

Protection of Children against Sexual Abuse in the Circle of Trust: Legal Frameworks (Lanzarote Convention Monitoring Questionnaire)

Fields marked with * are mandatory.

Introduction

1. The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (hereinafter “the Lanzarote Convention” or “the Convention”), which entered into force in July 2010, requires criminalisation of all forms of child sexual abuse. It sets out that states in Europe and beyond shall adopt specific legislation and take measures to prevent sexual violence, to protect child victims and to prosecute perpetrators.

2. The Committee of the Parties to the Convention (also known as the “Lanzarote Committee”), established to monitor whether Parties effectively implement the Convention (Article 1 § 2), decided that:

“1. The monitoring of the implementation of the Convention in the Parties shall be based on a procedure divided by rounds, each round concerning a theme decided by the Lanzarote Committee or any other approach deemed appropriate by the Lanzarote Committee within the scope of the Convention.

2. The Lanzarote Committee will determine the length of each monitoring round in the light of the themes selected and the provisions of the Convention to be monitored.

3. The monitoring round will be initiated by addressing a questionnaire on the implementation of the relevant provisions of the Convention with respect to the selected theme. The Parties shall respond to the questionnaire within the time-limit set by the Lanzarote Committee.”[1]

The notion of the circle of trust

3. In January 2018, the Lanzarote Committee concluded its first monitoring round “Protection of children against sexual abuse in the circle of trust”. The notion of “circle of trust” includes members of the extended family, persons having care-taking functions or exercising control over the child, and any other persons with whom the child has relations, including his/her peers.[2]

The previous and current monitoring rounds on the circle of trust

4. The two implementation reports adopted as a result of the first monitoring round evaluated the frameworks and strategies put in place by the 26 States Parties to the Lanzarote Convention which had ratified it by the time the monitoring round was launched[3]. Since then, the Convention has been ratified by 22 other Parties,[4] and numerous changes have taken place in the subject area due to the development of international standards and national reforms. Furthermore, a child’s circle of trust remains the environment

where the vast majority of sexual abuse occurs.[5] The Committee therefore decided to come back to the subject matter of the first monitoring round in 2023, to both take stock of the situation in the 22 Parties that had not been examined in the first round and to evaluate the follow-up given to the Committee's recommendations by the 26 Parties that had.

5. All of the current 48 Parties will be monitored at the same time to create a momentum around specific aspects of the monitoring theme. To ensure a more accurate reflection of the situation in the Parties and a speedier publication of intermediary results, the monitoring round will be divided into several parts and conducted on the basis of information submitted by the Parties and other stakeholders in response to questionnaires specific for each part.

Involvement of civil society and other relevant stakeholders in the monitoring round

6. In accordance with paragraph 4 of Rule 26 of the Lanzarote Committee's Rules of Procedure, the Secretariat shall seek the views of the representatives of civil society and any other bodies involved in preventing and combating sexual exploitation and sexual abuse of children on the implementation of the Convention by Parties, in particular by asking them to comment on the replies to this questionnaire or by any other means (e.g. by offering the observers and participants in the Lanzarote Committee to submit any relevant information they may have with regard to any Party to the Convention by replying directly to some or all of the questions of this questionnaire). These comments and replies will be transmitted by the Secretariat to the Party(ies) concerned and made public.

Type of questions and elements to be borne in mind when replying

7. Each of the questionnaires of this monitoring round will contain questions derived from the Committee's first monitoring round recommendations and findings, as well as a few new questions based on the Committee's adopted texts and international standards that have emerged in the meantime, including the case-law of the European Court of Human Rights, to gather information for capacity-building purposes. The first part of the monitoring round will assess the legal framework and related procedures with respect to sexual abuse of children in the circle of trust ("Legal frameworks").

8. This specific first questionnaire was adopted by the Lanzarote Committee on 2 June 2023. It is recalled that, in accordance with Rule 26 of the Lanzarote Committee's Rules of Procedure:

"...2. The Secretariat shall address such questionnaires to the Parties through the member in the Lanzarote Committee representing the Party to be monitored, who will act as "contact person".

3. Parties shall submit their replies in one of the official languages of the Council of Europe to the secretariat within the time limit set by the Lanzarote Committee. The replies shall be detailed, answer all questions and contain all relevant reference texts. The replies shall be made public.

5. The Secretariat may request additional information if it appears that the replies are not exhaustive or unclear. Where warranted, with the consent of the Party(ies) concerned and within the limits of budgetary appropriations, the Bureau of the Lanzarote Committee may decide to carry out a visit in the Party(ies) concerned to clarify the situation."

9. In addition, Parties are kindly requested to:

- answer the questions with regard to central, regional and local levels to the extent possible. Federal States may, in respect of their sovereign entities, answer the questions in a summarised way;
- provide, whenever questions/answers refer to it, the relevant text (or a summary) of legislation or other regulations in English or French;

- answer the questions from a gender equality perspective, i.e. specifying, where relevant, whether and how measures for victims and/or offenders take into account gender-specific requirements.

10. The term “national legal framework” used in the questionnaire includes not only laws but also all forms of regulations (decrees, resolutions, administrative directions, instructions, and any other decisions creating legal consequences for more than one individual) and higher courts’ directive rulings.

11. The questions asked concern the legal frameworks pertaining to both online and offline forms of activity. Should your national legal framework distinguish between them, please provide details.

12. As indicated above, some of the questions are included for capacity-building purposes. Therefore, nothing in the wording of these questions should be taken as an indication of a preferred state of affairs or course of action.

13. The questionnaire uses a colour-coded system to help you differentiate questions based on the Lanzarote Committee’s 1st monitoring report’s “invite” recommendations (in blue) and “urge”/ “consider” recommendations (in red). The questions based on the European Court of Human Rights’ case law and the Committee’s adopted texts are coloured red. The questions included for capacity-building purposes are coloured blue.

14. Some of the questions are addressed only to specific Parties found to be not in compliance with a particular requirement of the Convention in the first monitoring round, or to those Parties and to the 22 Parties which had not been evaluated during the first monitoring round. All other questions are meant to be replied to by all Parties.

[1] Rule 24 of the Lanzarote Committee’s [Rules of Procedure](#)

[2] See [1st Implementation Report “Protection of Children against Sexual Abuse in the Circle of Trust: The Framework”](#), p. 12. Examples of the different categories of persons may be found in paragraphs 123-125 of the [Explanatory Report to the Lanzarote Convention](#)

[3] Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Denmark, Finland, France, Greece, Iceland, Italy, Lithuania, Luxembourg, Malta, Republic of Moldova, Montenegro, Netherlands, North Macedonia, Portugal, Romania, San Marino, Serbia, Spain, Türkiye and Ukraine

[4] Andorra, Armenia, Azerbaijan, Cyprus, Czech Republic, Estonia, Georgia, Germany, Hungary, Ireland, Latvia, Liechtenstein, Monaco, Norway, Poland, the Russian Federation, Slovakia, Slovenia, Sweden, Switzerland, Tunisia, United Kingdom

[5] See the [Explanatory Report to the Lanzarote Convention](#), paras. 48 and 123-125

IDENTIFICATION OF THE RESPONDER

* Name of the Party responding or concerned by your response

Iceland

* Name of the contact person/coordinator

* Email address of the contact person/coordinator

KEY NOTIONS Question 1. Does your national legal framework:

a. **have a reference to “abuse of a recognised position of trust, authority or influence” as a separate sexual offence against children?**^[6] If yes, please provide a copy of the relevant provision(s).

[6] 1st Implementation Report “Protection of Children against Sexual Abuse in the Circle of Trust: The Framework” adopted by the Lanzarote Committee on 4 December 15, Recommendation 3.

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (1.a Yes)

Art. 198 of the Penal Code [Any person who has sexual intercourse or other sexual relations with a person ...1) by grossly abusing the fact that the other person is financially dependent on him either through his employment or as his client in a confidential relationship shall be imprisoned for up to 3 years or, if the other person is younger than 18, for up to 6 years. ...2)]

Art. 200 of the Penal Code [Any person who has sexual intercourse or other sexual relations with his or her own child or other descendant shall be imprisoned for up to [8 years] 1) and up to [12 years] 1) if the child [is 15, 16 or 17 years of age]

- [Sexual harassment of a type other than that specified in the first paragraph of this Article and directed at the perpetrator’s own child or other descendant shall be punishable by up to 4 years’ imprisonment, providing that the child is aged 15 years or older.]
- Sexual intercourse or other sexual relations between siblings shall be punishable by up to 4 years’ imprisonment. If one or both siblings were under the age of 18 years at the time of the offence, it may be decided to waive punishment applying to them.]

Here you can upload any file(s) in support of your answer

b. **[for 22 Parties + Belgium and Luxembourg] establish a separate offence of sexual abuse of children by someone in a recognised position of trust, authority or influence instead of considering the fact that the perpetrator holds that position just as an “aggravating circumstance”?**^[7] If yes, please indicate the specific legal provision.

[7] *Ibid.*, Recommendation 2

- Yes

No

Here you can upload any file(s) in support of your answer

c. [list specific categories of adults in contact with children automatically qualifying as holding this position?](#)^[8]

[8] *Ibid*, Recommendation 4. Examples: members of the extended family (including new partners), persons having caretaking functions (including trainers of any kind) or exercising control over the child professionally or on a voluntary basis (including persons who look after children in their leisure-time) and any other person trusted by the child (including other children).

Yes

No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (1.c Yes)

Art. 201 of the Penal Code [Any person who has sexual intercourse or other sexual relations with a child aged 15, 16 or 17 year who is his or her adopted child, step-child, foster-child or the child of his or her cohabiting partner, or is bound to him or her by similar family relationships in direct line of descent, or is a child who has been committed to his or her authority for education or upbringing, shall be imprisoned for up to 12 years.
Sexual harassment of a type other than that specified in the first paragraph of this article shall be punishable by up to 4 years' imprisonment.]¹⁾

Here you can upload any file(s) in support of your answer

d. [define the notion of "circle of trust"?](#)^[9]

[9] *Ibid*

Yes

No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (1.d Yes)

Article 201 of the Penal Code mentions particular relations: "his or her adopted child, step-child, foster-child or the child of his or her cohabiting partner, or is bound to him or her by similar family relationships in direct line of descent, or is a child who has been committed to his or her authority for education or upbringing".

Here you can upload any file(s) in support of your answer

VICTIMS' AGE Question 2. Does your national legal framework:

a. **[for 22 Parties + Italy, Portugal, San Marino, and Türkiye]** provide that every child up to 18 years of age is protected against the criminal offence of sexual abuse by someone in a recognised position of trust, authority or influence?^[10] Please refer to the specific legal provisions.

[10] *Ibid.*, Recommendation 6

- Yes
- No

Here you can upload any file(s) in support of your answer

b. **[for 22 Parties + North Macedonia and Ukraine]** indicate that the child's legal age for engaging in sexual activities is not relevant in the case of child sexual abuse by someone in a recognised position of trust, authority or influence?^[1] Please provide details.

[1] *Ibid.*, Recommendation 5

- Yes
- No

Here you can upload any file(s) in support of your answer

SCOPE OF OFFENCE Question 3. Does your national legal framework criminalise sexual abuse of children:

a. **where the offender abuses a recognised position of influence?** ^[12] Please refer to the specific legal provisions.

[12] *Ibid.*, Recommendation 1

- Yes
- No

Here you can upload any file(s) in support of your answer

b. **[for 22 Parties + Belgium]** where the victim is below 18 and emancipated through marriage, and the perpetrator is the victim's spouse or marital partner?^[13] Please refer to the specific legal provisions.

[13] *Ibid.*, Recommendation 7

- Yes
- No

Here you can upload any file(s) in support of your answer

c. **[for 22 Parties + the Republic of Moldova] where no coercion, force or threat is used by the perpetrator holding the position of trust, authority or influence?**^[14] Please refer to the specific legal provisions.

[14] *Ibid.*, Recommendation 8

- Yes
- No

Here you can upload any file(s) in support of your answer

SCOPE OF OFFENCE Question 4. Does your national legal framework:

a. **criminalise sexual abuse of children for acts other than sexual intercourse and equivalent actions?**^[15]

Please specify which other acts are covered and whether violation of a child's "sexual integrity" specifically is criminalised.

[15] *Ibid.*, Recommendation 9

- Yes
- No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (4.a Yes)

Art. 206 of the Penal Code [Anyone who pays or promises a payment or other form of remuneration for prostitution shall be subject to fines or imprisonment of up to 1 year.

- Anyone who pays or promises a payment or other form of compensation for the prostitution of a child under the age of 18 shall be fined or imprisoned for up to 2 years.] 1)
- [Anyone who has a job or livelihood from the prostitution of others shall be imprisoned for up to 4 years.
- The same punishment applies to soliciting, encouraging or assisting a child under the age of 18 to engage in prostitution.

Art. 210 a of the Penal Code

- Anyone who produces, imports, acquires, distributes or has in their possession visual material that shows the sexual abuse of a child or shows a child in a sexual way shall be fined or imprisoned for up to 6 years. When assessing the seriousness of an act, special consideration must be given to the scope of the offence, whether it is committed in a systematic or organized manner, whether a child's life has been endangered, whether a child has been subjected to gross violence or whether a child has suffered physical or health damage.
- Anyone who views video material on the Internet or with other information or telecommunications technology that shows sexual abuse of a child or shows a child in a sexual way shall be subject to the same punishment as in paragraph 1.
- The provisions of paragraphs 1 and 2 do not apply to the person who creates, views or has in his possession visual material that shows a child 15, 16 or 17 years old in a sexual way if the child has given his consent and both parties are of a similar age and level of maturity. The provisions of paragraphs 1 and 2 nor do they apply to a child of 15, 16 or 17 years of age who shares content that shows him/herself.

Art. 210 b of the Penal Code

- Anyone who hires a child to take part in a nudity or pornography show, organizes or otherwise causes it or benefits from a child taking part in such a show shall be imprisoned for up to 2 years, but up to 6 years if the offense is serious.
- Anyone who attends a nudist or pornographic show where children are participating shall be fined or imprisoned for up to 1 year.

Art. 227 of the Penal Code:

- Anyone who is guilty of the following acts, one or more, with the purpose of abusing [another person in prostitution or in another sexual way, in forced marriage, in slavery or servitude, for forced labor or forced service, including begging, to commit a criminal act] 1) or to remove his organs shall be punished for human trafficking with up to [12 years imprisonment]:

1. Providing, transporting, delivering, harboring or accepting a person and to whom violence, coercion, deprivation of liberty, abduction, threat, unlawful deception are applied or have been applied by arousing, strengthening or taking advantage of the person's mistake about the situation, or by taking advantage of the person's poor position, lack of skills or vulnerability or by exploiting their superior position.
2. Providing, transporting, delivering, hosting or receiving a person under the age of 18.
3. Giving a payment or other benefit to gain consent to the abuse from a person who controls the actions of another person.

The same penalty shall be imposed on the person who receives payment or other benefits according to number 3. Paragraph 1.

Here you can upload any file(s) in support of your answer

b. **[for 22 Parties + Bulgaria] ensure equal sanctions for sexual abuse committed within a heterosexual and homosexual sexual activity?**^[16] Please refer to the specific legal provisions.

[16] *Ibid.*, Recommendation 11

- Yes
- No

Here you can upload any file(s) in support of your answer

c. **[for 22 Parties + Albania and the Republic of Moldova] make any distinct reference to “homosexual activities” in the description of criminal offences involving sexual abuse and sexual exploitation of children?**^[17] Please refer to the specific legal provisions.

[17] *Ibid.*, Recommendation 12

- Yes
- No

Here you can upload any file(s) in support of your answer

EX OFFICIO PROSECUTION Question 5. Does your national legal framework:

a. **contain a requirement to investigate and prosecute sexual abuse and exploitation of children by someone in a recognised position of trust, authority or influence without a complaint from the victim or his/her legal representative?**^[18] Please refer to the specific legal provisions.

[18] *Ibid.*, Recommendation 57

- Yes
- No

Here you can upload any file(s) in support of your answer

b. **contain a requirement to continue the proceedings even if the victim has withdrawn his/her complaint /statements?**^[19] Please refer to the specific legal provision(s).

[19] *Ibid*

- Yes
- No

Here you can upload any file(s) in support of your answer

c. **[for Portugal]** in case of a sexual act committed by an adult in respect of a child aged 14-16 years old which does not result in the child's death or suicide, require the child victim to lodge a complaint as a prerequisite for investigation and prosecution?^[20]

[20] *Ibid.*, Recommendation 56

- Yes
 No

Here you can upload any file(s) in support of your answer

MEASURES IN RESPECT OF CHILDREN WHO SEXUALLY OFFEND AND CHILDREN DISPLAYING RISKY AND HARMFUL SEXUAL BEHAVIOUR Question 6. Does your national legal framework:

a. provide for non-criminal measures in respect of the children below the age of criminal responsibility who commit acts of sexual abuse towards other children?^[21] Please provide details.

[21] Inspired by *X and Others v. Bulgaria* (no. 22457/16), 2 February 2021 and *A.P. v. the Republic of Moldova* (no. 41086/12), 26 October 2021

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (6.a Yes)

In article 200 of the Penal Code, second paragraph it states that: Intercourse or other sexual relations between siblings is punishable by up to 4 years in prison. "If one or both of the siblings did not reach the age of 18 when the act took place, it can be decided that the punishment will be cancelled as far as they are concerned".

Also, regarding non-criminal measures in respect of the children below the age of criminal responsibility who commit acts of sexual abuse towards other children. In such cases it would be the responsibility of the child protection services to provide appropriate intervention according to the Child Protection Act 80/2002.

Here you can upload any file(s) in support of your answer

b. differentiate between adults and children above the age of criminal responsibility in the application of sanctions for offences involving sexual abuse of children?^[22] Please refer to the specific legal provision(s) and specify the age of criminal responsibility in your legislation.

[22] Question included for capacity-building purposes

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (6.b Yes)

In article 200 of the Penal Code, paragraph 3 it is stated that “sexual intercourse or other sexual relations between siblings shall be punishable by up to 4 years’ imprisonment. If one or both siblings were under the age of 18 years at the time of the offence, it may be decided to waive punishment applying to them”.

According to article 210 of the Penal Code: [Anyone who produces, imports, acquires, distributes or has in their possession visual material that shows the sexual abuse of a child or shows a child in a sexual way shall be fined or imprisoned for up to 6 years. When assessing the seriousness of an act, special consideration must be given to the scope of the offence, whether it is committed in a systematic or organized manner, whether a child's life has been endangered, whether a child has been subjected to gross violence or whether a child has suffered physical or health damage.

Paragraph 2 of the same article states:
Anyone who views video material on the Internet or with other information or telecommunications technology that shows sexual abuse of a child or shows a child in a sexual way shall be subject to the same punishment as in paragraph 1.

Paragraph 3 of the same article addresses children in particular in certain circumstances:
The provisions of paragraphs 1 and 2 do not apply to the person who creates, views or has in his possession visual material that shows a child 15, 16 or 17 years old in a sexual way if the child has given his consent and both parties are of a similar age and level of maturity. The provisions of paragraphs 1 and 2 nor do they apply to a child of 15, 16 or 17 years of age who shares content that shows him/herself.

Here you can upload any file(s) in support of your answer

CHILD VICTIMS' RIGHT TO PROTECTION AND PARENTAL RIGHTS

Question 7. Does your national legal framework:

a. [provide for the possibility for child protection professionals to conduct exploratory interviews of a child without informing in advance the parents/legal guardians in cases in which there is a reasonable suspicion of sexual abuse by someone in a recognised position of trust, authority or influence and there is a reason to believe that parents/legal guardians may prevent a child from disclosing sexual abuse?](#)^[23] Please provide details.

[23] 1st Implementation Report “Protection of Children against Sexual Abuse in the Circle of Trust: The Framework”, Recommendation 26

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (7.a Yes)

Article 43 of the Child Protection Act 80/2002 states that efforts should be made to carry out an inquiry in consultation and cooperation with parents. According to paragraph 4:

- [Child protection service staff] 2) are permitted to go to a place other than the child's home, such as day care, kindergarten, school, community centre or emergency shelter, to talk to a child, in private if necessary, to observe their behaviour or for observation on a child. Parents must also be consulted if a child under 12 years of age is to be spoken to or checked on. If inquiry interests demonstrably recommend it, it is permitted to talk to a child under the age of 12 and observe their behaviour without the knowledge or consent of parents or guardians, but they must be notified as soon as possible that such a survey has been carried out.

Here you can upload any file(s) in support of your answer

b. **provide for the possibility for child protection professionals to conduct exploratory interviews of a child without acquiring the parents/legal guardians' prior consent in cases in which there is a reasonable suspicion of sexual abuse by someone in a recognised position of trust, authority or influence and there is a reason to believe that parents/legal guardians may prevent a child from disclosing sexual abuse?**^[24] Please provide details.

[24] *Ibid*

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (7.b Yes)

Article 43 of the Child Protection Act 80/2002 states that efforts should be made to carry out an inquiry in consultation and cooperation with parents. According to paragraph 4:

- [Child protection service staff] 2) are permitted to go to a place other than the child's home, such as day care, kindergarten, school, community centre or emergency shelter, to talk to a child, in private if necessary, to observe their behaviour or for observation on a child. Parents must also be consulted if a child under 12 years of age is to be spoken to or checked on. If inquiry interests demonstrably recommend it, it is permitted to talk to a child under the age of 12 and observe their behaviour without the knowledge or consent of parents or guardians, but they must be notified as soon as possible that such a survey has been carried out.

Here you can upload any file(s) in support of your answer

c. **allow for the removal of the suspected perpetrator from the family environment in case of reasonable suspicion of sexual abuse of a child living in the same environment together with the suspect?**^[25] Please provide details.

[25] This question results from the Committee's reasoning that "before resorting to the removal of the victim, the removal of the perpetrator should be preferred" (page 28 of the 1st implementation report).

- Yes
- No

Here you can upload any file(s) in support of your answer

d. **consider the removal of the child victim from the family environment as a last resort procedure? Is that procedure clearly defined, and does it set out conditions for and duration of the removal?**^[26] Please provide details.

[26] *Ibid.*, Recommendation 27

- Yes
- No

Here you can upload any file(s) in support of your answer

e. **ensure that the different agencies involved in the coordination and collaboration concerning child sexual abuse are allowed to share personal information as appropriate?**^[27] Please provide details.

[27] *Ibid.*, Recommendation 25

- Yes
- No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (7.e Yes)

Article 44 of the Child Protection Act states following:

- All health and medical institutions, including self-employed health workers, specialists who provide social services, psychiatric wards, treatment departments and treatment institutions for alcoholic patients and drug users, and institutions that provide social services or assistance, are obliged after [child protection services] 1) has made a decision on the investigation of a case to give [the service] 2) free of charge [information and copies of necessary data about the health of a child, his parents and other household members], 3) including information about the person's condition and recovery prospects, as well as other information that [the service] 2) believes that it can be important for the resolution of the case.
- In the same way, all institutions and other entities where a child has stayed or comes regularly, such as schools, day care centres and community centres for children and teenagers, are obliged to provide [the service] 2) with information that it considers to be relevant for resolution of the case.
- Then the police and the state's criminal registry shall in the same way provide [the service] 2) with [information and copies of the necessary documents that these institutions have about the child, his parents and other household members who may be relevant to the case]. 3)
- Information according to this article must be provided as soon as possible and no later than 14 days after the request was received.
- The obligation to provide information according to this article overrides the provisions of the law or codes of ethics on the confidentiality of individual professions.

Further article 23 of the Act on the Integration of Services in the Interest of Children's Prosperity no. 86 /2021, When a request for integration of services has been submitted, the processing of information about the child's circumstances is permitted by coordinators, case managers, service providers and those providing general services in the interest of a child's prosperity when implementing tasks pursuant to Article 15 and this Chapter. Processing of personal data includes, among other things, collecting, recording, preserving, sharing and combining information about a child's circumstances, including sensitive personal data and information on criminal conduct and alleged criminal conduct. The principle of proportionality must be observed during processing of personal data on the basis of this Act and personal data shall not be processed beyond that which may be considered necessary in each individual case appropriate for the purpose at hand.

Here you can upload any file(s) in support of your answer

CHILD VICTIMS' RIGHTS TO PROTECTION AND PARENTAL RIGHTS

Question 8. Does your national legal framework clearly distinguish:

- cases of suspension of parental rights as a provisional measure to protect the child before a court decision on the conviction of the concerned parent is taken, and
- cases of withdrawal of parental rights once the court has convicted the said parent?^[28] Please provide details.

[28] *Ibid.*, Recommendation 32

- Yes
 No

Please provide information in support of your answer, if possible by referring to specific legal provisions and their exact wording (8 Yes)

There are specific provision in the Child Protection Act that allow the child protection services to place a child in care with the consent of a parent and a child aged at least 15 according to article 25 and without parental consent according to article 26. Provision in these articles can e.g. be applied when case is being assessed when there are concerns about a parent.

Further according to article 29 of the same act the following is stated:

Child Protection Service, upon receipt of a ruling by the District Council for Child Protection], 1) may demand in court that the parents, one or both of them, be deprived of custody if they consider:

- a) that the day-to-day care, education or communication between parents and child is seriously deficient, taking into account the child's age and development,
- b) that a child who is sick or disabled is not guaranteed appropriate treatment, training or teaching,
- c) that the child is mistreated, sexually abused or may suffer serious mental or physical harassment or humiliation at home,
- d) assured that the child's physical or mental health or development is at risk due to the fact that the parents are clearly unfit to take care of the child, such as drug use, mental disorders, lack of intelligence or that the parents' behaviour is likely to cause serious harm to the child.

A demand for the deprivation of guardianship shall therefore only be made if it is not possible to use other and milder measures for improvement or such measures have actually been without satisfactory results.

Further article 98 of the act states: If those who have a child in their care abuse them mentally or physically, abuse them sexually or in any other way, neglect them mentally or physically so that their life or health is at risk, then it is punishable by imprisonment for up to five years unless a heavier punishment is applicable according to other law.

Here you can upload any file(s) in support of your answer

CHILD VICTIMS' RIGHTS TO PROTECTION AND PARENTAL RIGHTS

Question 9. Does your national legal framework provide for:

- a. [automatic suspension of parental, visitation, and child hosting rights of parents against whom criminal proceedings for sexual abuse of own child are pending?](#)^[29] Please provide details.

[29] Question included for capacity-building purposes, i.e. to map whether there are Parties that have a particular legal framework in such cases.

- Yes
 No

If appropriate, please provide more information (9.a No)

The national legal framework does not include articles that would assume automatic suspension or withdrawal of parental rights of parents pending outcome of criminal proceedings or that have been convicted of sexual abuse. However, the above mentioned articles under question 8 would apply accordingly depending on the circumstances of each case and according to child's best interest.

Here you can upload any file(s) in support of your answer

b. [automatic withdrawal of parental rights of parents convicted of sexual abuse of own child?](#)^[30] Please provide details.

[30] *Ibid*

- Yes
 No

If appropriate, please provide more information (9.b No)

The national legal framework does not include articles that would assume automatic suspension or withdrawal of parental rights of parents pending outcome of criminal proceedings or that have been convicted of sexual abuse. However, the above mentioned articles under question 8 would apply accordingly depending on the circumstances of each case and according to child's best interest.

Here you can upload any file(s) in support of your answer

GUARANTEES OF PROTECTION FOR PERSONS REPORTING SUSPECTED OFFENCES Question 10.

How does your national legal framework ensure that any person reporting in good faith suspected sexual abuse and sexual exploitation of a child, including a person bound by professional confidentiality rules, does not get prosecuted or punished by judicial proceedings for defamation, libel or similar offences?^[31]

[31] Based on *Yuppala v. Finland* (no. 18620/03), 2 December 2008 and *M.P. v. Finland* (no. 36487/12), 15 December 2016. Partly based on Article 12 of the Lanzarote Convention.

Here you can upload any file(s) in support of your answer

ASSISTANCE TO THIRD PARTIES Question 11.

What kind of legislative or other measures does your national legal framework have in place to ensure that persons close to the victim may benefit, where appropriate, from therapeutic assistance, notably emergency psychological care?^[32]

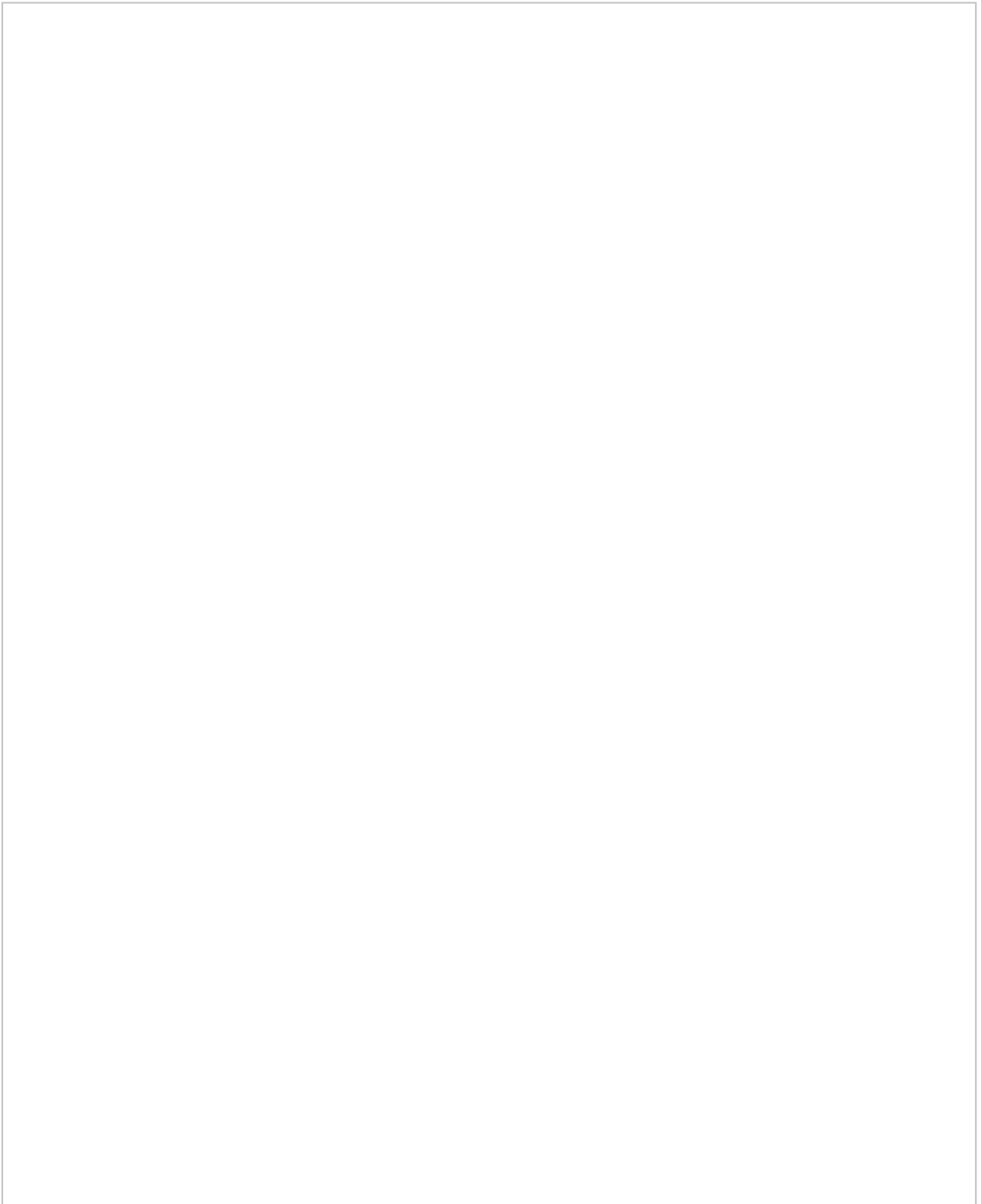
[32] 1st Implementation Report "Protection of Children against Sexual Abuse in the Circle of Trust: The Framework", Recommendation 30

Here you can upload any file(s) in support of your answer

ASSISTANCE TO THIRD PARTIES Question 12.

When determining the support required to the victim and the persons close to him or her, how does your national legal framework ensure that the child's disclosure does not worsen his or her situation and that of the other non-offending members of the family?^[33]

[33] *Ibid.*, Recommendation 31



Provisions in the Child Protection Act and the Act on Integrated Services in the Interest of Children's Prosperity address need assessment of children and their families, including when a child has been victimized.

Art. 22 of the Child Protection Act: Paragraph 3, if there is a suspicion that a child has been subjected to sexual violence or serious physical or mental violence, the child protection service must request the services of Barnahús to investigate the case.

Barnahús deals with the matters of children who are suspected of having been subjected to sexual harassment or violence. Children and their parents can receive all services in one place free of charge with the referral of child protection services. In the case of a police investigation, the location of the hearing depends on the judge's decision, but child protection services can request other services from Barnahús. Barnahús offers different forms of services including exploratory interviews, Specialized evaluations, therapy and medical examination, that all take place in a child friendly environment.

Art 23 of the Child protection Act:

- When a case has been sufficiently assessed according to [child protection service] 1), [the service] 2) must compile a report describing the results of the inquiry, specifying what improvements are needed and making suggestions for appropriate measures if necessary.
- If an assessment reveals that there is a need for the use of special measures according to this law, [child protection services] shall, 1) in cooperation with the parents and, depending on the circumstances, a child who has reached the age of 15, make a written plan for the further handling of the case. Younger children should be consulted as their age and development warrants. A plan must be made for a certain period of time and revised as needed.
- [If the child protection service decides to close the case, cf. Paragraph 1 or 2, and there is a request for the integration of services in the interest of the child's success, the contact person and/or the case manager, and depending on the circumstances the service providers who participate in the integration of the service, are allowed to work with a report on the result of the survey and the data that the result is based on. If there is no request for integration, the parents and/or the child must be given instructions for integration together with a notification of the end of the case.
- If an agreement cannot be reached with the parents or the child, when applicable, the [child protection service] shall 1) unilaterally draw up a plan for the progress of the case and the application of remedies according to the provisions of this law. The plan must be presented to the parents and the child.

Art. 23 a of the Child Protection Act:

- If there is a request for the integration of services in the interest of the child's prosperity and the child protection service concludes that the child needs resources according to this law, the child protection service assumes the role of case manager.
- If there is no request for the integration of services in the application of resources, child protection services must assess the child's need for cooperation with service providers and others who provide services in the interest of the child's prosperity and obtain the consent of the parents, and the child as the case may be, in order for cooperation to be established.

Further, the act on Integration of Services in the Interest of Child Prosperity is intended to promote children's prosperity. The principle aim of the Act is for children and parents in need to have access to suitable integrated services without impediment.

- When administering this Act, children's rights shall be guaranteed in accordance with the Constitution and international obligations undertaken by Iceland, in particular the United Nations Convention on the Rights of the Child.
- Responsible parties pursuant to this Act shall:
 1. Monitor the welfare and prosperity of children and parents and evaluate the need for services.
 2. Respond effectively to children's and parents' need for services, as soon as necessary.
 3. Consult among themselves with the aim of providing continuous and integrated services in the interest of the welfare and prosperity of children and parents.

Here you can upload any file(s) in support of your answer

MONITORING OF OFFENDERS Question 13. Does your national legal framework provide for:

a. a mechanism to monitor or supervise persons convicted of child sexual abuse and, specifically, persons convicted of child sexual abuse while holding a recognised position of trust, authority or influence?^[34]

Please provide details.

[34] *Ibid.*, Recommendation 33

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (13.a Yes)

According to art. 36 of the Child Protection Act, The Agency of Children and Families 1) has the right to information from the criminal record of persons who have received a criminal conviction for an offense against the provisions of XXII. section of the General Penal Code.] 2) The State Prosecutor shall provide the Office with copies of judgments if it so requests. The Agency of Children and Families 1) can notify the relevant [Child Protection Service] 3) a person who is considered to pose a significant risk moves to its district. If strong child protection concerns recommend it, [child protection services] can 3) alert others, with the consent of [Children and Family Office].

Here you can upload any file(s) in support of your answer

b. sharing with other countries data concerning persons convicted of child sexual abuse?^[35] Please provide details.

[35] Based on Article 38 of the Lanzarote Convention.

- Yes
 No

Here you can upload any file(s) in support of your answer

MEASURES IN RESPECT OF PROFESSIONALS AND LEGAL PERSONS Question 14. Does your national legal framework:

a. **allow for the immediate removal or suspension of a professional or volunteer working with children suspected of sexually abusing a child?**^[36] Please provide details.

[36] Based on Article 27§3(b) of the Lanzarote Convention.

- Yes
 No

Here you can upload any file(s) in support of your answer

b. **ensure that professionals working in the public, private or voluntary sectors failing to report offences of child sexual abuse occurring in “out-of-home care”^[37] settings are held liable?**^[38] Please provide details.

[37] In accordance with the Declaration of the Lanzarote Committee on protecting children in out-of-home care from sexual exploitation and sexual abuse adopted at its 25th meeting (15-18 October 2019), “out-of-home care” represents all settings in which children can be placed out of their home for care (see point b of the Declaration).

[38] Based on the Declaration of the Lanzarote Committee on protecting children in out-of-home care from sexual exploitation and sexual abuse, point 6.

- Yes
 No

Here you can upload any file(s) in support of your answer

c. **ensure that legal persons failing to protect children in their care from sexual abuse are held liable?**^[39] Please provide details.

[39] *Ibid.*, see point 7.

- Yes
 No

Here you can upload any file(s) in support of your answer

SPECIAL REPRESENTATIVES Question 15. How does your national legal framework ensure that special representatives and guardians ad litem who are appointed to avoid a conflict of interest between the holders of parental authority and the child victim:

a. **receive appropriate training and legal knowledge to ensure and safeguard the best interests of the child victim during criminal investigations and proceedings?**^[40]

[40] 1st Implementation Report “Protection of Children against Sexual Abuse in the Circle of Trust: The Framework”, Recommendation 35

According to article 41 of the Code of Criminal Procedure no. 88/2008, The police shall be obliged to nominate a legal rights protector if the investigation of the case is directed towards an offence under Section XXII of the General Penal Code and the injured party requests that this be done. A legal rights protector shall be nominated in all cases where the injured party has not reached the age of 18 years at the time when the investigation is begun.

In regards to training and legal knowledge lawyers have to pass a specific course with the Icelandic Bar Association to be qualified to take a case to the district courts. There they learn about what duties lawyers have towards their clients when it comes to criminal investigations and proceedings, among other topics. Other than that they do not receive any specific training in how to ensure their clients' rights in criminal investigations and proceedings.

In the National Action Plan for the treatment of sexual assault for the years 2023 – 2025 emphasis is placed on training and education for legal rights protectors.

Here you can upload any file(s) in support of your answer

b. [avoid combining the functions of a lawyer and guardian ad litem in one person?](#)^[41]

[41] *Ibid.*, Recommendation 36

In terms of criminal proceedings in sexual offence cases the prosecutors office has the functioning of prosecuting the case in court and the legal rights protector has the role of protecting the interest of the victim. The legal rights protector is also the child's lawyer. Thus, those are two different persons.

Here you can upload any file(s) in support of your answer

c. [are provided free of charge for the child victim?](#)^[42]

[42] *Ibid.*, Recommendation 37

According to article 48 of the Code of Criminal Procedure no. 88/2008 Remuneration to the legal rights protector shall be paid by the Treasury and shall be regarded as part of legal costs under [Article 233.] 2) [[The Courts Administration] 2) shall set rules on hourly rates which shall be used as a frame of reference when determining remuneration.

Here you can upload any file(s) in support of your answer

SPECIAL REPRESENTATIVES Question 16. [for 22 Parties + Malta]

a. [Do you appoint a special representative or guardian ad litem when there is a conflict of interest between the holders of parental authority and a child?](#)^[43] Please provide details.

[43] *Ibid.*, Recommendation 34

- Yes
- No

Here you can upload any file(s) in support of your answer

- b. **Is this person allowed to be present throughout the criminal proceedings?**^[44] Please provide details.

[44] *Ibid*

- Yes
- No

Here you can upload any file(s) in support of your answer

SUPPORT FOR CHILD VICTIMS IN INVESTIGATIVE AND JUDICIAL PROCEEDINGS Question 17. In investigative and judicial proceedings how does your national legal framework ensure that:

- a. **protection measures are available to all children irrespective of their age?**^[45] Please provide details.

[45] *Ibid.*, Recommendation 38

Child Protection services are obliged to initiate protective measures for children when if sexual violence is confirmed or suspected. The child protection services will assess the child's needs for protection and other services as well as refer to Barnahús.

According to article 22 of the Child Protection act regarding case inquiries, if there is a suspicion that a child has been subjected to sexual violence or serious physical or mental violence, the child protection service must request the services of Barnahús to investigate the case.

Barnahús deals with the matters of children who are suspected of having been subjected to sexual harassment or violence. Children and their parents can receive all services in one place free of charge with the referral of child protection services. In the case of a police investigation, the location of the hearing depends on the judge's decision, but child protection services can request other services from Barnahús.

Here you can upload any file(s) in support of your answer

- b. **specificities of sexual abuse committed in respect of a child by someone in a recognised position of trust, authority or influence are taken into account in the measures and procedures applied during criminal investigations and proceedings in order not to aggravate the trauma experienced by the child?**^[46] Please provide details.

[46] *Ibid.*, Recommendation 39

When investigating cases where for example a parent or another family member is the alleged perpetrator the police always directs the child protection services, legal rights representatives and defenders that it would be in the child's best interest to not be in contact with the person concerned, by all means possible. Usually, if the alleged perpetrator is a father or stepfather usually the person concerned leaves the home, either on his own initiative or upon the request of the mother. There have been instances where the mother takes the father's/stepfather's side. In those cases the child is usually temporarily put into foster care or moved to another family member in order to limit the child's interaction with the alleged perpetrator or to prevent further offenses. These cases are handled in collaboration with the child protection services. In cases where for example a teacher, coach or another person in a position of trust the police or the child protection services inform the alleged perpetrator's boss that an investigation is ongoing with regards to an alleged sexual offense against the child. The alleged perpetrator is in most cases placed on leave while the case is under investigation. This is to ensure the child is not at risk of meeting the person concerned and is able to keep up their routine without the possibility of meeting the person concerned. This reduces the likelihood of the child being re-exposed to their trauma.

Here you can upload any file(s) in support of your answer

c. **a child who is a presumed victim of sexual abuse is supported by a professional trained to safeguard children's psychological well-being?**^[47] Please provide details.

[47] Based on *N.Ç. v. Türkiye* (no. 40591/11), 9 February 2021

Here you can upload any file(s) in support of your answer

SUPPORT FOR CHILD VICTIMS IN INVESTIGATIVE AND JUDICIAL PROCEEDINGS Question 18.

Since the adoption of the 1st implementation report in the 1st monitoring round in 2015, has your national legal framework been amended to ensure that the justice system accommodates more fully the specificities attached to the participation of children as victims in proceedings and not solely as perpetrators of criminal offences?^[48] Please provide details.

[48] 1st Implementation Report "Protection of Children against Sexual Abuse in the Circle of Trust: The Framework", Recommendation 40

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (18 Yes)

Children under the age of 15 are always interviewed in Barnahus, both when they are victims of a crime as well as perpetrators. According to the Penal Code perpetrators under the age of 15 are not held criminally responsible for their actions and are usually not interviewed by the police in instances where they have

committed a crime. Perpetrators 15 years and older are interviewed at the appropriate police station where a representative of the child protection services is always in attendance.

Here you can upload any file(s) in support of your answer

INVESTIGATION Question 19. In the investigation phase:

In 2023 the Steering Committee for the Rights of the Child (CDENF) circulated a questionnaire in the framework of its mapping study of the implementation and development of Barnahus model in Europe. Should your authorities have responded to this questionnaire, you may reiterate those replies and complete as need be.

a. **are interviews of child victims arranged in a child-friendly setting separate from the usual premises where investigations and interviews are conducted (such as police, hospital or court premises), and are such settings provided throughout your territory?**^[49] Please provide details.

[49] *Ibid.*, Recommendation 41

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (19.a Yes)

Interviews of children under the age of 15 take place at Barnahus by professionals that have received specific training to carry out an interview in a child-friendly manner. Interviews in Barnahus are provided throughout the territory of Iceland.

At the Reykjavik Metropolitan Police, interviews of children 15 years and over are conducted in a specially designed room, with calming colors, and is set up like a living room, i.e. not with a desk in between the investigator and the child, no computer etc. The lighting is also calming.

Here you can upload any file(s) in support of your answer

b. **are all staff responsible for interviewing child victims required to undergo suitable qualifying training?**^[50] Please provide details.

[50] *Ibid.*, Recommendation 42

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (19.b Yes)

In Barnahus, all interviewers are trained to conduct an interview in a child-friendly manner. Barnahus is used for children 14 years old and younger for interviews. Children 15 years and older are interviewed at the police station in a special room, although on some occasions 15 years and older are interviewed in Barnahus.

Many police investigators have undergone special training in interviewing child victims and the Reykjavík Metropolitan Police tries to use those investigators when it is necessary to interview a child victim or perpetrator.

Here you can upload any file(s) in support of your answer

c. **does your national legal framework require that interviews with child victims are conducted as soon as possible after the offence, that their duration and number are limited, and that in their organisation account is taken of the child's age and attention span?**^[51] Please provide details.

[51] *Ibid.*, Recommendation 43

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (19.c Yes)

It is one of the legal principles in the Code of Criminal Procedure that cases are processed as quickly as possible (Article 53, paragraph 2). Offences against children and others in a vulnerable position are always regarded as matters of priority. Also, interviews of children are held as soon as possible after the alleged offence so their memory is fresh but also as to not traumatize the child further if the offence happened long ago.

According Article 59, paragraph 1, point a, interviews with children shall be held before the court during the investigation phase if the investigation regards Chapter XXII. of the Penal Code (sexual offences). The purpose of this is to limit the number of times the child has to describe the offense. Before the interview is held in Barnahús a member of the prosecution, a detective, the psychologist in charge of the interview and a representative from the child protection services meet to discuss the conduction of the interview. They take into account the age of the child as well as psychological aspects of the child, for example autism. If the child is very young the interviewer has to ask very specific questions as well as keeping the interview as short as possible so the child doesn't lose its concentration.

Here you can upload any file(s) in support of your answer

d. **[for Serbia] how do you ensure that child victims of sexual abuse by someone in a recognised position of trust, authority or influence are not repeatedly interviewed during the proceedings?**^[52]

[52] *Ibid.*, Recommendation 54

Here you can upload any file(s) in support of your answer

e. [where it is indispensable to interview the child victim more than once, does your national legal framework require that the interviews should, if possible and where appropriate, be conducted by the same person and under the same material conditions as the first?](#)^[53] Please provide details.

[53] *Ibid.*, Recommendation 44

- Yes
 No

If appropriate, please provide more information (19.e No)

There is not a legal requirement, however this is always kept in mind while the case is being processed but the child is almost always only interviewed once.

Here you can upload any file(s) in support of your answer

f. [does your national legal framework offer criminal defence the possibility to contest a child's disclosure during the interview through questions, thus obviating the need for the child to be present in the court room during the proceedings?](#)^[54] Please provide details.

[54] *Ibid.*, Recommendation 45

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (19.f Yes)

The defense attorney is present during the interview in Barnahús but the interview is overseen by a judge. The defense attorney can ask questions which the judge asks the interviewer through an earpiece. Thus, the child does not hear the questions.

Here you can upload any file(s) in support of your answer

JUDICIAL PROCEEDINGS Question 20. In the judicial proceedings:

In 2023 the Steering Committee for the Rights of the Child (CDENF) circulated a questionnaire in the framework of its mapping study of the implementation and development of Barnahus model in Europe. Should your authorities have responded to this questionnaire, you may reiterate those replies and complete as need be.

a. [is systematic use of video equipment made in order to record interviews of child victims or enable him or her to testify remotely during the proceedings?](#)^[55] Please provide details.

[55] *Ibid.*, Recommendation 46

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.a Yes)

Video-recorded interviews conducted in Barnahus in Iceland are admitted as evidence in criminal proceedings.

Here you can upload any file(s) in support of your answer

b. [does your national legal framework make an exception in the requirement to be physically present at court hearings for child victims of sexual abuse, including when they are giving evidence?](#)^[56] Please provide details.

[56] *Ibid.*, Recommendation 59

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.b Yes)

When the police investigates a case where it is suspected that a child under the age of 15 has been sexually or physically abused, the judge decides where the hearing of the child will take place. In such cases the interview takes place in specially prepared rooms and an expert from Barnhus or the police conducts the interview. As a general rule children are only interview once.

Here you can upload any file(s) in support of your answer

c. [is there any difference in the scope of the application of this requirement based on the child's age?](#)^[57] Please provide details.

[57] *Ibid.*, Recommendation 60

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.c Yes)

Please see answer 20 b above.

Here you can upload any file(s) in support of your answer

d. [are video recordings of interviews of child victims regarded as admissible evidence?](#)^[58] Please provide details.

[58] *Ibid.*, Recommendation 47

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.d Yes)

Here you can upload any file(s) in support of your answer

e. [what measures do you take to guard against any further contact between a child victim of sexual abuse by someone in a recognised position of trust, authority or influence and a presumed offender during the criminal proceedings?](#)^[59]

[59] *Ibid.*, Recommendation 48

According to Article 123, paragraph 2 of the Code of Criminal Procedure a judge can decide, in accordance with a demand by the prosecutor or a witness, that the defendant is to leave the court while the victim is questioned if the judge consider that the presence of the defendant could be particularly difficult for the victim and maybe influence its testimony.

But as mentioned above the general rule is that children are only interviewed once and that is during the investigation phase.

Here you can upload any file(s) in support of your answer

f. [does your national legal framework allow taking the child's testimony without the presumed offender being present?](#)^[60] Please provide details.

[60] *Ibid*

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.f Yes)

Please see answers regarding Barnahus and answer to question 20e.

Here you can upload any file(s) in support of your answer

g. [how do you ensure that face-to-face confrontation with the defendant during the proceedings does not take place?](#)^[61]

[61] *Ibid*

Please see answers to questions above.

Here you can upload any file(s) in support of your answer

h. [what measures do you take to prevent violation of the child victims' right to privacy by the media through disclosure or publication of personal information or data?](#)^[62]

[62] *Ibid.*, Recommendation 49

According to Article 10, paragraph 1 of the Code of Criminal Procedure the judge may decide, on his or her own initiative or at the demand of the prosecutor, the accused or the victim, that a session be closed, in all respects or in part, if it is held outside the regular court premises, if the accused is under the age of 18 or if the judge considers it necessary for other reasons further listed in the Article.

Here you can upload any file(s) in support of your answer

i. [does your national legal framework provide for free legal aid to child victims of sexual abuse by someone in a recognised position of trust, authority or influence under the same or more lenient conditions as that available to adults?](#)^[63] Please provide details.

[63] *Ibid.*, Recommendation 50

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.i Yes)

Yes, see discussion on legal rights representatives in answers above. The duties of the legal rights representative are stated in Chapter V of the Code of Criminal Procedure no. 88/2008: <https://www.althingi.is/lagas/nuna/2008088.html> (Icelandic version)

Here you can upload any file(s) in support of your answer

j. [does your national legal framework grant to child victims of sexual abuse by someone in a recognised position of trust, authority or influence the right to be represented in their own name by a lawyer trained in the relevant matters?](#)^[64] Please provide details.

[64] *Ibid.*, Recommendation 51

- Yes
 No

Please provide information in support of your answer, if possible referring to specific legal provisions and their exact wording (20.j Yes)

Yes, see Article 43 of the Code of Criminal Procedure no 88/2008. There it is stated that the injured party (the child in this matter) may engage a lawyer, at his or her own expense, to defend his or her interests. However, this is very rare.

Here you can upload any file(s) in support of your answer

k. [what assistance, if any, do you provide to child victims of sexual abuse by someone in a recognised position of trust, authority or influence, once a criminal justice decision has been taken?](#)^[65]

[65] *Ibid.*, Recommendation 52

Children who have been interviewed in Barnahus are treated psychologically there. Child protection services are always called in when a punishable act against a child has occurred.

Here you can upload any file(s) in support of your answer

Contact

[Contact Form](#)

