improve the operation and operation of the signalling system. It provides professional support to district signalling consultants of the Family and Child Welfare Centres, and convenes them annually, jointly evaluating the child protection signalling system of the county in their jurisdiction.

- At national level - National methodological task performance and nationwide child protection signalling number operation. Within the framework of the state's maintenance duties, the Directorate-General for Social and Child Protection is designed to provide the development of the efficient functioning of the signalling system. Its task is to provide nationwide professional support and development of the effective functioning of the child protection signalling system, to develop and organize trainings, to draft regulatory and modification proposals for sectoral management. In order to support the signalling system and the announcement of the child's vulnerability announcements, from January 1, 2017, a nationwide unified child protection signalling system number was set up.

6.2.3. There is no project or measure in Human Resources Operation Programme (HRDOP) directly connected this issue, however, there are measures where activities might be financed targeting protection of children producing or sharing materials. Relevant examples are as follows:

- EFOP 1.2.4 **Development of Crisis Management Services** (Kríziskezelő szolgálatok fejlesztése) - The aim of the call is to reduce the number and severity of related violence and other emerging crisis situations by improving the quality and availability of low-threshold services through the human resources and technical development of crisis services and telephone help services. (Key Project)

6.2.4. Victims of sexting related offences can ask for assertion of interests at the **Victim Support Service**. In these cases the service granted can mean emotional support especially. Victim Support Service provides victims with tailored information on their basic rights and the services available. If required, they assist victims with filling in forms, submitting applications, contacting other organizations that also offer services to victims, respectively.

Victims can also call the 24/7, free of charge helpline on 06-80-225-225 of the Ministry of Justice. The staff informs all victims on the available options and procedures.

In an on-going criminal procedure victims can apply for a certificate of their victim status in order to get legal aid with more favourable conditions from the **Legal Aid Service**.

A special signalling system is in operation which aims to protect the child's best interest. Whenever the Victim Support Service gets information on a minor exposed to threats of crime, it shall immediately call the attention of the child welfare agency.

In Hungary, there is neither a law available specifically on providing psychological assistance to the underage victims of sexual violence, nor centrally (financially) supported institutional background therefore. The **victims' assistance code** (áldozatvédelmi törvény)[34] however orders to assist victims of crimes with "psychological trauma, emotional distress". However even this code lacks

[34] 2005. évi CXXXV. törvény a bűncselekmények áldozatainak segítéséről és az állami kárenyhítésről (hereinafter victims' assistance code)

concretizing the forms of necessary assistance. Furthermore, there are European Union directives ensuring the special protection and rights of the victims of sexual crimes, of which the latest and most comprehensive is the directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA.

→ Please provide, if any, information on the number of victims who received support, assistance and psychological help in the above mentioned specific contexts (questions 6.1 and 6.2).

Question 7. Cooperation with civil society

Please describe cooperation with non-governmental organisations, other relevant organisations and other representatives of civil society engaged in assistance to victims of the offences covered by the present questionnaire (see questions 9-11) through e.g. child helplines, victim support organisations.

The Kék-Vonal Child Chrisis Foundation in consortium with the International **Children's Safety Service** act as a **Safer Internet Centre in Hungary**, organizing helpline, hotline and awareness raising activities.

The National Police Force has cooperation agreement with:

- "Blue Line",
- **White Ring Organisation**[35] Hungary: The main task of the organization is to provide direct and indirect support to victims and relatives of victims of crimes in any legal, financial and psychological way, and defend the interests of victims. Hungarian White Ring Organization is supported by the Hungarian Ministry of Justice among others, and
- Hungarian Victim Support Service (state) to provide assistance all victims.

The National Bureau of Investigation does not have direct contract with NGOs, but cooperates with different entities by participating in conferences, sharing crime prevention information, when necessary.

Project DeShame can be mentioned here, a European Union project which aims at improving understanding and raising awareness of an emerging area of gendered violence against children – Online Sexual Harassment, including self-generated sexually explicit content, images and/or videos – and to promote children's digital rights and increase reporting through developing and evaluating youth-led and multi-sector interventions in EU Member States (Hungary, Bulgaria, Denmark, Ireland and the UK), and then to transfer this learning throughout Europe. On behalf of Hungary, „Blue Line" is a partner organization. (See above) The 2-year project (2017-2019) pursues the following activities:[36]

- Improving understanding of online sexual harassment among teenagers and identifying effective multi-sector strategies for preventing and responding to this issue through a cross-country comparative analysis, including qualitative and quantitative research with young people, case study analysis, needs-assessment of key stakeholders, collation of good practices, and through convening an Expert Advisory Board.

- Develop, implement and evaluate effective awareness raising activities co-created with young people to encourage victims and witnesses to report online sexual harassment against

[35] http://fehergyuru.eu/en/home/
[36] Source: http://www.childnet.com/our-projects/project-deshame

children and to recognise and promote children's rights online. This will include delivering a youth-created campaign and associated educational and campaign materials, as well as national youth advocacy events.

- Develop practical tools to enable professionals from multiple sectors to effectively collaborate to prevent and respond to online sexual bullying against children. This will included practical training tools for teachers and police.

- Promoting cross-border cooperation and mutual learning through dissemination activities to share the project's tools and methods with other Member States, including national events, an international event, impact report and establishing an informal network to enable continued knowledge-sharing about this emerging issue after the end of the project.

NAIH works in close cooperation with Blue Line Child Crises Foundation http://www.kek-vonal.hu/index.php/en/ and Hintalovon Gyermekjogi Alapítvány http://www.hintalovon.hu/ – for further details, please, contact them.

Prosecution

Question 8. Legislation

8.1. Does national law contain any reference to:
   a. self-generated sexually explicit images and/or videos in the context of offences covered by the Lanzarote Convention (Art. 18-23)?
   b. self-generated sexual content in the context of offences covered by the Lanzarote Convention (Art. 18-23)?
   c. non-pictorial self-generated sexual content produced by children (e.g. sound, text) in the context of offences covered by the Lanzarote Convention (Art. 18-23)?

Due to the proposal of NMHH, the Act C of 2003 on Electronic Communications is completed with Section 159/D. It came into force on 2nd June 2017.

Cooperation Between the Authority and Providers of Electronic Communications Services With a View to Blocking Access to Websites Containing Child Pornography[37]
Section 159/D[38]
(1) Electronic communications service providers of access and providers of browsing and caching services shall be entitled to render electronic information containing images of child pornography contained in the list maintained by the International Criminal Police Organization (INTERPOL) inaccessible.
(2) At the request of electronic communications service providers of access and providers of browsing and caching services who joined the technical support system referred to in Subsection (5) of Section 159/C, the Authority shall render the electronic information contained in the list mentioned in Subsection (1) hereof inaccessible via the technical support system, by way of the methods and under conditions set out in an administrative agreement provided for in Subsection (5) of Section 159/C.

According to the explanatory provisions of Act C of 2012 on the Criminal Code (hereinafter: CC) provided regarding the criminal offence of child pornography (section 204):

[37] Enacted by Section 10 of Act XLVI of 2017, effective as of 2 June 2017.
[38] Enacted by Section 10 of Act XLVI of 2017, effective as of 2 June 2017.

“a) 'pornographic material' shall mean any video, movie, photograph or other visual recording that depict sexuality in a gravely indecent open manner, designed specifically to arouse sexual desire;
b)'pornographic show' shall mean an act or performance that depicts sexuality in a gravely indecent open manner, designed specifically to arouse sexual desire.”

The video, movie and photograph do need further explanation. Taking into account the continuous technical developments, the “other visual recording” shall mean any kind of pictographic recording captured in any kind of manner. However, this shall not include capturing a child under 18 y.o.a. by drawing or painting, in this regards, recording shall mean such a technical method for capturing a person which is independent from perception, thus it is more like documentary.

There are two concurrent conditions to be met in order to declare a recording “pornographic”:

- the recording must be depict sexuality in a seriously indecent straightforward manner, and
- it shall be made in a manner that aims at arousing sexual desire.

Sexual freedom, and as part thereof, one’s sense of sexual decency is part of one’s human dignity. The quintessence of one’s sense of sexual decency is the need for protection, mainly protection from exposure and exploitation, which in practice should mean being covered/concealed from others. The owner of the protection deriving from one’s sense of sexual decency is the person who has the right to uphold or give up this, and as such, it is the gist of one’s sexual freedom and autonomy.

One’s sense of sexual decency can not only be violated by having others present when one uncovers their genitalia, but even when the action is objectively capable of resulting in such violation. This is one reason behind due to which the act of granting access is punishable in case of child pornography.

According to the Commentary of the CC, grave/serious indecent exposure shall not mean only the naked genitalia, but when it is shown in a provocative, ostentatious and revealing manner.

It becomes pornographic when it is done in manner that aims at arousing sexual desires.

Children must be protected from participating in such pornographic actions, due to their age-related incapability of effective protection of their own dignity. A more common interest is to not to have pornographic materials depicting children because such materials and contents provide market, and as such it generates supply and demand.

It does not matter whether the person depicted is real, or is alive, or even reached 18 y.o.a., or even that the person is under aged but wearing a makeup suggesting them to be of age. What matters is that the person at the time of making the recording was under the age of 18 years, thus the recording depicts a person under the age of 18 years in a pornographic manner.

The Hungarian CC does not differentiate between pornographic contents made by others or by oneself, and does not have any explicit verbis reference to “self-generated” sexual materials.

In Hungary, the simulated representation or realistic imaged of a non-existent child cannot be regarded as child pornography; the criminal offence of defamation might be possible taking into consideration all circumstances of a given case.

In Hungary, sexual non-pictorial sexual content cannot be regarded as child pornography; the criminal offence of defamation might be possible taking into consideration all circumstances of a given case.

Regarding further criminal legislation, see Questions 9-11.

8.2. Does national law tackle the involvement of more than one child (i.e. consensual posing) in generating the:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

8.3. Are there specificities related to the fact that more children appear on the:

a. self-generated sexually explicit images and/or videos when these children accept that their image and/or video are produced and shared through ICTs?
b. self-generated sexual content when these children accept that their image and/or video are produced and shared through ICTs?

Regarding questions 8.2. and 8.3.:

The aspect that the under aged victims accept the making and sharing of pornographic materials depicting them, does not matter, thus does not interfere with establishing and legally classifying the criminal offence of child pornography.

It does not matter either, if at the time of making or sharing of pornographic materials the children depicted accepted this action, but later withdrawn or changed their statements on acceptance. The child actually making the material (e.g. pushing the button down on the camera) is liable for the action of producing such material under section 204 (1) b) of the CC, the child who made this material accessible for the public (actually shares the material) is liable for the action of forwarding or making available (to a certain person(s)) under 204 (1) b) of the CC or of making available to the general public under 204. (1) c) of the CC:

Any of the criminalised behaviours/acts regarding sexually explicit images/videos/contents count as one criminal offence if it is committed on one piece of recording depicting one child.

Any of the criminalised behaviours/acts regarding sexually explicit images/videos/contents count as one criminal offence if it is committed on one piece of recording depicting more the one child (several children on one photo/video). This is due to the fact that the CC uses the term '*person or persons*' regarding the certain criminalised behaviours/acts.

Any of the criminalised behaviours/acts regarding sexually explicit images/videos/contents, as a main rule, count as one criminal offence if it is committed on more than one piece of recording depicting one child. Any of the criminalised behaviours/acts regarding sexually explicit images/videos/contents, as a main rule, count as one criminal offence if it is committed on one piece of recording depicting more the one child (several children on one photo/video). However, in certain cases, as prescribed in section 6 (2) of the CC, acts of the same type motivated by a single objective and committed against the same victim in brief intervals form a 'continuously committed offence', and as thus count as one criminal offence. According to Section III. 6. of Opinion No. 56. of the Criminal Chamber of the Supreme Court on factors to be considered during imposition of punishment, continuous commission of crimes shall be considered as aggravating circumstance, and the more acts it involves the more aggravating effect is should have.

'Multiple offences' shall mean when one or more acts committed by the same person result in more than one crime, which are adjudicated in the same proceeding. Regarding child pornography this can only be established if the acts adjudicated in the same proceeding were committed at precisely

determinable different times and locations, for example, if the perpetrator produces pornographic material depicting the same child at age 10 and then at age 13, or depicting different children at different times. Also, according to Section III. 6. of Opinion No. 56. of the Criminal Chamber of the Supreme Court on factors to be considered during imposition of punishment, if the acts cannot be considered as multiple offences, the act which was not established independently can be considered as aggravating circumstance.

Nevertheless, even if the perpetrator is under criminal proceedings for one count of child pornography, the CC provides specific rules among the sentencing principles as well. Punishment, with due consideration of its intended objective, shall be imposed within the framework provided for by this Act, in a manner consistent with the severity of the crime, the degree of culpability, the danger to society represented by the offender and with other aggravating and mitigating circumstances (section 80 of the CC). The number of children depicted on the pornographic materials shall always be considered to be an aggravating circumstance.

It can also be mentioned, that according to Section III. 11. of Opinion No. 56. of the Criminal Chamber of the Supreme Court on factors to be considered during imposition of punishment, it can be considered an aggravating circumstance, if the number of the relevant criminal offence, in this case child pornography, has increased.

Question 9. Criminalisation

9.1. Does national law criminalise cases when adults:[39]

a. possess child self-generated sexually explicit images and/or videos?
b. distribute or transmit child self-generated sexually explicit images and/or videos to other adults?
c. distribute or transmit child self-generated sexually explicit images and/or videos to other children than those depicted on such images and/or videos?

According to section 204 of the CC, the following acts are criminalised:

- obtaining/acquiring;
- **possessing;**
- making/producing;
- offering;
- **supplying/handing over/forwarding** (regardless of the person to whom it is given, and the age of such persons);
- making available (to a certain person(s));
- distributing;
- trading/trafficking in;
- making available to the general public;
- providing material assistance to aforementioned acts;
- persuading children to be depicted on pornographic materials/show (regardless of who makes the recording);
- giving a role to children / having children participate in a pornographic show;
- participating in a pornographic show with involvement of children;
- providing any means necessary for facilitating the production, distribution or trafficking in pornographic materials.

[39] If the replies of Parties to the General Overview Questionnaire as regards the implementation of Article 20 of the Lanzarote Convention (see replies to question 16) are still valid, please refer to them. Otherwise, please up-date such replies in the context of this question.

Thus, acts described in question 9.1.a-c. are punishable by the Hungarian CC.

9.2. Are there special circumstances (including alternative interventions) under which the above cases (9.1.a-c), although established in fact and in law, are not prosecuted and/or do not lead to conviction?

There is no alternative interventions, the prosecutor of the case decides if they want to take the case to the court or not, then the judge decides in every specific case what should be the penalty based on the CC.

However, section 15 of the CC determines certain circumstances in which case the perpetrator might not end up convicted (grounds for the preclusion or limitation of punishability), these include for example: being a child; having mental disorder; or committing the crime under coercion and threat.

Moreover, section 25 determines the circumstances that terminates criminal liability (grounds for the termination of punishability) due to which the perpetrator might avoid being convicted, this can be the death of the perpetrator or the statute of limitation for the criminal offence.

9.3. What are the legal consequences of the above behaviours (9.1.a-c)?

According to section 204 of the CC, the following acts are punishable by imprisonment up to the following durations:

- obtaining/acquiring (3 yrs);
- **possessing** (3 yrs; 2-8 yrs if it committed against a person under the education, supervision, care or medical treatment of the offender, or by abusing any other relationship of power or influence over the victim);
- making/producing (1-5 yrs);
- offering (1-5 yrs);
- **supplying/handing over/forwarding** (regardless of the person to whom it is given, and the age of such persons) (1-5 yrs);
- making available (to a certain person(s)) (1-5 yrs);
- distributing (2-8 yrs);
- trading/trafficking in (2-8 yrs);
- making available to the general public(2-8 yrs);
- providing material assistance to aforementioned acts (1-5 yrs);
- persuading children to be depicted on pornographic materials/show (regardless of who makes the recording) (3 yrs);
- giving a role to children / having children participate in a pornographic show (1-5 yrs);
- participating in a pornographic show with involvement of children (3 yrs);
- providing any means necessary for facilitating the production, distribution or trafficking in pornographic materials (2 yrs).

9.4. Does national law criminalise cases when adults:[40]
   a. possess child self-generated sexual content?
   b. distribute or transmit child self-generated sexual content to other adults?
   c. distribute or transmit child self-generated sexual content to other children than those depicted such sexual content?

Since "sexual content" refers to images, videos and other material depicting a child in a sexual suggestive way (e.g. naked or semi naked posing in order to provoke some sexual arousal"), depending on the circumstances of the criminal offence, and thus the content itself, if it can still be regarded as depicting sexuality in a seriously indecent straightforward manner and it is made in a manner that aims at arousing sexual desire, then it can result in the establishment of the criminal offence of child pornography (for this see Q. 9.1-3). However, a graphical depiction like a drawing or painting or sound recording cannot be subject to the criminal offence of child pornography.

9.5. Are there special circumstances (including alternative interventions) under which the above cases (9.4.a-c), although established in fact and in law, are not prosecuted and/or do not lead to conviction?

See. Q. 9.4.

9.6. What are the legal consequences of the above behaviours (9.4.a-c)?

See Q. 9.4.

9.7. Does national law criminalise cases when children:[41]
   a. produce self-generated sexually explicit images and/or videos?
   b. possess self-generated sexually explicit images and/or videos?
   c. distribute or transmit self-generated sexually explicit images and/or videos of themselves to peers?
   d. distribute or transmit self-generated sexually explicit images and/or videos of themselves to adults?
   e. distribute or transmit self-generated sexually explicit images and/or videos of other children to peers?
   f. distribute or transmit self-generated sexually explicit images and/or videos of other children to adults?

According to the rules of the Hungarian CC, a child who has not reached the age 14 cannot be punishable except for the most heinous cases of certain criminal offences (homicide, voluntary manslaughter, battery, robbery, acts of terrorism, plundering), when the age of criminal liability is 12. In case of child pornography, if the child committing any of the criminalised acts reached the age of 14 years but us under the age of 18 years, they shall be regarded as juvenile offenders, and are punishable, and special, more favourable rules apply to them.

Regarding the specific points the following can be established:

- point a: Children are not punishable if they produce sexual explicit images and/or videos of themselves, or of persons above the age of 18 y.o. Children can be punishable, though, if they produce such images and/or videos of other persons under the age of 18 y.o.

[40] If the replies of Parties to the General Overview Questionnaire as regards the implementation of Article 20 of the Lanzarote Convention (see replies to question 16) are still valid, please refer to them. Otherwise, please up-date such replies in the context of this question.

[41] This question does not in any way suggest that these behaviours should be criminalised.

- point b: same as in point a.
- points c-d: If a child distribute or transmit self-generated explicit images and/or videos in order to arouse their own sexual desires, then the criminal offence of indecent exposure can be established (section 205 of the CC). If the child distributes or transmits such self-generated sexual materials without the intent of arousing their own sexual desires, then the child cannot be held criminally liable. It does not matter to whom the materials are distributed or transmitted, and the age of such persons. However, the person receiving can be held criminally liable, if they have reached at least the age 14.
- points e-f: If the child distributes or transmits a self-generated sexual material which depicts another child, then they can be held criminally liable, if they have reached at least the age 14. It does not matter to whom the materials are distributed or transmitted, and the age of such persons. However, the person receiving can be held criminally liable, if they have reached at least the age 14.

9.8. Are there special circumstances (including alternative interventions) under which the above cases (9.7.a-f), although established in fact and in law, are not prosecuted and/or do not lead to conviction?

See Q. 9.2.

9.9. What are the legal consequences of the above behaviours (9.7.a-f)?

See Q. 9. 3.

9.10. Does national law criminalise cases when children: [42]
   a. produce self-generated sexual content?
   b. possess self-generated sexual content?
   c. distribute or transmit self-generated sexual content to peers?
   d. distribute or transmit self-generated sexual content to adults?
   e. distribute or transmit self-generated sexual content of other children to peers?
   f. distribute or transmit self-generated sexual content of other children to adults?

See. Q.9.4.

9.11. Are there special circumstances or alternative interventions under which the above cases (9.10.a-f), although established in fact and in law, are not prosecuted and/ or do not lead to conviction?

See. Q.9.4.

9.12. What are the legal consequences of the above behaviours (9.10.a-f)?

See. Q.9.4.

[42] This question does not in any way suggest that these behaviours should be criminalised.

Question 10. Production and possession of self-generated sexually explicit images and/or videos by children for their own private use

10.1. For Parties having made a reservation in accordance with Article 20(3) indent 2[43]

What measures have been taken to ensure that the production and/or possession of self-generated sexually explicit images and/or videos is not criminalised when it involves children who have reached the age set in application of Article 18(2) where these images and/or videos are produced and possessed by them with their consent and solely for their own private use?

10.2. For Parties that have not made a reservation in accordance with Article 20(3) indent 2[44]

Does national law criminalise the production and/or possession of self-generated sexually explicit images and/or videos when it involves children who have reached the age set in application of Article 18(2) where these images and/or videos are produced and possessed by them with their consent and solely for their own private use?

As written at Q. 9.7., children are not punishable if they produce sexual explicit images and/or videos of themselves, or of persons above the age of 18 y.o. Children can be punishable, though, if they produce such images and/or videos of other persons under the age of 18 y.o. Thus, if the self-generated images and/or videos involve other persons under the age of 18. y.o., it can be regarded as child pornography, and the production and/or possession of such material can give ground to establish the criminal offence of child pornography, regardless of the fact that the other child gave consent or not, or they use it for their own private use.

Question 11. Reference in law to ICT facilitated sexual coercion and/or extortion

How does national law address ICT facilitated sexual coercion and/or extortion of children and/or other persons related to the child depicted on the:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

The national law regards self-generated sexually explicit images and/or videos, or other contents as evidence, which captures the criminal offences of sexual coercion and/or sexual violence. The violent sexual criminal offences (like sexual coercion or violence) can further be established as 'multiple offences' thus when one or more acts committed by the same person result in more than one crime, which are adjudicated in the same proceeding, in this case child pornography and sexual coercion/violence would constitute a multiple offence, and thus punishable more severely.

In other cases, when the perpetrator attempts to exploit children through sexually explicit images and/or videos generated by the children in question, then, taking into consideration all circumstances of a given case, also the criminal offence of coercion (section 195 of the CC) or extortion (section 367 of the CC) can also be established.

[43] Denmark, Germany, Liechtenstein, the Russian Federation, Sweden, Switzerland.

[44] Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Georgia, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, "The former Yugoslav Republic of Macedonia", Turkey and Ukraine.

The manner of the threat by which the perpetrator attempts to influence the child does not matter; it can be in person or through ICTs. Threat, unless otherwise prescribed by law, shall mean any declaration of intention to cause considerable harm that is suitable for inducing serious fear in the person threatened (section 459.7. of the CC).

Question 12. Jurisdiction rules[45]

Please indicate which jurisdiction rules apply under which conditions to the offences described above (questions 9-11) when the victim is not present in the Party when the offence is committed or when the offender is not present in the Party when the offence is committed.

When the victim is not present in Hungary at the time of the commission: The location of the victim does not matter, if other grounds for territorial scope of the CC can be established.

When the perpetrator is not is present in Hungary at the time of the commission: the Hungarian criminal law shall apply to:

- any act committed by a Hungarian national abroad, which considered to be a criminal offence in accordance with Hungarian law;

- to any act committed by a non-Hungarian national abroad, if:
  - it is a criminal offence under Hungarian law and it is punishable as well in accordance with the law of the country where it was committed,
  - it is a criminal offence against the State, excluding espionage against allied armed forces and espionage against the institutions of the European Union, regardless of the fact whether it is punishable in accordance with the law of the country where it was committed or not,
  - it is a criminal offence under Chapter XIII or XIV or any other criminal offence which is to be prosecuted under an international treaty proclaimed by an act of Parliament;

- to any act committed by a non-Hungarian national abroad against a Hungarian national, a legal person and other legal entity without legal personality established under Hungarian law, which is punishable under Hungarian law.

Other grounds according to section 3of the CC when the Hungarian criminal law shall apply:

- if the criminal offence is committed in the territory of Hungary;
- if the criminal offence is committed on board of a Hungarian watercraft or a Hungarian aircraft situated outside the territory of Hungary.

Question 13. Specialised units/departments/sections

13.1. Are there specialised units/departments/sections in charge of dealing with ICT facilitated sexual offences against children, such as those referred to in this questionnaire (see questions 9-11):

a. in law enforcement? No
b. in prosecution? Yes
c. in courts? Yes

Regarding law enforcement, the investigating authority is the police, all of its local, regional and central departments take part in the fight against cybercrimes. In “petty” cases the general investigating departments of the local and county police proceed, while in cases involving more

[45] Please answer this question taking into account the requirements of Article 25 of the Lanzarote Convention.

serious or international or organized crimes, the specialized units of the National Bureau of Investigation (Készenléti Rendőrség Nemzeti Nyomozó Iroda) proceed.

The prevention activities of the police related to cybercrime are coordinated by the Crime Prevention Subdivision of the Crime Department of the National Police Headquarters, in which the crime prevention subdivisions of county police headquarters and Budapest Municipal Headquarter participate actively as well.

The investigation function of the police related to cybercrimes is coordinated by Anti-corruption and Economy-protection Subdivision of the Crime Department of the National Police Headquarters, in which the Subdivision against High-tech crimes of the Department against corruption and economic crimes of the National Bureau of Investigation participates actively as well. The function of this investigating body also includes detection, investigation, international co-operation regarding online sexual exploitation of children.

Regarding regional authorities, the Child and Youth Protection Subdivision of the Criminal Department of the Budapest Municipal Police Headquarter, amongst other cybercrime related tasks, conducts investigations regarding serious, sometimes internationally relevant criminal offences of online sexual exploitation of children, if it was committed within its territory. During this task it can receive support from the Subdivision against High-tech crimes of the Department against corruption and economic crimes of the National Bureau of Investigation with its useful technical and professional background.

On a local level, since such criminal offences require special professional knowledge (carrying out investigatory measures related to cybercrimes, questioning of a minor, complying with the special rules related to juvenile offenders) usually a more-experienced police officer is designated to the relevant case.

Within the prosecutors' office and the courts, there are no specialized units or departments dealing with crimes against children – especially sexual violence or exploitation of children committed through ICTs. The reason for this is, that these authorities are not organized according to the age of the victims of crimes, but according to the functions and competence prescribed by the criminal procedure code.

There is no specialized court or there are no specialized judges or councils at the courts who/which deals only with crimes relevant for this questionnaire.

In case of procedures against juveniles, special rules apply according to Part XX. Chapter XCV of the new Criminal Procedure Code (§ 676-694). In such cases, a council shall carry out the procedure, the council is organized in a special manner, the judge at the court of first instance and the chairman at the courts of second and third instance shall be designated by the president of the National Office for the Judiciary. At first instance, one member of the council must be a teacher.

Additionally, the National Office for the Judiciary set up a Working Group for Child Friendly Justice on 6 January 2016 [Decision7/2016. (I.6.) OBHE, 704/2016 (XII. 8.) OBHE]. The Working Group particularly examines questions related to juvenile delinquency. The Working Group consists of six judges, three of whom are acting judges and two are delegated to the National Office for the Judiciary. It does not have members who are specialized in ICTs.

13.2. Please specify if there are specialised units/departments/sections in charge of dealing with ICT facilitated sexual offences against children committed by juvenile offenders.

The prosecutors' office oversees the legality of the investigations. In case of criminal offences committed against juveniles, and juveniles and adults together, specialised units proceed:

- on a local level, the Local and Investigating Prosecutors' office located at the seat of the county prosecutor general's office,
- in Pest county, Local Prosecutors' Office of Buda,
- in the capital, Prosecutors' Offices of Districts I and XII.

In case county-level criminal cases, the Independent Branch/Department of Crimes committed by Children and Juveniles has competence to oversee the investigation and represent the charges.

Since in many cases the perpetrators are not even 18 y.o.a. (juveniles), such investigations are overseen by prosecutors for juveniles. And the they shall represent the charges and proceed and the courts, which act in specialised councils, as written before.

Regarding certain investigatory actions, the members of the court might even come into contact with the juveniles during the investigation, e.g. a witness who is under 14 y.o.a. can also be heard by the investigating judge, if the hearing of such witness at the trial would probably be detrimental to the development of such witness. [section 207 (4) of the CPC]. Such judges can also be regarded as specialised judges.

Around 10% of the criminal procedures are conducted against juveniles. Since only designated prosecutors and judges can act in cases against juvenile offenders, their number is in line with this percentage.

It must be highlighted, that with regard to the special connection between cybercrimes and the prosecutors, meaning that almost all departments and units of the prosecutors'' offices can come across cases involving cybercrimes, the Hungarian Prosecutors' Office decided to establish a Prosecutors' Network against Cybercrimes, which started it operation in 2016. The task of the Network is to give support to prosecutors dealing with crimes committed in connection with ICTs by involving computer scientist, providing training and developing a know-how. The Network is operated by the Department of Investigation Supervision and Indictment Preparation and Computer Department of the Supreme Prosecutor's Office. The Network has determined the circle of crimes committed easily and regularly by ICTS, and publishes the relevant challenges, useful information, scientific articles, and news at its webpage.[46] By providing training and developing the know-how, it pays a huge role in conquering the challenges arising from the use of ICTS for committing criminal offences. The Network also organised a training in 2017 with the help of computer scientists and prosecutors who are members, the participation was voluntary and a main rule, but it was obligatory for its members. The Network invited members of the National Tax and Customs Office, Budapest Municipal Police Headquarters and National Bureau of Investigation, and also judges through the National Office for the Judiciary. Some of the relevant discussed topics include child pornography, where the criminal content is obtained several times from the same source, online data search (what open access sources can be used and how for information gathering) and securing evidence digitally.

There is no specialized unit within the prosecutors' office for victim identification.

The Subdivision against High-tech crimes of the Department against corruption and economic crimes of the National Bureau of Investigation has access to the INTERPOL ICSE database, though prosecutors acting in cybercrime cases may also have access thereto.
Cooperation regarding picture/photo identification is carried out with the help of Europol.

[46] http://halozat.mku.hu/index.php?lap=szervek.php

→ Please specify how the specialised units/departments/sections referred to above (questions 13.1 and 13.2) are organised (number of staff, structure, specialised in which areas within ICTs, etc.)?

The analysts of Internet Hotline within the NMHH can be seen as specialised unit. Now there are two analysts who handle the incoming reports. The Internet Hotline is part of the Digital Literacy Development Unit. The analysts are specialised in law. The NMHH took over the operation of the Internet Hotline service from the Hungarian Association of Content Industry on 22 September 2011; the latter had been operating the site since 2005.

→ As regards law enforcement, please indicate if:

a. there is a victim identification function?
b. there is an active contribution to the INTERPOL's International Child Sexual Exploitation (ICSE) image database? If not, why?

The Hungarian National Bureau has access to the ICSE database. They coordinate when a possible Hungarian victim found. Every other police department can reach out to them if they come across information that needs to be checked in the database.

The Internet Hotline is member of INHOPE (International Association of Internet Hotlines). INHOPE is dealing with illegal content online and committed to stamping out child sexual abuse from the Internet. According to their co-operation, INHOPE provides INTERPOL with Uniform Resource Locators (URLs) that are identified by its members as distributing child sexual abuse material. As member the Internet Hotline regularly reports to INHOPE system and if the reported content is CSAM indeed in view of INHOPE, it is forwarded to INTERPOL. Thereby Hungary contributes to the INTERPOL's ICSE image database in an indirect way. The co-operation agreement is available here: https://www.interpol.int/content/download/24975/344434/version/1/file/International%20Association%20of%20Internet%20Hotlines%20(INHOPE).pdf

The INHOPE 2017 Annual Report in English:
http://www.inhope.org/Libraries/Annual_reports/INHOPE_Annual_Report_2017.sflb.ashx

Question 14. Challenges in the prosecution phase

What challenges do law enforcement, prosecution and courts face during the prosecution of ICT facilitated sexual offences against children involving the sharing of:

a. self-generated sexually explicit images and/or videos?
b. self-generated sexual content?

The National Office for the Judiciary contacted all Criminal Chambers of the county and regional courts for answering this question. The courts could identify certain challenges upon their experiences during cases involving children affected by criminal offences facilitated by ICTs.

The most relevant challenge is the tackle the difficulties during evidentiary procedure, this includes the identification of the perpetrator, the precise determination of the place, time, method (the exact wrongful conduct) and object of the perpetration.

- Challenges when determining the identification of the perpetrator: certain ICT tools and data carriers are not only used by the perpetrator, but by the people living in the same environment, or they already bought it used. Furthermore, the perpetrators use open

servers and fake names. When sharing a certain content multiple times, it is difficult to identify the person who shared it. Sophisticated perpetrators use VPNs, TOR and other software that hide their identity. Also the ISPs who use NAT networks can't provide useful information without port numbers, but in most cases they are not in the possession of police.

- Challenges when determining the place of perpetration: most of the ICT tolls are portable. Many times the hosting service provider cannot give appropriate answer regarding the exact place and time of upload, or identifying the person who did the upload (e.g. servers of Facebook, Google and Skype are in the USA, they most likely do not comply with requests of the Hungarian authorities, thus the identification of the perpetrator for the lack of any other digital trace is difficult.)

- Challenges when determining the time of perpetration: the exact time of upload and download can sometimes only be determined with the help of an IT expert. The use of a certain IP address has to be connected to an exact time, in case of foreign partner servers, then attention must be paid on what zone the clock was set on, was the daylight/winter saving time applied.

- Challenges when determining the method of perpetration: the seizure/sequestration does not include all IT tools and data carriers of the perpetrator and the recovery of such further evidence at the time of the court procedure is usually pointless.

Further challenges include:

- that it is difficult to determine and prove whether a recording is real or not. Also, the deleted sexual contents are not restored during the procedure.
- the "exhibitionism" of a child – thus the real questions of this questionnaire – is also difficult to prove.
- the problem of the identification of the victims and their age. The latter one usually requires the involvement of a forensic doctor or anthropologist expert, but it still can happen that the expert opinion only determines a probable age.
- that sometimes it can be difficult to determine whether the person depicted is real or not.
- the difficulty to fully unravel the real knowledge of the perpetrator regarding the real age of the victim.
- the protection of personal rights of victims and the avoidance of their secondary victimization.
- the transnational nature of these crimes, the time consuming compliance with legal assistance requests, which can lead to excessive duration of the evidentiary procedure and might not end successfully.

Further challenges, regarding online defamation: The Hungarian Criminal Code stipulates a crime if someone shares even a non-sexual depiction of a person under 18 y.o.a., when there is no approval of the depicted person thereof, or otherwise if someone misuses the personal data of the depicted person in defamatory ways, typically by posting and linking defamatory comments to the depiction. In such cases, taking into consideration all aspects of a certain case, the following crimes might be established: misuse of personal data (CC 219. §), harassment (CC 222. §), degrading treatment of vulnerable persons (CC 225. §), defamation (CC 226. §), or slander (CC 227. §). In these cases, the police may ask the service provider of the social networking site where the misuse of personal data was committed to deliver offender identification data. The police order can be smoothly completed if the social networking site brought effort to establish a special police "hotline" where the law enforcement agencies can directly reach the service provider with such requests; Facebook can be an example (facebook.com/records). However, there might be no such network for police orders

with other social network providers, such as Snapchat or Ask.fm. In the latter cases, the police, in order to obtain the suspects' personal data (IP address, logs etc.) should utilize open source data gathering techniques which might not be successful.

Ideally, users should be able to connect the social networking site service provider in the above mentioned, petty crimes or misdemeanours, asking for terminating the profile of the harasser or the incriminated group's activity directly. There are however cases where the service provider does not react to the users' reports. In this case the user, whose rights have been violated, could report the harmful activity to the National Authority for Data Protection and Freedom of Information. But because the latter is not a law enforcement agency, the social networking site likely turns down their requests. Hence, the only opportunity for the user (victim) is to report it to the police and undergo a criminal investigation. But because of the nature of the acts (petty crimes or misdemeanours, yet pretty personal in their nature) online defamation victims might be reluctant to pursue a criminal case, the acts remain unreported and uninvestigated, increasing the latency. When and whether the defamatory act so severely discounts the reputation of the victim, as it overcomes the burden of a criminal procedure, only then the victim turns to the police.

Question 15. Training of professionals

Are the offences referred to in this questionnaire (questions 9-11) addressed in training for professionals such as:

a. law enforcement agents (in particular for front desk officers)? Yes.
b. prosecutors? NIA
c. judges? Yes.

→ If so, please share the details of the training offered, specifying whether the training is mandatory.

At the training of professionals, such as police officers, school counsellors, law enforcement officials, this topic is highly emphasised.

In the framework of the Action Plan of Digital Child Protection Strategy free education and further training programmes are provided for those judges, prosecutors and police who are working in cases involving criminal offences against children with special regard to cases of internet is used as means of perpetration.

Ministry of Human Capacities prepared and forwarded a background document about child protection regulation applicable in case of online endangerment for education and further training programs to Ministry of Interior, to Ministry of Justice and to National Office for the Judiciary, which authorities are responsible for organizing such education and trainings.

The hotline analysts (who handles the incoming reports) participates regularly in trainings organised by INHOPE on child pornography, as INHOPE calls these contents: child sexual abuse material (CSAM). These trainings are mandatory for the member hotlines of INHOPE. The details of INHOPE trainings:
Content Assessment Training – it is organized by INHOPE and INTERPOL. The participants analyse CSAM, the purpose is to be able to classify illegal and legal content (images and videos): is it CSAM or not?[47]

[47] http://inhope.org/gns/home.aspx

The **DCPS** orders to compile and provide special trainings addressing online child sexual exploitation and cyberbullying for law enforcers and judges.[48] The National Police Headquarters' (ORFK) training plan **for school resource officers (iskolai bűnmegelőzési tanácsadók)** contains these issues since 2013.[49] However, police officers do not get training on the issue within their bachelor of arts program curriculum. This gap was filled by the DCPS by delegating the task of training and curriculum development for child-related professionals such as child care, educators, law enforcement, and judges jointly to the Ministry of Human Capacities, the Ministry of Interior, and the Ministry of National Development. This lengthy, but hopefully successful process has just started in 2017.

The National Office of the Judiciary gave information on national and international trainings, the obligatory nature thereof, if any, and the number of participants.

TITLE	DATE	Number of participants	Comment
Child-centred justice conference – training for members, coordinators and contacts points of national strategic programs and networks	06 November 2017	119	The enforcement of the rights of the child in the EU and in HU, in family law cases; the digital child protection initiative; cyberbullying; crimes committed by the use of the internet against children and by children
EUROPOL Cybercrime – 18th Annual Training on Sexual Exploitation of Children on the Internet, Selm	25 Oct. 2017 - 03 Nov. 2017	1	Introduction to the basic technologies used on the internet by offenders of child sexual abuse; use of technical and investigative knowledge in victim identification; the psychology of the offenders; online investigative techniques and standards
EU Commission – International Conference on Child-centred Justice, Brussels	25 June 2018 - 26 June 2018	1	Questioning of sexually abused children and children victims of domestic violence, sharing of experiences in this field; introduction to the operation of child protection centres (barnahús) in Serbia, Poland and Norway
European Judicial Training Network – International Family Law Training, Thessaloniki	12 July 2018 - 14 July 2018	3	Questioning of Children, sharing international experiences on questioning and listening to children
European Seminar on Illegal Child Abduction - Romanian Ministry of Justice, Bucharest	14 March 2018 - 18 March 2018	1	International legislation on questioning children, practical issues regarding the questioning of children, accelerated procedure and the significance of mediation

[48] DCPS, 8. §

[49] Medve Judit: A bűnmegelőzés leghatékonyabb eszközei hazánkban és külföldön. NKE RTK, 2014; http://www.rendeszetelmelet.hu/Graphics/pdf/e-konyvtar/Medve_Judit_NKE_palyazat.pdf

Partnerships

Question 16. International co-operation

16.1. What measures have been taken to co-operate with other Parties to the Lanzarote Convention for:

a. preventing and combatting sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?
b. protecting and providing assistance to the victims of sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?
c. investigating and prosecuting sexual coercion and/or extortion resulting from the sharing of self-generated sexually explicit images and/or videos?

Hungarian Police cooperate through Europol and Interpol by sharing information and best practices and nominate officers to attend to trainings.

16.2. What measures have been taken to co-operate with other Parties to the Lanzarote Convention for:

a. preventing and combatting sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?
b. protecting and providing assistance to the victims of sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?
c. investigating and prosecuting sexual coercion and/or extortion resulting from the sharing of self-generated sexual content?

Hungarian police co-operate through Europol and Interpol by sharing information and best practices and nominate officers to attend to trainings.

The Internet Hotline operated by NMHH as the member of INHOPE regularly co-operates with other countries' hotlines. These countries are also signatories to and have mostly ratified the Lanzarote Convention. The purpose of these co-operations is to remove CSAM from the internet and forward important information to the law enforcement agencies. The co-operation between INHOPE member hotlines goes as follows: if a report about child pornography is filed to the NMHH's hotline first it checks whether the reported content is indeed illegal or not. If it finds out that the content can be considered as CSAM then it checks in which country is the content hosted. In case the illegal content is hosted in another country (not in Hungary), the NMHH notifies the hotline of country concerned and the NMHH uploads the contested link to the online classification system of INHOPE. The further steps are taking by the hotline of country concerned.

The NMHH receives reports about CSAM from foreign countries' hotlines by INHOPE system as well. In these cases, the contested content is hosted in Hungary and the NMHH's hotline has to take the further steps. If the content is CSAM, the NMHH contacts the National Bureau of Investigation immediately and if it is needed they launch criminal procedure.

NAIH is participating in the International Working Group on Digital Education (headed by the French DPA) and a NAIH representative has joined the CoE CAHENF IT expert group.

Within the context of the refugee crisis, the Hungarian police authorities use the specific co-operation tools already available in the framework of Europol/Interpol, which are specifically aimed at identifying child victims of sexual exploitation and sexual abuse.

The cooperation with Europol EC3 AP Twins is on daily basis. Police officers specialised in this field share information through the SIENA system with Member States and EUROPOL continuously, also they attend trainings on how to identify children falling victim to sexual exploitation and sexual abuse and they use the new knowledge in their work.

The Cybercrime Department of the National Bureau of Investigation (NNI) uses the Interpol ICSE (International Child Sexual Exploitation) database continuously.