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LANZAROTE CONVENTION

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

Replies to the thematic questionnaire

REPUBLIC OF MOLDOVA

2nd thematic monitoring round

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

Replies registered by the Secretariat on 27 October 2017

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:
self-generated sexually explicit images and/or videos?
self-generated sexual content?

The Ministry of Education, Culture and Research develops students' competencies on online safety and risk understanding.

Yearly, in all pre-university education institutions, the methodical recommendations for the "Informatics" discipline provide guidance to the teachers, on the training of students, for a responsible and conscious use of a computer, especially as regards the content of the services offered by Internet.

Police authorities organize jointly with school teachers, educational, informative and awareness raising trainings. A video gallery is available for download and broadcast for children.

Similarly, education is provided through compulsory disciplines like: "Civic Education" (studying the specific module "Life and health - personal and social values"), which is taught in all classes at the gymnasiums and lyceums, "Biology"- studying the module "Reproductive system and human reproduction" and the subject "Hygiene of organ systems".

In the optional disciplines, such as "Health Education", promotion of a healthy lifestyle and reproductive health is emphasized.

In 2017, the Police organized and carried out the children Information Campaign "Adolescence without Deviance", aiming to promote legal knowledge among children and to underline the importance of complying with online safety rules, reducing child victimization, where children dialled and watched the video "Be safe on the internet. Take into account our advice" through which they have been informed about the services to call / useful web pages for referral, assistance and support in risk situations (<http://politia.md/en/content/politia-lanseaza-campania-pentru-copy-adolescent-no-deviant>;

http://politia.md/ro/press-releases?field_press_release_type_tid=52).

In the context of the Police Partnership with the National Centre for Child Abuse Prevention, on 25 May 2017, the Campaign "Safe Adolescence" was launched, aiming to raise awareness about the phenomenon of sexual abuse and exploitation of children and to inform young people), as well as their families / caregivers / society as a whole to prevent and combat the phenomenon. Through this campaign, the Police, CNPAC and its partners have proposed to provide the necessary tools for young people, parents and specialists in the field to take the necessary measures to prevent child abuse and sexual exploitation. The tools used in the campaign are the website www.12plus.md, the 12Plus Educational Program, teenage discussion clubs, informative materials. In particular, in order to prevent online child abuse cases in Moldova and to strengthen the knowledge about the safe use of information technologies by children, the information portal www.siguronline.md was launched in 2013 and it provides citizens with information and counselling while standing also as a national contact point for reporting harmful content and offenses related to child abuse and online sexual exploitation.

- 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?

In October each year - **The Month of Internet Security is being marked with the aim** of informing all students about the safe and responsible use of online technology and mobile phones, their education and awareness of hazards.

A video gallery developed by the police authorities is available for download and broadcast to adults for information and awareness raising purpose. In 2014, on the occasion of the **International Day of Internet Safety**, police authorities, jointly with other public authorities and the non-profit sector provided relevant information to *1350 institutions* throughout the country. Moreover, up to *10,000 citizens* have watched informational video materials in Patria Cinema on Internet security. About *587,130 people* have received informational text messages on the safe use of the Internet by children, with the support and involvement of specialists, parents and teachers. At the same time, considering the increasing concern regarding the safety of minors online, of the various professional groups, entitled to ensure their protection, "**The Month of Cyber Security**" was declared by the Government, for the second consecutive year, in October 2014.

Thus, the phenomenon of online sexual abuse of children, from the perspective of law enforcement authorities has also been addressed. As a result, civil society has been informed on the danger of sexual abuse and exploitation of children and encouraged to promote reporting of suspect cases of abuse on-line.

- 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?

Teacher training seminars are held regularly, to inform students and parents about online data protection. The trainings are focused on the steps to be taken in the process of educating students and parents.

Among the topics discussed there are: the risks of using the Internet by posting personal photos, identifying data, home address, family relationships, need for money, children threatening or harassment by unknown people.

Parents and people who have constant contact with children receive examples of explicit sexually suggestive images and / or videos and with sexual tones in order enable them to recognize the material easily.

→ 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.

In the process are involved in line institutions (Ministry of Internal Affairs, General Prosecutor's Office, Ministry of Education, Culture and Research, Ministry of Health and Social Protection, Permanent Secretariat of the National Council for the Protection of Child's Rights, Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings, Centre for Electronic Governance and others, as the case may be) and *non-governmental* ones.

In some situations, awareness-raising, information and education activities are organized with the support of development partners or international organizations.

In 2017, in all national educational institutions were distributed Guidelines for Internet use, donated by the Council of Europe (**5099 copies** in Romanian and **807 copies** in Russian). These can also be accessed on the website of the Ministry of Education, Culture and Research <http://edu.gov.md/en/content/safety-copies-internet>.

Meetings are held with representatives of the Centre for Electronic Governance, the International Centre "La Strada", the Police, and the National Centre for the Prevention of Child Abuse and representatives of the companies providing Internet services.

Annually, at both central and local level, the National Campaign "Week for Combating Trafficking in Human Beings" is organized to raise awareness among students, parents, teachers and the wider public in general.

On 28 March 2017, the Public Information Campaign entitled "Invisible Among Us", launched in 8 regions of the Republic, was launched, aiming to inform the society about the risks and consequences of trafficking in human beings and related crimes (with IOM support in Moldova). During 11-12 July 2017, the Child Corps Show was launched - a theatre documentary about the sexual abuse of minors in the online and offline space (in partnership with the OSCE Mission and the US Embassy in Moldova). The show was based on information, awareness and prevention of this phenomenon.

→ 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).

- <http://edu.gov.md/ro/content/siguranta-copiilor-internet>
- https://drive.google.com/folderview?id=0B5ipVyMAH22IfmtfakZxDVnNsVEFhZI80WEIVdmhrMTZuNGplcGNudWdxeXNvTkNuNU0&usp=drive_web
- http://www.youtube.com/watch?v=m_oZCz2rRc&feature=c4=overview&list=UUQiYfbOzuf2A4GH2R_inZfQ (Drafted by the Centre for Electronic Governance on cyber-security for children and young people about Internet security and knowledge of good practices for ICT use).
- www.onlinesafety.info
- <https://siguronline.md>
- www.antitrafic.gov.md
- http://www.mtic.gov.md/sites/default/files/staticdocuments/ghid_utilizare_internet_ron_0.pdf
- <http://www.osce.org/mission-to-moldova/328781>
- Guidelines drafted by the Council of Europe and published in the context of the implementation of the Program on Building the Information Society and Internet Governance of the EU-Council of Europe Programming Cooperation Framework for the years 2015-2017: "Strengthening the respect of human rights in the implementation process of the Digital Agenda of the Republic of Moldova".

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?

The State authorities encourage and support the cooperation with civil society organizations. In this sense, a National Participation Council (NPC) has been created. The Council promotes strategic partnerships between in line institutions and relevant civil society organizations. The cooperation with civil society is also ensured on the basis of agreements and memorandums of cooperation signed between law enforcement bodies and NGOs. In order to strengthen the liability of the public authorities and enhance the civil society participation to preventing trafficking in human beings, child pornography and child sexual exploitation, including through the new ICTs, on 08.08.2013, the General Police Inspectorate of the Ministry of Internal Affairs and the International Centre "La Strada" signed a *Memorandum of Collaboration*. An important element of the agreement was the reporting of cases of abuse, exploitation and trafficking through **Hotline 080077777** and the website **siguronline.md**.

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?

Such issues are being taken into account by the Republic of Moldova.

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?

This issue is taken into account by the Republic of Moldova. Schools, lyceums and other educational institutions in the Republic of Moldova include in their curricula topics such as "Respecting the security, ergonomic and ethical rules in the information and communication technology based activities", within the optional disciplines as "Informatics" II-IV); "Informatics" (Class V-VI) and "Information and Communication Technology" (Class VII-XII).

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?

Such issues are being taken into account by the Republic of Moldova.

Question 5. Research

- 5.1. Have public authorities or other bodies initiated/supported research on the issues raised by:
- self-generated sexually explicit images and/or videos?
 - self-generated sexual content?
 -

Such issues are being taken into account by the Republic of Moldova.

- 5.2. Have public authorities or other bodies conducted or supported research in particular on the psychological effects on those persons whose:
- self-generated sexually explicit images and/or videos as children have been shared online?
 - self-generated sexual content as children has been shared online?

→ 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.

Such issues are being taken into account by the Republic of Moldova.

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

In the Republic of Moldova, several mechanisms have been put in place for the protection of the child victims, as follows:

- **Law No.140 on the Special Protection of Children at Risk and Children separated from Parents, adopted on 14 June 2013**, which establishes the procedures for identification, evaluation, assistance, referral, monitoring and evidence of children at risk and children separated from their parents, including the authorities and bodies responsible for their application. The law regulates risk situations for children more clearly, which has led to the nationalization of procedures for registering complaints, assessing and recording children at risk;

- **Instruction on the intersectorial cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, misprision, exploitation and trafficking, approved by Governmental Decision no. 270 of 08.04.2014**, which stipulates that the representatives of educational institutions, medical and sanitary institutions and social assistance, regardless of the legal form of their organization, of the cultural or public order, as well as the Labour Inspectorate and other authorities and public institutions with attributions within the protection of the child are obliged to record the notifications of the persons reporting cases of suspected violence, negligence, exploitation, trafficking of the child area, and / or to take action in such cases by applying sectorial procedures, to immediately inform the local guardianship by phone, while sending within the next 24 hours the written form on the suspected case of violence, misprision, exploitation, trafficking of the child, as well as to inform immediately:

a) **territorial police inspectorate / prosecutor's office** - if they know or suspect that a child is a victim of a crime / contravention;

b) **emergency healthcare services** - if the notification contains information on the existence of imminent danger to the life or health of the child, including suicide attempts by children;

c) **State Labour Inspectorate** - if the suspected case report contains information on the child exploitation in difficult, harmful and / or dangerous labour conditions, or which may harm children's health or moral integrity;

- **Free phone assistance service for children - against Violence, Negligence, Exploitation and Trafficking**, set up in June 2014, managed by the Ministry of Health, Labour and Social Protection and provided by the International Centre "La Strada". The service is available at 1 single national number **116111**, free of charge for users of all fixed and mobile operators in the Republic of Moldova, 24/24 working days, *being confidential and anonymous*. Calls are taken over by specialists, providing legal advice and psychological counselling;

- **Internetsigur.md** web platform, which facilitates the reporting of cases of online sexual abuse to the Police, created with the support of external donors in 2016 and managed by the General Police Inspectorate specialized Centre (<http://internetsigur.md/>).

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?**

In the Republic of Moldova are applicable:

- **Law no. 140/2013** on the special protection of children at risk and of children separated from their parents.
- **Governmental Decision no. 7/2016** on the approval of the Framework Regulation on the organization and functioning of the Committee on the Protection of the Children in Difficulty.

→ 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).

In 2017, the specialized subdivision of the General Police Inspectorate has identified 10 children, who have been provided with psychological assistance.

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.

On 4 June 2014, in the Republic of Moldova the **Free Phone Assistance Service for Children** (*Child's Phone*) was launched with no. **116 111**. The service is financed and managed by the Ministry of Health, Labor and Social Protection and provided by the International Centre for the Protection and Promotion of Women's Rights "La Strada".

On the website <http://telefonulcopilului.md/> the «**Sigur Online**» portal - <https://siguronline.md/> has been included, with the aim to inform and promote the safe use of the Internet by children, with the support and involvement of specialists, parents and teachers.

Statistical data shows that this platform is functional: 873 - appeals from the siguronline consultant,

227 child victims of sexual exploitation were assisted by La Strada lawyers and psychologists and 3370 teenagers were informed on safe navigation.

Within the existing framework for collaboration with Non-Governmental Organizations, a Memorandum of Cooperation between the General Police Inspectorate and the International Centre "La Strada" was signed in 2013, aiming to prevent and counteract child pornography and sexual exploitation, trafficking in human beings, to develop social partnerships and to establish a permanent, equal and mutual cooperation between the law enforcement bodies and civil society in order to eradicate the phenomenon.

Another example –worth of mention is the signing in 2014 of a Cooperation Agreement between the General Police Inspectorate and the NGO National Centre for Child Abuse Prevention (NCCAP), which has as its main purpose the application on the police segment of the Instructions on the intersectorial cooperation mechanism for the identification, referral, assessment, assistance and monitoring of children and potential victims of abuse, misprision, exploitation, trafficking, as established by law.

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)?

The provisions of the Lanzarote Convention included in its Articles 18-23 are contained in the Criminal Law of the Republic of Moldova.

Thus, the Criminal Code of the Republic of Moldova, approved by the **Law no. 985 of 18.04.2002**, criminalizes the illegal actions in the following crimes:

1. **Article 175** Criminal Code of the Republic of Moldova, "Pervert Actions";
2. **Article 175¹** Criminal Code of the Republic of Moldova, "Minor enticement for sexual purposes";
3. **Article 208¹** Criminal Code of the Republic of Moldova "Pornography";
4. **Article 208²** Criminal Code of the Republic of Moldova, "Recourse to children prostitution"
5. **Article 206** Criminal Code of the Republic of Moldova, "Trafficking in Children";
6. **Article 174** Criminal Code of the Republic of Moldova "Sexual Intercourse with a person under the age of 16";
7. **Article 171** (*paragraph 2, b, 3b*) Criminal Code of the Republic of Moldova "Rape" (knowingly committed against a minor);
8. **Article 172** (*paragraph 2b, 3b*) Criminal Code of the Republic of Moldova, "Rape" (of a person under the age of 14).
9. **Article 173**, "Sexual harassment".

Law no. 30 of 7 March 2013 „On the protection of children from the negative impact of information", establishes the basic principles regarding the protection and fulfilling of the best interests of the child in the field of public accessible information, including the interests of parents (guardian, curator) public interests and state interests in relation to children, self-control, coordination of the obligations and responsibilities of the state, public authorities, entities preparing publicly available information.

The above-mentioned law distinguishes between "pornography" and "erotic" notions.

In this context, **the Law no. 20-XVI of 3 February 2009 „on the Prevention and fight against cybercrime"**, regulates the legal framework regarding the prevention and fight against cybercrime, in the protection and assistance of the service providers and the users of computer systems, the

collaboration of the public administration authorities with non-governmental organizations and with other representatives of civil society in the prevention and fight against cybercrime, cooperation with other states, international and regional organizations with competences in the field.

b. self-generated sexual content in the context of offences covered by the Lanzarote Convention (Art. 18-23)?

We mention that the meaning of the terms or expressions "self-generated sexual explicit images / videos" or "self-generated sexual content" as defined in this Questionnaire (**in Remarks section II**), is not expressly stipulated by the Criminal Code of the Republic of Moldova, so practitioners resort to doctrinal interpretation.

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)?

We mention that the meaning of the terms or expressions "non-pictorial self-generated sexual content produced by children" as defined in this Questionnaire (**in Remarks section II**), is not expressly stipulated by the Criminal Code of the Republic of Moldova, so practitioners resort to doctrinal interpretation

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?

Article 208¹ Criminal Code of the Republic of Moldova "Child Pornography" expressly states in its content "Producing, distributing, spreading, importing, exporting, offering, selling, procuring, changing, using or holding *images or other representations of one or more children* involved in *explicit, real or simulated sexual activities*, or images or other representations of a child's sexual organs represented by lascivious or obscene manner, *including in electronic form.*"

b. self-generated sexual content?

Article 208¹ Criminal Code of the Republic of Moldova "Child Pornography" expressly states in its content "Producing, distributing, spreading, importing, exporting, offering, selling, procuring, changing, using or holding *images or other representations of one or more children* involved in explicit, real or simulated sexual activities, or *images or other representations of a child's sexual organs represented by lascivious or obscene manner, including in electronic form.*"

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?

Article 208¹ Criminal Code of the Republic of Moldova "Child Pornography" expressly states in its content "Producing, distributing, spreading, importing, exporting, offering, selling, procuring, changing, using or holding *images or other representations of one or more children* involved in explicit, real or simulated sexual activities, or *images or other representations of a child's sexual organs represented by lascivious or obscene manner, including in electronic form.*"

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

Article 208¹ Criminal Code of the Republic of Moldova "Child Pornography" expressly states in its content "Producing, distributing, spreading, importing, exporting, offering, selling, procuring, changing, using or holding **images or other representations of one or more children** involved in explicit, real or simulated sexual activities, or **images or other representations of a child's sexual organs represented by lascivious or obscene manner, including in electronic form.**"

Question 9. Criminalisation

9.1. Does national law criminalise cases when adults:¹

- a. **possess child self-generated sexually explicit images and/or videos?**

The domestic law of the Republic of Moldova criminalizes the illegal actions of adults in the Article 208¹ Criminal Code of the Republic of Moldova, "Child Pornography", underlining the offense of "Producing, distributing, spreading, importing, exporting, offering, selling, procuring, changing, using or **holding images or other representations** of one or more children involved in **explicit**, real or simulated **sexual activities**, or images or other representations of a child's sexual organs represented by lascivious or obscene manner, **including in electronic form.**"

- b. **distribute or transmit child self-generated sexually explicit images and/or videos to other adults?**

The Criminal Legislation of the Republic of Moldova establishes and criminalizes in the Article 208¹ CC of the Republic of Moldova "Child Pornography" - "Producing, distributing, **spreading**, importing, exporting, **offering**, selling, procuring, changing, using or holding **images or other representations** of one or more children involved in explicit, real or simulated **sexual activities**, or images or other representations of a child's sexual organs represented by lascivious or obscene manner, **including in electronic form.**"

Under the Art. 16 of the Criminal Code of the Republic of Moldova, the subject of the offense is the person who at the time of committing the offense reached the age of 16.

- 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?**

The Criminal Code of the Republic of Moldova establishes and criminalizes in the Article 208¹ Criminal Code of the Republic of Moldova the "Child Pornography - Producing, distributing, **spreading**, importing, exporting, **offering**, selling, procuring, changing, using or holding **images or other representations** of one or more children involved in explicit, real or simulated **sexual activities**, or images or other representations of a child's sexual organs represented by lascivious or obscene manner, **including in electronic form.**"

The legislator does not establish in this legal norm the subject of the offense other than the adult or a person who at the time of the committed act was 16 years old. According to the legislation in force, the subject of this offense (less serious offense, in accordance with the Article 16 of the Criminal Code of the Republic of Moldova) is the person who at the time of committing the offense reached the age of 16. Under these circumstances, were the distribution and provision of **self-generated sexually**

¹ 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.

explicit images and/or videos committed by a person under the age of 16, the latest could not be held liable.

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?

In the situations referred to in point 9.1 a-c, the **Moldovan Criminal Law** in art. 35, paragraph d) of the Criminal Code, namely "*Circumstances that eliminate the criminal nature of an act*" exclude situations when the person was physically or mentally constrained to commit the offense.

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

The legal consequences for committing the offenses referred to in section **9.1 a-c** are: criminal punishment with 1-3 years of imprisonment, fine for the legal person, with the deprivation of the right to exercise a certain activity.

9.4. Does national law criminalise cases when adults:²
a. possess child self-generated sexual content?

The domestic law of the Republic of Moldova criminalizes the illegal actions of adults in Article 208¹ Criminal Code of the Republic of Moldova the "Child Pornography" highlighting in the objective side of the offense the "Producing, distributing, spreading, importing, exporting, offering, selling, procuring, changing, using or **holding** images or other representations of one or more children involved in explicit, real or simulated sexual activities, or **images or other representations of a child's sexual organs represented by lascivious or obscene manner, including in electronic form.**"

b. distribute or transmit child self-generated sexual content to other adults?

The Criminal Code of the Republic of Moldova establishes and criminalizes in the Article 208¹ Criminal Code of the Republic of Moldova, the "Child Pornography - Producing, distributing, **spreading**, importing, exporting, **offering**, selling, procuring, changing, using or holding images or other representations of one or more children involved in explicit, real or simulated sexual activities, or **images or other representations of a child's sexual organs represented by lascivious or obscene manner, including in electronic form.**"

The legislator does not establish in this legal norm the subject of the offense other than the adult or the person who at the time of the committed act was 16 years old. According to the legislation in force, the subject of this offense (less serious offense, in accordance with the Article 16 of the CC of the Republic of Moldova) is the person who at the time of committing the offense reached the age of 16 years. Under these circumstances, were the distribution and provision of **self-generated sexually explicit images and/or videos** committed by a person under the age of 16, the latest could not be held liable.

² 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.

c. distribute or transmit child self-generated sexual content to other children than those depicted such sexual content?

The Criminal Code of the Republic of Moldova establishes and criminalizes in the Article 208¹ Criminal Code of the Republic of Moldova the "Child Pornography - Producing, distributing, **spreading**, importing, exporting, **offering**, selling, procuring, changing, using or holding images or other representations of one or more children involved in explicit, real or simulated sexual activities, or **images or other representations of a child's sexual organs represented by lascivious or obscene manner, including in electronic form.**"

The legislator does not establish in this legal norm the subject of the offense other than the adult or a person who at the time of the committed act was 16 years old. According to the legislation in force, the subject of this offense (less serious offense, in accordance with the Article 16 of the Criminal Code of the Republic of Moldova) is the person who at the time of committing the offense reached the age of 16 years. Under these circumstances, were the distribution and provision of **self-generated sexually explicit images and/or videos** committed by a person under the age of 16, the latest could not be held liable.

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?

In the situations referred to in point 9.1 a-c, the Moldovan Criminal Law in art. 35, paragraph d) of the Criminal Code, namely "Circumstances that eliminate the criminal nature of an act" exclude situations when the person was physically or mentally constrained to commit the offense.

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

The legal consequences for committing the offenses referred to in section 9.1 a-c are: criminal punishment with 1-3 years of imprisonment, fine for the legal person, with the deprivation of the right to exercise a certain activity.

9.7. Does national law criminalise cases when children:³

For the point 9.7 (a-f), as well as according to the provisions of the art. 21, par. 1) of the Criminal Code of the Republic of Moldova, persons who at the time of committing the offense reached the age of 16 are liable for criminal responsibility.

Even if in the preliminary remarks of the Questionnaire it was mentioned that by the term "child" - it is understood the person who is less than 18 years old, we note that according to the legislation of the Republic of Moldova the minors ranged from 16-18 years old, committing offenses, can be subject to criminal liability for the commission of the offense.

- 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?

³ This question does not in any way suggest that these behaviours should be criminalised.

- f. distribute or transmit self-generated sexually explicit images and/or videos of other children to adults?

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?

Under the conditions referred to in point 9.7 a-f, the Moldovan criminal law in art. 35, paragraph d) of the Criminal Code, namely "Circumstances that eliminate the criminal nature of an act" exclude situations when the person was physically or mentally constrained to commit the offense.

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

The legal consequences for committing the offenses referred to in point 9.7 a-f are: criminal punishment with 1-3 years of imprisonment, fine for the legal person, with the deprivation of the right to exercise a certain activity.

9.10. Does national law criminalise cases when children:⁴

- 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?

The Criminal Code of the Republic of Moldova, on equal terms, establishes criminal liability for persons aged between 16 and 18 (*for the offense committed under Article 208¹ Criminal Code of the Republic of Moldova, mentioned above*) committing offenses, just as for adults. For children under the age of 16, they cannot be subject to criminal liability. These provisions apply to all unlawful actions provided in point 1-f of point 9.10.

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?

Under the art. 35, paragraph d) of the Criminal Code, namely "Circumstances that eliminate the criminal nature of an act" exclude situations when the person was physically or mentally constrained to commit the offense.

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

The legal consequences for committing the offenses referred to in *point 9.7 a-f* are: criminal punishment with 1-3 years of imprisonment, fine for the legal person, with the deprivation of the right to exercise a certain activity.

⁴ 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 2⁵

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?

The Republic of Moldova did not make a reservation.

10.2. For Parties that have not made a reservation in accordance with Article 20(3) indent 2⁶

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?

The legislator does not refer, in the legal provisions of art. 208¹ of the Criminal Code of the Republic of Moldova, "Child Pornography", to the producing and / or owning of images or videos for personal or non-personal use, so according to the grammatical interpretation of the legal norm in the Criminal Code of the Republic of Moldova allows to conclude that such products can be owned.

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?

Actions may be classified under the provisions of the Criminal Code as follows:

1. **Article 175** Criminal Code of the Republic of Moldova, "Pervert Actions";
2. **Article 175¹** Criminal Code of the Republic of Moldova, "Minor enticement for sexual purposes";
3. **Article 208¹** Criminal Code of the Republic of Moldova "Child Pornography";
4. **Article 208²** Criminal Code of the Republic of Moldova, "Recourse to children prostitution";
5. **Article 206** Criminal Code of the Republic of Moldova, "Trafficking in Children";
6. **Article 174** Criminal Code of the Republic of Moldova, "Sexual Intercourse with a person under the age of 16";
7. **Article 171 (paragraph 2, b, 3b)** Criminal Code of the Republic of Moldova "Rape" (knowingly committed against a minor);
8. **Article 172 (paragraph 2b, 3b)** Criminal Code of the Republic of Moldova, "Rape" (of a person under the age of 14);
9. **Article 173** Criminal Code of the Republic of Moldova, "Sexual harassment";
10. **Article 189** Criminal Code of the Republic of Moldova, "Blackmail".

⁵ Denmark, Germany, Liechtenstein, the Russian Federation, Sweden, Switzerland.

⁶ 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.

a. self-generated sexual content?

Actions may be classified under the provisions of the Criminal Code as follows:

1. **Article 175** Criminal Code of the Republic of Moldova, "Pervert Actions";
2. **Article 175¹** Criminal Code of the Republic of Moldova, "Minor enticement for sexual purposes";
3. **Article 208¹** Criminal Code of the Republic of Moldova "Child Pornography";
4. **Article 208²** Criminal Code of the Republic of Moldova, "Recourse to children prostitution";
5. **Article 206** Criminal Code of the Republic of Moldova, "Trafficking in Children";
6. **Article 174** Criminal Code of the Republic of Moldova, "Sexual Intercourse with a person under the age of 16";
7. **Article 171** (*paragraph 2, b, 3b*) Criminal Code of the Republic of Moldova "Rape" (knowingly committed against a minor);
8. **Article 172** (*paragraph 2b, 3b*) Criminal Code of the Republic of Moldova, "Rape" (of a person under the age of 14);
9. **Article 173** Criminal Code of the Republic of Moldova, "Sexual harassment";
10. **Article 189** Criminal Code of the Republic of Moldova, "Blackmail".

Question 12. Jurisdiction rules⁷

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.

The Republic of Moldova applies the territoriality principle in accordance with the provisions of the **art. 12 Criminal Code** of the Republic of Moldova.

Thus, the place of committing the offense is considered the place where the harmful action (inaction) was committed, regardless of the time of the occurrence of consequences.

In the same way, the place of committing the transnational offense is considered as such if:

- a) the offense has been committed on the territory of the Republic of Moldova and on the territory of at least another State;
- b) the offense was committed on the territory of the Republic of Moldova, but a substantial part of its organization and control took place in another state, and vice versa;
- c) the offense was committed on the territory of the Republic of Moldova, with the involvement of an organized criminal group or a criminal organization (association) carrying out criminal activity in more than one state, and vice versa;
- d) the offense was committed on the territory of the Republic of Moldova, but has serious consequences in another state, and vice versa.

Material competence to examine the cases lies with law enforcement bodies, such as the Ministry of Internal Affairs, through its competent bodies and the General Prosecutor's Office, with the involvement, as appropriate, of competent authorities and services.

⁷ Please answer this question taking into account the requirements of Article 25 of the Lanzarote Convention.

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):

The Chapter III of the Criminal Procedure Code of the Republic of Moldova (*Articles 266-273*), establishes the competence of the criminal investigation bodies and the competence and actions of the finding bodies.

Thus, both the Ministry of Internal Affairs (*the Police*) and the General Prosecutor's Office (*Prosecutor's Office for Combating Organized Crime and Special Causes*) are empowered to examine such offenses.

Within the Ministry of Internal Affairs there are 2 specialized units in charge of dealing with these matters: **The Centre for Fighting Cybercrime** and **Centre for Combating Trafficking in Human Beings**. Also, within the General Police Inspectorate of the Ministry of Internal Affairs as a specialized subdivision operates the **Child Safety Service**. In this context, we mention that 48 specialists are currently working with the children at territorial level, within the Police Inspectorates, who are responsible for coordinating and ensuring policies on child rights protection. Within the General Police Inspectorate and the territorial Police Inspectorates there are 45 prevention inspectors.

Child Safety Service is an important factor in every police entity because it is the bridge to ensure the interaction and co-operation of the subdivision with organs and institutions deployed in the territory served, with competence to elucidate risk situations among children.

a. in law enforcement?

According to the art. 266 of the **Criminal Procedure Code of the Republic of Moldova**, the criminal prosecution body of the Ministry of Internal Affairs carries out the criminal prosecution for any offense not provided by law under the competence of other criminal prosecution bodies or are given in its competence by the prosecutor's order.

Even more, in the art. 273 of **Criminal Procedure Code of the Republic of Moldova**, Police - is a finding body for offenses not given by law in the competence of other finding bodies. Thus, through its specialized structure, the Police have the right, under the law, to detain the perpetrator, to raise the offending bodies, to request the information and documents necessary for the finding of the offense, to quote persons and obtain statements from them, to assess the damage and to perform any other actions that cannot be delayed, with the drawing up of the minutes in which the actions taken and the established circumstances will be recorded.

Within the Police there is a specialized unit - the **Centre for Combating Cybercrime of the National Investigation Inspectorate of the General Police Inspectorate**. The regulation for the organization and operation of this specialized unit is approved by the Order of the General Police Inspectorate.

The **Centre for Combating Cybercrime** has the competence of a finding body and prosecution body throughout the Republic of Moldova, including special investigative activity. The **Centre for Combating Cybercrime's** mission is to combat and prevent cybercrimes or those committed by using ICT. Similarly, **Centre for Combating Cybercrime** ensures the co-operation with other law enforcement bodies at national and international level on its area of competence.

The **Centre for Combating Cybercrime** consists of 6 specialized sections: Planning section; Computer Security Section; Electronic payment means section; **Child Protection Section**; Criminal Investigation Section; Operational Support Service.

The Child Protection Section within the **Centre for Combating Cybercrime** - ensures the prosecution on cybercrime and related offenses committed through the use of computer systems and modern technical means, the qualitative and timely research of the information provided, the assurance of the legal conditions of liability of those who have committed offenses, the assurance of the

reparation of the damage caused by committing offenses within the limits of the competence established by the legislation of the Republic of Moldova.

b. in prosecution?

Within the General Prosecutor's Office of the Republic of Moldova operates the Prosecutor's Office for Combating Organized Crime and Special Causes, which has the **Office for Combating Trafficking in Human Beings and Cybercrime**. The task of leading the criminal prosecution on cases of child sexual abuse is given to their competence.

On 01.08.2016, within the General Prosecutor's Office, the **Juvenile Justice Section of the Politics of the Reforms and Protection of the Society's Directorate** was created (with the entry into force of *Law no. 3 of 25.02.2016 on the Prosecutor's Office* and the approval of the internal structure of the General Prosecutor's Office).

c. in courts?

The Republic of Moldova does not have specialized courts for children. On the other hand, within the National Institute of Justice, the Modular Plan for the Continuous Training of Judges and Prosecutors (drafted annually) includes seminars focusing on investigating and examining offenses related to sexual exploitation and sexual abuse of children.

We note that according to the provisions of the art. 2 paragraph 1) of the Law no. 152 "Regarding the National Institute of Justice" of June 8, 2016, the National Institute of Justice is the competent public institution with the competence to carry out the continuous training of the judges and prosecutors in office.

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.

Within the Police there is a specialized unit - the **Centre for Combating Cybercrime** of the National Investigation Inspectorate of the General Police Inspectorate. **The Child Protection Section** within the **Centre for Combating Cybercrime** - ensures the prosecution on cybercrime and related offenses committed through the use of computer systems and modern technical means, the qualitative and timely research of the information provided, the assurance of the legal conditions of liability of those who have committed offenses, the assurance of the reparation of the damage caused by committing offenses within the limits of the competence established by the legislation of the Republic of Moldova.

→ 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.)?

At Police level:

Specialized Unit - the **Centre for Combating Cybercrime** of the National Investigation Inspectorate of the General Police Inspectorate. The Centre is made up of 6 sections; one of them is the Child Protection Section within the **Centre for Combating Cybercrime**.

The mandate of the **Child Protection Section** consists of the assurance of the prosecution on cybercrime and related offenses committed through the use of computer systems and modern technical means, the qualitative and timely research of the information provided, the assurance of the legal conditions of liability of those who have committed offenses, the assurance of the reparation of the damage caused by committing offenses within the limits of the competence established by the legislation of the Republic of Moldova.

The **Child Protection Section** within the **Centre for Combating Cybercrime** has 4 officers, specialized in investigating this kind of crime, in the orientation of the police activity on the interaction with the members of the community and its representative bodies (the central and local public administration authorities) the prevention of illegal acts generating offenses and contraventions, the provision of qualified services to the population in the fields of activity, as well as the transposition and implementation of state policies related to the prevention of illegal acts generating offenses and contraventions, especially in the field of public security.

At the level of the General Prosecutor's Office:

The Prosecutor's Office for Combating Organized Crime and Special Causes has the **Office for Combating Trafficking in Human Beings and Cyber Crime**. The task of leading criminal prosecution on cases of child sexual abuse is given to their competence. The office has 5 prosecutors who ensure the pursuit and conduct of criminal prosecution.

Prosecutors from the regions of the Republic of Moldova ensure the same application of the research procedures on the basis of the Methodological Guide on the investigation of the cases with child victims / witnesses of offenses, including sexual ones, approved by the Prosecutor General Order no. 25/25 of 3 August 2015 and the Decision of the Superior Council of Magistracy no. 619/25 of 2 September 2015.

The Juvenile Justice Department within the Directorate of Politics, Reforms and the Protection of the Society's Interest, created on 01.08.2016, with the entry into force of *Law no.3 of 25.02.2016 on the Prosecutor's Office* and the approval of the internal structure of the General Prosecutor's Office.

→ As regards law enforcement, please indicate if:

a. there is a victim identification function?

The Centre for Combating Cybercrime of the National Investigation Inspectorate of the General Police Inspectorate (Ministry of Internal Affairs) performs the victim identification function. **The Centre for Combating Cybercrime** administers the national database on child pornography victims and their abusers through the "*Child Protection Information System*".

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

The 4 officers of the **Child Protection Section of the Centre for Combating Cybercrime** (see p.13.2) are users of the ICSE database of ICPO Interpol.

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?

Child pornography offense is qualified, according to the legislation of the Republic of Moldova, as a less serious crime, thus preventive measures can only be applied under certain conditions. Taking these issues into account, the estimated challenges are:

Criminal Code:

- **Art. 208/1** "Child Pornography" does not criminalize the wittingly obtaining of access to child pornography through information and communication technologies, although this is established in the Lanzarote Convention.

Criminal Procedure Code:

1) The computer search procedure is not regulated, including on the storage media of the computer data used by remote access. Thus, the sampling procedure is not regulated when using cloud, remote server, computer data hosting technologies (Dropbox, etc.);

2) There is a lack of special measures of cyber data interception investigations;

3) There is no provision for obtaining communications by electronic means - text messaging through computer systems other than telephone services and other electronic communications - from the providers of e-mail services, chat etc.;

Psychological services are delivered only by non-governmental organizations, and the law enforcement bodies resort to their assistance. At present, there are no psychologists from law institutions trained in this field.

The expertise and research procedures (in the field of criminology and forensics) can be attributed to the challenges component, including the responsibility of the IT sector in the process of preventing these types of crimes.

The draft Law no. 161 (2016) for amending and completing some legislative acts with the following amendments:

- Implementation of the **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse** (Lanzarote, 2007) and the **Council of Europe Convention on Cybercrime**, in order to guarantee the effective investigation and prosecution of child sexual offenders.

- Implementation of the provisions of the **Council of Europe Convention on Cybercrime, Computer Viruses, Quick Data Retrieval and Interception of Computer Data**.

- Implementation of **Directive 2011/92 / EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse, sexual exploitation of children and child pornography**.

- Completion of the **Law on preventing and fighting cybercrime, with a view to adopting a National Plan for Prevention and Fight against Cybercrime**.

- Implementation of **Council Directive 2008/114 / EC of 8 December 2008 "Identifying and designating European Critical Infrastructures and assessing the need to improve their protection"** by defining a number of relevant notions and defining the obligations of critical infrastructure owners and operators.

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)?

Trainings are organized with the support of international organizations and NGOs:

- *between 17 and 23 May 2015*, 2 officers of the Centre for Combating Cybercrime participated in the training course entitled "**Combating child pornography on the Internet**", organized under the project "*Improving international cooperation in combating trafficking in human beings in the context of the defense of the law*". The event took place at the Police Academy in Minsk, Belarus.

The training course included both theoretical and practical sessions, focused on the actions of law enforcement officers with reference to responding, investigating and performing expertise in cases of sexual exploitation of children through Internet. The purpose of the training course was to develop capacities to investigate offenses of online child abuse and sexual exploitation, as well as to strengthen common international standards in order to streamline the international cooperation process on the given segment.

- *between 28.06-04.07.2015* two officers of the Centre for Combating Cybercrime participated in the **Regional Conference on the Investigation of Online Child Sexual Exploitation** organized by the National Crime Agency of the United Kingdom (NCA) within the SELEC Centre in Bucharest, Romania.

- *between 16 and 21 November 2015*, two officers of the Centre for Combating Cybercrime participated in the **33rd meeting of the Interpol Group of Experts on Crime against Children**, organized under the aegis of the OIPC General Secretariat in Lyon, France.

- *between 10-16 January 2016*, 6 employees of the Centre for Combating Cybercrime participated in the Training Course entitled "**Investigations on Child Pornography**", organized jointly by the International Academy of Law Bodies (ILEA) and the United States Embassy in Moldova, in Budapest, Hungary.

- *between 15 and 20 February 2016*, an employee of the Centre for Combating Cybercrime participated in the Training Course on "**Sexual Exploitation of Children at International Level**", organized under the aegis of the General Secretariat of the International Criminal Police Interpol Organization, in Lyon, France.

- *between 28.03-02.04.2016* two employees of the Centre for Combating Cybercrime participated in a training course on the use of the **Child Protection System**, an event organized under the aegis of the British Agency for Combating Organized Crime, held in Poland, Warsaw;

- *between 12-13.04.2016*, 2 employees of the Centre for Combating Cybercrime participated in the training course "**Investigating Trafficking in Human Beings Crimes: Tracking of Illicit Goods in Parallel Financial Investigations**", which took place in Chisinau;

- *between 26.06.-01.07.2016* an employee of the Centre for Combating Cybercrime participated in the specialized courses on "**Sexual exploitation of children**", within the Exchange Program organized by CEPOL, in Wroclaw, Poland;

- *between 12-21 October 2016*, an employee of the Centre for Combating Cybercrime participated in the **17th training course on combating the sexual exploitation of children online**, organized by the European Police Office (Europol) in Selm, Germany;

- *between 26-27.10.2016*, two representatives of the Centre for Combating Cybercrime participated in the training course entitled "**Training Session on Financial Investigations in Trafficking in Human Beings**", organized by the Council of Europe in cooperation with the National Committee for Combating Trafficking in Human Beings in Chisinau municipality;

- *on 25.07.2017* Centre for Combating Cybercrime officers participated in the instructive Webinar on the use of the **Cybertipline virtual channel of the National Centre for Missing and Exploited Children of the US** (NCMEC).

b. prosecutors?

The National Institute of Justice, that is the public institution empowered to carry out the in-service training of judges in office and prosecutors in office, includes seminars dealing with the topics of investigating and examining offenses related to sexual exploitation and sexual abuse of children, according to the Annual Modular Plan.

c. judges?

The National Institute of Justice, that is the public institution empowered to carry out the in-service training of judges and prosecutors in office, includes seminars dealing with the topics of investigating and examining offenses related to sexual exploitation and sexual abuse of children, according to the Annual Modular Plan.

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

In the context of point 15 (b-c), we mention the following training for judges and prosecutors:

- Seminar on "*Juvenile Justice: standards and procedures for juvenile justice, specific abilities and skills for working with minors*";
- Seminar on "*Hearing in special conditions of minors*";
- Seminar on "*Standards and Procedures for Juvenile Justice*".

These trainings took place with the support of the National Institute of Justice of the Republic of Moldova and focus on developing the skills of professionals (prosecutors and judges) to investigate all the aspects of cases of sexual exploitation and abuse of children, as well as professional empowerment. Approximately 25 prosecutors and judges participate at every seminar within the Institute, focusing on a multidisciplinary approach.

Prosecutors from the regions of the Republic of Moldova benefited from methodical assistance in the field of uniform application of the Methodological Guide on the investigation of the cases with child victims / witnesses of offenses, including sexual ones, approved by the **Prosecutor General Order no. 25/25 of 3 August 2015** and the **Decision of the Superior Council of Magistracy no. 619/25 of 2 September 2015**.

Other training activities can be referred to the "*Investigation and prosecution of crimes related to sexual life*" (trained 5 judges and 10 prosecutors), on 22 February 2017, training course "*Particularities of criminal prosecution and prosecution of criminal offenses*" (trained 12 judges and 11 prosecutors), conducted on 6-7 March 2017; "*Child Abuse*" (trained 9 judges and 12 prosecutors), conducted on 6 April 2017.

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?**

Pursuant to the article 532 of the **Code of Criminal Procedure of the Republic of Moldova**, applications for international legal assistance in criminal matters are made through the Ministry of Justice or the General Prosecutor's Office directly and / or through the Ministry of Foreign Affairs and European Integration, except when, on the basis of reciprocity, there is another way of addressing.

The Law Enforcement Bodies carry out their work, using the ICSE's system and database of ICPO Interpol, and through Europol's "European Expert Platform" (EPE).

During 2016-2017, we mention the following cooperation activities with other Council of Europe member states and other states:

2016:

- Was given support to the rogatory commission received from the Russian Federation. Similarly, was provided assistance to the law enforcement bodies from Romania and Germany within the rogatory commissions by conducting searches on the territory of the Republic of Moldova.

- 15 letters of information on criminal activity were processed and sent using the IP addresses of other states (Germany, France, and Italy).

2017:

- Participation in international operations - Germany-2: "QUIMA", "Operation Leine - Foreigners", France - 1, Russia - 1, Switzerland - 1, USA - 3,

- Information letters, responses and requests - 21 in total - on criminal activity using the IP addresses of other states (Germany, France, Italy, Russia, and Romania) were processed and sent.

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?**

Pursuant to the article 532 of the **Criminal Procedure Code of the Republic of Moldova**, applications for international legal assistance in criminal matters are made through the Ministry of Justice or the General Prosecutor's Office directly and / or through the Ministry of Foreign Affairs and European Integration, except when, on the basis of reciprocity, there is another way for their submission.

The Action Plan on Internet Safety for Children and Young People for the years 2017-2020 was approved by the Government Decision no. 212 of 5 April 2017.

The plan identifies **prevention and counteracting measures**: stimulating the deployment of Internet content filtering solutions with negative impact on children, stimulating children and adolescents to create a secure digital environment, informing children and adolescents about the risks of the online environment, educating them on safe navigation on the Internet, as well as regarding the responsibility for creating online content, instructing groups of young volunteers to teach and develop skills related to online child safety, developing a national database of illegal content / video content, enhancing illegal and harmful content expertise, to improve the legal mechanisms for investigating sexual offenses committed with the use of ITC.

Protective measures deriving from the above mentioned Plan - include actions to create information and advice Centers on online safety, conduct information and public awareness activities on online risks (online safety advisory platform), access to professionals in institutions education, etc.

Investigation and prosecution measures - introduction of specialized training modules in the field of investigation, identification and prosecution of criminal offenses, developed databases.

Thus, taking into account these predetermined actions in the Plan, the intensification of regional and international cooperation in combating illegal content on the Internet is a priority, through the intensification of law enforcement bodies cooperation to counteract the production and distribution of illegal content on the Internet, online charging and harassment and through the take-up of best practices and methods of intervention, exchange of experience with other states and profile organizations.

See also the answer to point 16.1