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Progress Assessment Report

On the Recommendations of the Gap Analysis of Legislation, Policies and Practices to Prevent and Combat Online Child Sexual Exploitation and Abuse in Ukraine

Combating Violence against Children in Ukraine

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Acronyms and Abbreviations

CPC	Criminal Procedure Code
CPE	Continuing police education
CSAM	Child sexual abuse material
CSE	Child sexual exploitation
CSEA	Child sexual exploitation and abuse
CSEM	Child sexual exploitation material
CTOC	United Nations Convention against Transnational Organised Crime
ICT	Information and communication technologies
Lanzarote Convention	Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, CETS 201
Budapest Convention	Council of Europe Convention on Cybercrime, CETS 185
MLA	Mutual legal assistance
OCSEA	Online child sexual exploitation and abuse
SOP	Standard operating procedure

1. Introduction & Methodology

This Project Assessment was conducted in the framework of the project Combatting Violence Against Children in Ukraine, which focuses on supporting Ukraine in strengthening its response to child sexual exploitation, including in the digital environment, promoting child-friendly practices with focus on ensuring the rights of child victims and witnesses in proceedings and promoting the rights of the child in the digital environment. The project pursues the following objectives:

- interagency cooperation;
- legal and policy framework;
- training and capacity building;
- awareness and prevention.

The Project Assessment was undertaken to review the progress made by Ukraine in the time elapsed since 2019, when a Gap Analysis of Legislation, Policies and Practices to Prevent and Combat Online Child Sexual Exploitation and Abuse in Ukraine (hereinafter referred to as “Gap Analysis”) took place within the framework of the EndOCSEA@Europe Project.¹ The Project Assessment gauges the progress made with a view to also identify any outstanding gaps and propose recommendations on addressing those.

Methodologically, the Progress Assessment is based on the findings of a) a desk review of available documentation, including legislative and regulatory drafts and policy papers; and b) a series of in-depth interviews conducted with the relevant national stakeholders (see Annex 1 to this Progress Assessment Report), including, but not limited to, those interviewed for the purposes of the Gap Analysis. Due to the travel restrictions imposed as a result of the COVID-19 pandemic, the interviews took place remotely, in videoconference format. The desk review and interview findings were subsequently analysed against a matrix of monitoring indicators (see Annex 3).

2. Executive Summary

Intended as a follow-up exercise to the Gap Analysis, this Progress Assessment has identified a number of areas of improvement as well as some issues where continued action is recommended to address the gaps.

¹ The Council of Europe Project End Online Child Sexual Exploitation and Abuse @ Europe (EndOCSEA@Europe) is implemented in the framework of the Council of Europe Strategy for the Rights of the Child (2016-2021), and aims to support member States to prevent and combat OCSEA by:

- Setting up enabling environments for cross-sector, multidisciplinary collaboration at national and regional levels, by strengthening national governance structures and conducting situation analysis of online child sexual exploitation and abuse risks and responses in national and pan-European contexts;
- Supporting legislative and procedural reforms, training and capacity building for law enforcement officials, judges and prosecutors and promoting multi-disciplinary interagency co-operation for end-to-end victim support;
- Addressing societal capabilities with emphasis on awareness-raising, education of key target groups and empowerment of children.

In particular, the progress made by Ukraine to address the compliance of its Criminal and Criminal Procedure Codes with both the Lanzarote Convention and the Budapest Convention is highly commendable. While most of the legislative amendments are still at the drafting stage or else are pending as bills at the Verkhovna Rada, considering the lengthy and painstaking nature of the lawmaking process, the progress made is undeniable.

The progress made in respect of raising public awareness on OCSEA issues is likewise welcome. It bears a special note that public awareness activities target a range of audiences, including children, parents and teachers, and span a wide array of communication channels depending on the target audience in question, from online text resources to public service announcements to interactive apps and bots.

The growing recognition of the harmful nature of repeat interviewing and the resulting need to put in place child-friendly interviewing protocols deserves a special commendation. However, in order to be able to achieve this aim, Ukraine needs to overcome a number of challenges relating mostly to the development of standard operating procedures and interviewing protocols, and ensuring capacity building of the relevant professionals.

The pilot initiative to launch an experimental Barnahus facility marks a major milestone in terms of child safeguarding at the investigative stage. It is welcome that the authorities are actively pursuing options already available under the extant legislation while also developing proposals for legislative amendments to facilitate the introduction of a full-fledged Barnahus model in a longer term. Some outstanding challenges to be addressed in this regard concern the need for stronger interagency coordination and interdisciplinary capacity building, including the capacity building of professions that have so far been insufficiently targeted, such as medical practitioners.

On a general note, there is need for a more solid body of empirical data to inform and guide legislative, regulatory and policy reform. This requires putting in place of a system of uniform crime statistics indicators complete with a set of uniform indicators on CSEA/OCSEA that would be cross-sectorally applicable. One aspect that may impede progress in this area is lack of a holistic vision of violence against children and OCSEA specifically, and a degree of conflation between domestic violence and gender-based violence, on the one hand, and violence against children, on the other. As a result, CSEA/OCSEA is often miscategorised as a subset of domestic violence and gender-based violence, which approach fails to consider some critical elements of OCSEA, especially when occurring outside the family circle.

3. Progress Assessment

This section contains the findings of the progress assessment research, analysing them against the recommendations made by the 2019 Gap Analysis. It also includes further recommendations on addressing the outstanding gaps.

3.1 International Treaty Obligations and Membership in Multilateral Organisations

Initial Recommendation

The Gap Analysis recommended that Ukraine review legislation, policies and practices to ensure full compliance with the Lanzarote and Budapest Conventions.

Progress assessment

While there has been no cross-sectoral domestic effort to review all applicable legislation, policies and practices for their compliance with the Lanzarote and Budapest Conventions, a push has been noted to review and amend the criminal and criminal procedural legislation in a concerted manner. Since the release of the Gap Analysis, lawmakers of Ukraine's national legislature, the Verkhovna Rada, initiated a package of draft amendments to the extant legislation to ensure compliance with the Lanzarote Convention (Bill No 3055 "On amendments to some laws of Ukraine regarding the implementation of the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention)")².

Bill No 3055 mostly targets gaps in the Criminal Code (see section 3.2.1 *Substantive Criminal Law* for a more detailed discussion of progress) and some gaps in the Criminal Procedure Code, however, there is an additional legislative initiative in development that will reportedly address the procedural aspects of tackling CSEA/OCSEA, notably in the context of overall development of child-friendly justice (the draft Law on Child-Friendly Justice). Note that the Ministry of Justice had developed a parallel draft law with the intent to ensure compliance with the Lanzarote Convention, but the parliamentary draft reportedly made it earlier to registration and is currently the only one officially considered. According to the stakeholders interviewed for this Progress Assessment, there exist a number of differences between the two drafts, and the Verkhovna Rada and the Ministry of Justice are engaged in a dialogue to arrive at a consensus (the Ministry of Justice submitted an official comment to the Verkhovna Rada on Bill No 3055).

3.2 Analysis

3.2.1 Substantive Criminal Law

3.2.1.1 Child Sexual Abuse

Initial Recommendation

The Gap Analysis recommended that the Criminal Code be amended to include all the constituent elements set down in the Lanzarote Convention to define child sexual

² Full text of the Bill and the supporting documentation may be viewed at http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=68122 (last visited on 22 August 2020).

abuse, and to provide for the use of ICTs as a constitutive element or aggravating circumstance in the case of sexual offences against children.

Progress assessment

Bill No 3055, as it stands at the time of this Progress Assessment, intends to introduce a number of important definitions in the Criminal Code. In particular, if adopted, it would amend Article 155 (Sexual Intercourse with a Person Under 16 Years of Age) of the Criminal Code (which currently criminalises “natural and unnatural sexual acts with a person under 16”) by adding a definition of penetrative contact sexual abuse of a child, to include vaginal, anal and/or oral penetration by genitalia, another body part and/or an object. Additionally, the Bill would amend Article 155 by adding a clause making it an aggravated offense to commit penetrative sexual abuse of a child facilitated through “a payment or other incentive or a promise thereof to the victim or a third party.”

Note that non-penetrative contact sexual abuse is already criminalised by Article 153 (Sexual Violence) of the Criminal Code, with sexual violence against a person under the age of consent (i.e. 16 years of age) punishable as an aggravated offense. The situation with non-contact abuse is less straightforward, as it is presumably covered by Article 156 (Debauchery of Minors), however, a clear definition of the prohibited conduct for the purposes of this article is lacking. Bill No 3055 as it stands does not specifically address this issue.

Importantly, the Bill would amend Article 49 (Release from Criminal Liability due to Expired Statute of Limitations) of the Criminal Code, providing that the terms of the statute of limitations for sex crimes against children would only start to run from the day on which the victim reached the age of majority (or would have reached the age of majority, in the event that the victim is deceased). This is a welcome step, as it would provide at least a partial solution in cases of delayed self-reporting of childhood victimisation by allowing child victims who felt too intimidated to self-report the abuse (including children abused in the circle of trust) to make an informed decision on reporting the crime after they have achieved greater independence.

If adopted, Bill No 3055 would include the use of ICT as a constitutive element of two sex offenses against children (for a more detailed discussion, see *3.2.1.2 Child Sexual Exploitation: General*, and *3.2.1.4 Criminalisation of the solicitation of children for sexual purposes*).

It is recommended that Ukraine further amends the Criminal Code by introducing a definition of non-contact child sexual abuse.

3.2.1.2 Child Sexual Exploitation: General

Initial Recommendation

The Gap Analysis recommended that Ukraine implements the Lanzarote Committee recommendations to ensure that the age of child victims is not taken into account where exploitation or abuse occurs in the circle of trust.

Progress assessment

No new developments have been noted in the respect of the recommendation to ensure that the age of child victims is not taken into account where exploitation or abuse occurs in the circle of trust.

On a general note, however, positive developments have taken place since the Gap Analysis in the area of criminalising certain conduct falling within child sexual exploitation. In particular, Bill No 3055 includes Article 301-2, which, if adopted, would criminalise conduct related to the participation of children in pornographic performances, including those conducted with the use of ICT. Specifically, Article 301-2 would criminalise organising such performances, recruiting a child into participating in pornographic performances or causing a child to participate in such performances, including through coercion or deception, as well as knowingly attending pornographic performances involving the participation of children.

It is recommended that Ukraine implements the Lanzarote Committee recommendations to ensure that the age of child victims is not taken into account where exploitation or abuse occurs in the circle of trust. In particular, since the age of consent in Ukraine is 16 years, it is recommended that the provisions criminalising offenses in which having not reached the age of consent is a constitutive element be amended to waive this element in cases in the event that the exploitation or abuse of the child occurs in the circle of trust, thereby criminalising CSEA in the circle of trust in respect of all children under 18 years of age.

3.2.1.3 Child Sexual Abuse and Exploitation Material

Initial Recommendation

The Gap Analysis recommended that the Criminal Code be amended to expressly criminalise all constituent elements listed in Article 20 Lanzarote Convention, specifically:

- the storage and simple possession of child sexual exploitation or abuse material, to deal with those who hold and collect the material for their own gratification which constitutes a sexual exploitation and violation of children;
- offering or making available Child Pornography³ to cater for those who attempt to distribute to others but do not commit the full act of distribution of the material;
- knowingly obtaining Child Pornography through modern information and communication technologies.

³ This Report only uses the term “child pornography” when directly quoting sources that use this term. Otherwise, the Report uses the term recommended by the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse (the Luxembourg Guidelines) and refers to said content as “child sexual exploitation or abuse material”.

Progress assessment

Bill No 3055 intends to amend the Criminal Code by adding Article 301-1, which would criminalise “knowingly accessing child pornography, its possession, obtainment, import, manufacturing, sale or distribution.” This draft amendment, if adopted, would address most of the points highlighted by the Gap Analysis recommendation, with the exception of offering or making available child sexual abuse material (CSAM) to cater for those who attempt to distribute to others but do not commit the full act of distribution of the prohibited content. The draft article also does not specifically provide for the use of ICT in knowingly obtaining CSAM, although from the language of the provision it implicitly follows that such mode of obtaining CSAM would be covered.

Note that the extant Criminal Code does not provide for a definition of CSAM (or “child pornography”, as the Criminal Code refers to it). Bill No 3055 would partially remedy this gap by introducing a definition in a comment to Articles 156-1 and 301-1. This is an especially welcome move, since the interviews with stakeholders revealed that the criteria as to determine whether specific content constitutes CSAM are contained in a classified internal regulation of the forensic expert service, which could not be shared. While it is certainly legitimate that the forensic expert service would wish to have more specific criteria than those provided for by the law, for the sake of transparency and for better compliance with the principle of legality, which requires that all legislation be clear and unambiguous and its consequences foreseeable, it is highly desirable that the Criminal Code include a definition of CSAM based on the Lanzarote Convention definition. The legislator may wish to consider introducing the definition not as a comment but rather as part of the relevant articles.

It is recommended that Ukraine

- **criminalises offering or making available CSAM to cater for those who attempt to distribute to others but do not commit the full act of distribution of the prohibited content;**
- **considers introducing the definition of CSAM as part of the relevant articles rather than as a comment.**

3.2.1.4 Criminalisation of the solicitation of children for sexual purposes

Initial Recommendation

The Gap Analysis recommended that the Criminal Code be amended to define and criminalise online solicitation of children for sexual purposes (grooming) as defined by Article 23 of the Lanzarote Convention.

Progress assessment

In a national first, Bill No 3055 includes Article 156-1, intended to define and criminalise solicitation of children for sexual purposes (grooming), including online solicitation. According to the stakeholders interviewed, despite an overall consensus on the need to criminalise grooming, some of the justice sector actors expressed doubts as to whether grooming, being an inchoate offense, should be criminalised as a criminal attempt rather than a separate crime. This said, Bill No 3055 intends to criminalise

grooming separately, defining it as an intentional proposition to meet a child with the purpose of engaging in a) sexual activities with the child (Article 156-1(1)) or b) producing CSAM (Article 156-1(2)), where the proposition has been followed by material acts leading to such a meeting. This definition is consistent with Article 23 of the Lanzarote Convention, although goes further in that it encompasses both online and offline grooming.

The legislator did not make an attempt to extend the criminalisation of online grooming to cases where sexual abuse is not intended as a result of meeting in person, but is committed entirely online. In its Opinion on Article 23 of the Lanzarote Convention and its Explanatory Note, the Lanzarote Committee recommended that Parties “consider extending criminalisation of online grooming also to cases when the sexual abuse is not the result of a meeting in person, but is committed online.”⁴ While Ukraine is not strictly required to criminalise such conduct as a consequence of its ratification of the Lanzarote Convention, it may be recommendable that consideration be given to extending the scope of Article 301-1 to such cases.

It is recommended that Ukraine considers extending criminalisation of online grooming also to cases when the sexual abuse is not the result of a meeting in person, but is committed online.

3.2.1.5 Criminalisation of Impersonation Through ICT for the Commission of CSEA offenses

Initial Recommendation

The Gap Analysis recommended that consideration be given to ensure that impersonation using ICT for the purpose of interacting with a child is criminalised.

Progress assessment

No new developments have been noted in this respect.

It is recommended that consideration be given to ensure that impersonation using ICT for the purpose of interacting with a child is criminalised.

3.2.1.6 Criminalisation of the distribution of CSAM for the purposes of revenge or to obtain coercive control

Initial Recommendation

The Gap Analysis recommended that:

- Consideration be given to amend the Criminal Code to address the use of technology to distribute CSAM for retaliatory purposes or obtaining coercive control as aggravating factors;

⁴ Lanzarote Committee, Opinion on Article 23 of the Lanzarote Convention and its Explanatory Note, para 14.

- The penalties in regard to the distribution of CSAM for retaliatory purposes or obtaining coercive control legislation be graduated to take various elements into account, including the ages of the parties concerned.

Progress assessment

While none of the bills currently discussed address the issues of using CSAM for retaliatory purposes or obtaining coercive control, a proposal has been voiced to amend the Criminal Code and the Law on Information to ensure that such acts here targeting children are treated as aggravated offenses. The idea has faced no objections at the conceptual level, and it is likely to be introduced as a separate bill. However, at this point in time it is still too early to discuss its specifics.

It is recommended that

- **The proposal to amend the Criminal Code to address the use of technology to distribute CSAM for retaliatory purposes or obtaining coercive control as aggravating factors be given full support;**
- **The penalties in regard to the distribution of CSAM for retaliatory purposes or obtaining coercive control legislation be graduated to take various elements into account, including the ages of the parties concerned.**

3.2.1.7 Corporate Criminal Liability

Initial Recommendation

The Gap Analysis recommended that Ukraine implement legislation on the basis of which legal persons can be held liable for acts of child sexual exploitation and abuse in line with the Lanzarote Committee recommendation and the requirements of the Lanzarote Convention, specifically Article 26.

Progress assessment

Bill No 3055 includes draft amendments intended to introduce corporate criminal liability for acts of child sexual exploitation and abuse.

In particular, Article 96-3 would be amended by adding para 5, envisaging criminal liability for legal entities for CSEA acts committed on said entity's behalf and in its interests.

Moreover, Article 96-9 (Liquidation) would be amended by expanding the list of offenses that would be punishable by liquidation of the legal entity if committed by an authorised representative of said entity. The list would be supplemented by child sexual abuse and exploitation-related offenses, namely those criminalised by Articles 156-1, 301, 302, and 303 of the Criminal Code.

3.2.2 Procedural Law – Crime Detection, Investigations and Prosecutions

3.2.2.1 General Domestic Procedural Framework

The Gap Analysis made no recommendation under this heading.

3.2.2.2 Regulation of Intelligence-led and Proactive Policing of the Online Space for OCSEA. Regulation of undercover operations in OCSEA investigations

Initial Recommendation

The Gap Analysis recommended that:

- Regulation of the Intelligence-led and Proactive areas of investigation within the OCSEA area be clarified and strengthened or introduced, if there are none, this needs to be addressed as a matter of urgency;
- Appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.

It also recommended that:

- Clear regulation, monitoring and recording of Undercover Officers conducting investigation in the OCSEA area be strengthened or introduced, if there is none, this needs to be addressed as a matter of urgency;
- Appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.

Progress assessment

The Ministry of Digital Transformation is spearheading an effort to introduce a hash registry, which will likely be administered by the Ministry with access by the National Police. If implemented as planned, this initiative may prove highly valuable in terms of proactive search of the internet to identify content that matches a registered CSAM/CSEM hash, thereby allowing to alert relevant actors when there is a match.

This, however, remains the only development in relation to proactive policing of the internet for OCSEA.

It is recommended that

- **The development of the hash registry for proactive search, identification and reporting of CSAM/CSEM content be given full support;**
- **Regulation of the Intelligence-led and Proactive areas of investigation within the OCSEA area be clarified and strengthened or introduced, if there are none, this needs to be addressed as a matter of urgency;**
- **Appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.**

It is also recommended that

- **Clear regulation, monitoring and recording of Undercover Officers conducting investigation in the OCSEA area be strengthened or introduced, if there is none, this needs to be addressed as a matter of urgency;**

- **Appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.**

3.2.2.3 Child-Friendly Justice: Procedural Aspects

Reporting & Recording of Evidence

Initial Recommendation

The Gap Analysis recommended that:

- Consideration be given to the provision and implementation of standardised, appropriate recording facilities (video & audio) to enable child victims and witnesses to properly describe the circumstances of their ordeal once (and only once) with the appropriate personnel involved in such interrogations; which can be used at all points within the investigation without repetition and therefore re-traumatisation;
- Ukraine ensure that the General Provisions on dealing with witnesses and victims differentiate clearly between adults and children – ensuring appropriate child-friendly justice is provided in line with the requirements of the Lanzarote Convention;
- Ukraine ensure that child victims, witnesses and suspects in OCSEA cases are dealt with expeditiously and within a proscribed timeframe from the time of the reporting of the offence.

Progress assessment

As noted above, Ukraine is currently in the process of reviewing and amending its criminal and criminal procedural legislation. Some of the issues falling within the scope of procedural safeguards for children in contact with the justice system as victims and/or witnesses are addressed by Bill No 3055 and the Draft Law on Child-Friendly Justice, which is not yet included on the Verkhovna Rada agenda, but is still at the drafting stage by a working group under the Interagency Coordination Council on Juvenile Justice. In addition, there is an intention to initiate a separate bill on amendments to the Criminal Procedure Code, which is still at a preliminary discussion stage.

Importantly, Bill No 3055 through amendments to Article 28(4) of the Criminal Procedure Code would introduce a requirement that cases concerning sexual offenses against children be considered without delay. The draft article specifically requires that such cases be prioritised when scheduling trials. However, as some of the interviewed stakeholders have observed, full implementation of this provision would require increasing the numbers of judges, prosecutors, juvenile police and court staff, as well as ensuring that there are judges specialised in CSEA/OCSEA.

Another laudable milestone that Bill No 3055 introduces is the draft amendment to Article 224(3) of the Criminal Procedure Code, which, if adopted, would legislate for the presumption in favour of child status along the criminal justice chain. In practical

terms, this implies that young individuals whose age cannot be conclusively verified to ascertain whether they are eligible for special procedures applicable to interviewing children, should be treated as children for the purposes of investigative interviewing. Bill No 3055 also includes a parallel amendment to Article 3 of the Law on the Protection of Childhood, which would extend the presumption in favour of child status to the entire range of child protection measures. These provisions, if adopted, would set an important good practice for the region, potentially benefiting a vast array of categories of children at heightened risk for CSEA/OCSEA, such as undocumented migrant children (including unaccompanied migrant children) and victims of trafficking in human beings, to name just a few. In order for these provisions to be properly implemented, it would be desirable to adopt supporting regulations providing for a standard operating procedure for age assessment and verification that would ensure that young individuals undergoing age assessment would have their age verified holistically rather than solely on the basis of anthropometric criteria.

In respect of investigative interviewing of children, the Draft Law on Child-Friendly Justice would reportedly⁵ introduce a provision preventing repeat interviewing. However, the practical mechanism to implement this provision is still being worked out. The stakeholders interviewed have repeatedly mentioned that, for instance, not having a child victim of OCSEA to testify in court is exceedingly difficult under the extant legislation due to a number of reasons. Even though the Criminal Procedure Code provides for a possibility of deposition, it is rarely resorted to, if at all, since it is perceived as taxing on investigative judges and problematic in view of the equality of arms and the defendant's right to confront witnesses against him/her.

Reportedly, a proposal is being discussed to introduce mandatory recording of pretrial interviews accompanied by a set of procedural safeguards to allow such recordings to be used as evidence in court. In this case, the defence would have the right to file a motion objecting to the hearing taking place without the victim present, which would assuage equality of arms concerns while, at the same time, ensure that the judge could reject the motion based on the need to protect the best interests of the child. However, at the time of this Progress Assessment this proposal did not yet exist as a legislative draft.

An interesting observation mentioned by at least one stakeholder concerned a reportedly entrenched practice where investigators do not rely on interviews as an investigative tool, since the victim or witness would invariably be questioned at trial. While the law requires that the victim be interviewed at least once, investigators tend to view this requirement as a mere formality. While superficially this may be seen as minimisation of repeat interviewing, the impact on the child victim is rarely positive due to the need for the child to appear in court with a risk to be subjected to invasive, non-child-friendly questioning. In light of this observation, the mandatory recording of

⁵ The author has been able to see only an earlier draft of the Law rather than the draft currently in circulation.

pretrial interviews with the possibility of their use as evidence in court would be especially desirable.

Low priority of children's testimony as a source of evidence has also been noted as part of another problematic practice, i.e. the excessive reliance on forensic medical expert opinions in CSEA cases, which may be counterproductive in cases where the criminal conduct is unlikely to leave physical traces (such as non-contact sexual abuse, but also a vast proportion of contact sexual abuse cases where the contact has been limited to sexual touching and has not involved penetration). While in principle it is possible to retain a forensic psychologist to provide an opinion on behavioural signs of abuse, this is almost never done. Due to the confidential nature of the SOP for forensic medical experts the author has been unable to gain access to this document, which, if seen, may have provided greater clarity on the extent that behavioural indicators might form part of forensic evidence. On a positive note, however, the National Police has sought international advice (from/through UNICEF) on investigating non-contact sexual abuse.

It is recommended that

- **The amendments to Article 224(3) of the Criminal Procedure Code and Article 3 of the Law on the Protection of Childhood be supplemented by a proper implementation mechanism, namely, a supporting regulation providing for a standard operating procedure for age assessment and verification that would ensure that young individuals undergoing age assessment would have their age verified holistically rather than solely on the basis of anthropometric criteria;**
- **Ukraine further discusses and adopts the provision requiring that pretrial investigative interviews of children be subject to mandatory recording, with the possibility of their use as evidence in court.**

a) Specialist OCSEA Investigative Units

Initial Recommendation

The Gap Analysis recommended that:

- Ukraine implements specialised investigation units across the country to deal with the issues of investigating child sexual exploitation and abuse (including online offences) which will promote and provide child-friendly justice for the country's children in line with the requirements of the Lanzarote Convention;
- Those specialised investigation units must have fully documented protocols, processes and procedures in place to ensure a standardised and legally compliant approach to the investigation of offences of child sexual exploitation and abuse;
- Appropriate training must be provided to investigators and staff working in this field in the areas of child welfare & safeguarding, OCSEA offences and offending and in differing levels of interviewing techniques. This will enable

children to be properly interviewed to achieve the best possible evidence and accounts of events which can be utilised within investigations.

Progress assessment

At this point in time, no decision has yet been made to implement specialised investigation units to deal with CSEA/OCSEA.

As far as training to investigators and relevant civilian staff is concerned, CSEA/OCSEA issues are addressed to some extent under a variety of training initiatives. In particular, some CSEA/OCSEA topics are covered under continuing police education (CPE) at the National Academy of Internal Affairs (however, mostly through one-off workshops and roundtables rather than through any kind of established short-term courses on offer; note that having successfully completed training on CSEA/OCSEA, child safeguarding or child-friendly investigative interviewing is not mandatory for officers detailed to posts dealing with CSEA/OCSEA investigation). The National Academy of Internal Affairs also offers an option to major in Policing in the Cyberspace in the framework of its BA and MA programs in Police Studies.

In addition, various international actors have provided training on related issues. In particular, UNICEF is providing assistance to the National Police on the development of training content on child interviewing.

It is recommended that

- **Ukraine implements specialised investigation units across the country to deal with the issues of investigating CSEA/OCSEA, which will promote and provide child-friendly justice for the country's children in line with the requirements of the Lanzarote Convention;**
- **Those specialised investigation units must have fully documented protocols, processes and procedures in place to ensure a standardised and legally compliant approach to the investigation of offences of child sexual exploitation and abuse;**
- **The National Academy of Internal Affairs develop and offer regular short-term courses on OCSEA investigation, child-friendly investigative interviewing and child safeguarding in the context of investigations as part of its continuing police education (CPE) curriculum, to ensure that serving officers and staff can be quickly retrained to fill capacity gaps;**
- **Ukraine introduces a requirement of having successfully completed relevant training for officers and civilian staff detailed to positions within such units, as well as, within the transitional period until such units are in place, to officers and civilian staff involved in handling CSEA/OCSEA cases from the perspectives of both investigation and child safeguarding. In particular, it is recommended that a step-by-step guide be introduced to guide all officers and staff from the moment the crime report is taken; it is also advisable that a module on sexual offences be incorporated in**

regular curricula at the Academy of Internal Affairs, and that this module addresses OCSEA-specific issues among others.

b) Specialist OCSEA prosecutors and judges

Initial Recommendation

The Gap Analysis recommended that Ukraine strengthen and expand the use of specialised and trained prosecution units across the country to deal with the issues of prosecuting child sexual exploitation and abuse (including online offences) with suitably trained and informed specialised prosecutors and judges to enable the successful prosecution of offenders in this area whilst maintaining child-friendly standards and protecting children subject to criminal acts.

Progress assessment

Specialised prosecutors assigned to cases involving child victims (albeit not specifically CSEA/OCSEA) have been installed at the initiative of the General Prosecutor's Office. However, this was purely a policy decision not supported by a legislative requirement to have such prosecutors in place.

As regards specialised judges, there exist no judges within the judicial corps who would be assigned to cases involving child victims, and specifically CSEA/OCSEA. While there exist juvenile judges, they only deal with cases involving children in conflict with the law.

It is recommended that

- **Ukraine further strengthens the use of specialised prosecutors in CSEA/OCSEA cases, ideally introducing a legislative requirement to this end;**
- **Ukraine introduces a requirement that cases involving child victims of serious crime, including CSEA/OCSEA, be assigned to specially trained judges.**

c) Green Rooms

Initial Recommendation

The Gap Analysis recommended that

- Ukraine improves mechanisms to uphold the rights of the child during investigations and interviews, in line with the Lanzarote Convention and at a minimum, use the existing 'Green Rooms' as an important part in the process of ensuring child-friendly justice and ensure their availability for all interviews and interrogations of children concerned in online child sexual exploitation and abuse. There should be documented procedural guidelines on the necessary use of these rooms;
- Consideration be given to the creation of child-friendly interview rooms located outside of police and law enforcement premises to ease the stigma associated with being a victim of online child sexual exploitation or abuse and encourage

compliance of child victims and witnesses to fully relate their experiences without duress.

Progress assessment

There are currently 21 “Green Rooms” across the nation, however, admittedly some of them are not working at full capacity. This may be due to, among other factors, a mismatch between supply and demand, which in turn results from lack of empirical data on CSEA/OCSEA victimisation; if such were available, it would allow the authorities to strategically reposition the “Green Rooms” to better meet the demand.

There exists a “Green Room” methodology guide for police, which has reportedly already resulted in a minimisation of the number of interviews. While this is overall a positive development, it needs to be viewed in conjunction with the above observation that child investigative interviews tend to be approached somewhat formalistically, with greater weight attached to the live testimony at trial, therefore there is insufficient evidence to support the cause-and-effect claim between the methodology and the reduced number of interviews.

This said, there is widespread realisation of the importance of preventing repeat interviewing and introducing child-friendly investigative interviewing methodologies. The Ministry of the Interior is actively exploring avenues to introduce good practice in child interviewing and in December 2019-January 2020 approached the State Forensic Expertise Centre for expert advice, although there is still no indication of a specific interview protocol being developed.

Where a need arises to interview a child from a remote location, transportation to the nearest “Green Room” is provided, however, there have been few such cases and providing transportation is more a demonstration of goodwill on the part of law enforcement rather than an institutionalised approach. It is understood that no mobile interviewing units exist, which translates to the need for a child resident in a remote locality to either undergo lengthy travel, which may in itself be traumatic, or else be interviewed outside of a “Green Room”.

It is recommended that

- **“Green Rooms” be strategically repositioned based on empirical data on CSEA/OCSEA victimisation, to ensure a better supply-demand match and prevent underuse of existing facilities;**
- **A standardised child investigative interviewing protocol be developed and adopted with specific emphasis on interviewing CSEA/OCSEA victims, including younger children;**
- **Consideration be given to the introduction of mobile child-friendly interviewing units to facilitate access for children from remote or underserved localities;**
- **Consideration be given to the creation of child-friendly interview rooms located outside of police and law enforcement premises to ease the stigma associated with being a victim of online child sexual exploitation**

or abuse and encourage compliance of child victims and witnesses to fully relate their experiences without duress.

d) Barnahus Model

Initial Recommendation

The Gap Analysis recommended that Ukraine consider the introduction of a number of strategically, geographically located Barnahus multi-disciplinary hubs for use in an interdisciplinary and multi-agency approach to dealing with children subject to child sexual exploitation and abuse (including online cases); allowing assessment and controlled interviewing of victims and witnesses, subsequent medical examination and the provision of relevant therapeutic services from appropriate professionals.

Progress assessment

There is currently a Barnahus facility being piloted in the Vinnytsia region, and another one is in the pipeline. Reportedly, there is a long-term vision to develop a network of both regional and municipal-level Barnahus. Against this backdrop of positive change, however, two barriers have been noted by the stakeholders interviewed: a) inadequacy of the extant legislative framework to implement a full-fledged Barnahus model, and b) lack of a coordinated, interagency multidisciplinary approach.

In respect of the legislative reform, one of the hurdles that has been noted is lack of a mechanism to allow pretrial interviews as evidence in court. However, it has been suggested that this problem can be addressed by detailing an investigative judge to the Barnahus to treat the Barnahus interview as a deposition.

The Interagency Coordination Council on Juvenile Justice is fully cognizant of the issue and is making a significant effort to address it from two angles simultaneously: in addition to promoting amendments to legislation, including the Criminal Procedure Code, it is also pursuing a strategy of finding workarounds in the extant law to introduce Barnahus in a maximum comprehensive manner before the lengthy legislative revision and amendment process has completed. For the latter purpose, the Interagency Coordination Council has set up a working group tasked with finding such workarounds. Another working group has been established to look into options to facilitate Barnahus introduction through multidisciplinary protocols and memoranda of understanding.

While recognising the limitations of the current legislation and the lengthy nature of the lawmaking process, the stakeholders have also observed that the pilot gives them an invaluable opportunity to thoroughly assess the performance of the Barnahus before any changes to the law are adopted. Ultimately, this is hoped to contribute to better legislation by ensuring that any bills introduced are evidence-based.

In respect of interagency cooperation and coordination, the stakeholders hypothesised that the problem may lie with unclear understanding of roles or with roles that are too narrow and rigidly interpreted. A proposal has been made by one of the interviewees

to conduct a local-level gap analysis to better understand the problems with interagency cooperation, focusing on violence on children in general.

One of the specific challenges mentioned with regard to interagency cooperation and coordination was the need to raise awareness of medical practitioners on CSEA/OCSEA. The existing protocol for forensic medical assessment requires that the child stay at an inpatient facility for an extended period of time; this automatically precludes an assessment on the Barnahus premises. While this is an issue that does not require a legislative intervention and may be successfully addressed through regulations only, the stakeholders interviewed have noted lack of commitment on the part of the healthcare sector to effect a change, presumably due to a lack of understanding that hospitalisation may in itself constitute secondary victimisation. Proposals to detail a paediatrician to the Barnahus have been reportedly met with a degree of resistance, as the current policy requires that the assessment be done by a specialist gynaecologist. At the same time, there is no protocol on physical and behavioural indicators on child sexual abuse that medical practitioners would be required to follow.

In respect of capacity building, it bears mention that the Interagency Council is developing a Basic Set of Standards for Professional Education, which will be multidisciplinary in nature. Common-core training for Barnahus-related professions may be developed even before the Standards are finalised.

It is recommended that

- **A comprehensive revision of the extant legislation be undertaken to create an enabling environment for the introduction of a full-fledged Barnahus;**
- **The initiative to identify solutions to implement Barnahus within the existing legislative framework be given full support as a valid interim strategy;**
- **The pilot Barnahus performance be monitored and evaluated to provide empirical data for evidence-based legislative and regulatory reform;**
- **The initiative to develop multidisciplinary protocols and memoranda of understanding to support Barnahus be given full support;**
- **Capacity building of medical practitioners on the medical aspects of CSEA/OCSEA be conducted, with a special emphasis on the role of medical practitioners in safeguarding the child victim in the course of a criminal investigation;**
- **The initiative to develop a Basic Set of Standards for Professional Education and common-core training for Barnahus-related professions be given full support.**

e) Criminal Psychological Assessment of Victims

Initial Recommendation

The Gap Analysis recommended that:

- Ukraine consider the position of psychological assessment in all OCSEA cases where children are involved as victims, witnesses and suspects. The psychologist should work in close co-operation with the investigators to consider and safeguard the child's welfare;
- Appropriate training be given to psychologists working in this field, bespoke to the OCSEA area, which should include both regulation of them as well as the creation of a national register of appropriately trained and qualified psychologists.

Progress assessment

There is widespread realisation of the important role of the psychologist in child interviewing, and the need for better regulation in this respect. The interviewed stakeholders agree that the extant law does not define the terms of reference for a psychologist attending a child interview, and there is need to define them in clear and unambiguous terms to specify that the psychologist should be acting as an intermediary helping relay the investigator's questions to the child.

One of the stakeholders suggested that the law should introduce a clear distinction between the role of a psychologist acting as an interview intermediary and that of a psychologist providing therapeutic counselling to the child victim, and preclude using the same professional in both role. This suggestion should be supported, as it addresses a valid concern about a risk of coached testimony.

There is general agreement among the stakeholders that the interview intermediary should be a psychologist specialised in developmental psychology. The current law permits having a social pedagogue attend the interview, however, some of the stakeholders suggest that the law should do away with the figure of the social pedagogue and instead require a specially trained (and ideally accredited) psychologist perform this function.

A major stumbling block in immediately implementing this highly valid suggestion is the lack of any kind of a certification, accreditation or licensing scheme for the psychologist profession. Psychologists (including clinical psychologists) are not subject to a licensing requirement as they are not considered a part of the medical profession and there is no concept of allied professions under the Ukrainian law. Anyone with a university degree in psychology is free to practice as a psychologist.

This presents a challenge in CSEA/OCSEA context, as law enforcement do not have a pool of appropriately qualified and vetted professionals to select psychologists from. While the general quality-assurance practice among the investigators is to rely on psychologists from child protection services or school psychologists, it only offers an incomplete solution (for instance, it does not address the above-mentioned concern about the conflation of the role of interview intermediary psychologist and counsellor psychologist). All of the stakeholders who were interviewed on the role of psychologists agree on the importance of having a nationwide roster of interview

intermediary psychologists, which proposal is currently being lobbied for by the National Association of Psychologists.

It is recommended that

- **The legislative provisions on the participation by a psychologist in a child investigative interview be revised to provide for a clear scope of obligations, powers and restrictions on psychologist's participation, ensuring that the psychologist acts as an intermediary between the investigator and the child, helping relay the questions to the child;**
- **A clear distinction be introduced in the law between the role of a psychologist acting as an interview intermediary and that of a psychologist providing therapeutic counselling to the child victim, and preclude using the same professional in both roles;**
- **An accreditation or licensing scheme be introduced for psychologists admitted to serve as interview intermediaries, and a nationwide roster of such psychologists be created to ensure that only appropriately qualified and vetted professionals may be involved as interview intermediaries.**

3.2.2.4 Mutual Legal Assistance and Transnational Police Co-operation

Initial Recommendation

The Gap Analysis recommended that Ukraine implement the T-CY recommendations relevant to Mutual Legal Assistance.

Progress assessment

There is currently an effort underway to conduct a comprehensive review of legislation for its compliance with the Budapest Convention and to draft a bill for amendments.

3.2.2.5 Investigation of OCSEA and Wider Child Abuse Cases

Initial Recommendation

The Gap Analysis recommended that Ukraine commence a country-wide crime recording system to collect data and statistics on OCSEA cases to facilitate the effective monitoring of the situation and to provide empirical evidence to enable responses and resourcing in the detection and prevention of it.

Progress assessment

A uniform crime recording system is not yet in place, although the importance of statistical data to effective and efficient OCSEA prevention, detection, disruption investigation and prosecution is widely recognised. The current approach to statistics is highly fragmented, which may result in discrepancies across agency data. There are also no indicators specifically geared to collect data on CSEA/OCSEA. Further, crime recording and reporting is conducted by Criminal Code article only and there exists no crime classification typology for statistical purposes only. This may impede effective comparison of data across multi-year periods in the event that the Criminal Code underwent amendment in the meantime.

One aspect that may impede progress in this area is lack of a holistic vision of violence against children and OCSEA specifically, and a degree of conflation between domestic violence and gender-based violence, on the one hand, and violence against children, on the other. As a result, CSEA/OCSEA is often seen through the prism of domestic violence and gender-based violence, which approach fails to consider some critical elements of OCSEA, especially when occurring outside the family circle. There is consequently a need to adopt a holistic stance on violence against children incorporating CSEA/OCSEA, which would be buttressed by solid empirical data on CSEA/OCSEA criminality and victimisation (including offender profiles, victim profiles, etc.). To achieve this end, it is indispensable that a system of statistical indicators be developed and put in place that would allow for disaggregation of data on different specific types of CSEA as well as on victims and offenders in relation to each specific type.

At the same time, individual stakeholders have attempted to garner support for conducting own research, outside the framework of regular statistical reporting. In particular, the Ministry of Digital Transformation specifically emphasised the need to conduct in-depth research to assess the prevalence of some lesser-addressed types of OCSEA such as deepfakes, mentioning that the newly developed Strategy on Artificial Intelligence Development will address this issue.

It is recommended that

- **Ukraine commences a country-wide crime recording system to collect data and statistics on OCSEA cases to facilitate the effective monitoring of the situation and to provide empirical evidence to enable responses and resourcing in the detection and prevention of it;**
- **Ukraine reviews the existing crime statistics indicators and develop and adopt a set of uniform indicators on CSEA/OCSEA that would be cross-sectorally applicable.**

3.2.2.6 Data protection and data retention. Regulation of the telecommunications sector

Initial Recommendation

The Gap Analysis recommended that Ukraine comply with accepted international standards, in particular Articles 16, 17, 18 and 19 of the Budapest Convention and 37 of the Lanzarote Convention and implement changes to the Criminal Code to bring them into line with data protection and data retention requirements.

Progress assessment

As noted above, there is an effort underway to draft a bill to address the gaps in the domestic legislation for better compliance with the Budapest Convention, and it is likely that the recommendations of the Gap Analysis concerning data protection and data retention requirements will be addressed under this initiative.

3.3 Victim Services

a) Reporting and Referral (and Regulation of this)

Initial Recommendation

The Gap Analysis recommended that Ukraine create a streamlined, mandatory reporting mechanism for cases of child exploitation and abuse (including OCSEA) involving multi-stakeholder organisations to ensure the immediate protection of children which should include practical implementation guidelines and a viable enforcement mechanism for failure to report.

Progress assessment

No new developments have been noted in this respect.

It is recommended that Ukraine creates a streamlined, mandatory reporting mechanism for cases of child exploitation and abuse (including OCSEA) involving multi-stakeholder organisations to ensure the immediate protection of children which should include practical implementation guidelines and a viable enforcement mechanism for failure to report.

b) Reporting Hotlines

Initial Recommendation

The Gap Analysis recommended that Ukraine strengthen the reporting mechanisms and portals, in line with international standards.

Progress assessment

The Ministry of Digital Transformation in close collaboration with the Ministry of the Interior is leading a multi-agency effort to develop and launch a web portal on OCSEA and other cybercrimes against children (such as cyberbullying). The web portal would include a reporting tipline as well as resources for a range of target audiences to raise awareness of OCSEA.

There is currently no mechanism for crowdsourcing intelligence to assist in the investigation of active OCSEA cases (in a similar vein to Europol's "Trace an Object"). However, when asked about the existence of a similar mechanism, the interviewee, while confirming that it did not exist, appeared to appreciate the concept, which raises hopes that it may be proposed for debate among the relevant stakeholders.

It is recommended that

- **The initiative to launch a web portal to facilitate OCSEA reporting be given full support;**
- **A mechanism for crowdsourcing intelligence to assist in the investigation of active OCSEA cases be given consideration.**

c) Remedies and Compensation

Initial Recommendation

The Gap Analysis recommended that consideration be given to creating a compensation scheme for all victims of OCSEA.

Progress assessment

No new developments have been noted in this respect.

It is recommended that consideration be given to creating a compensation scheme for all victims of OCSEA.

d) End to End Support

Initial Recommendation

The Gap Analysis recommended that nationwide victim and witness support services be made available to all child victims of OCSEA and be supported by nationwide standards and operational guidance be adopted for support workers.

Progress assessment

No new developments have been noted in this respect.

It is recommended that nationwide victim and witness support services be made available to all child victims of OCSEA and be supported by nationwide standards and operational guidance be adopted for support workers.

e) Victim Support Regardless of Co-operation

Initial Recommendation

The Gap Analysis recommended that protective mechanisms be made available to all child victims of sexual abuse and exploitation.

Progress assessment

Bill No 3055 introduces an amendment to Article 10 of the Law on the Protection of Childhood, which would extend protective mechanisms to all child victims of sexual abuse and exploitation.

3.4 Offender Management

a) Sex Offender Register

Initial Recommendation

The Gap Analysis recommended that Ukraine proceed with the creation of this Sex Offender Register with records of individuals who have committed crimes which would identify them to allow:

- Monitoring by authorities of their actions and activities;
- Preclude them from interaction with children and young people.

Progress assessment

On 13 January 2020, the President of Ukraine signed into law Bill No 0887,⁶ which introduces a Register of Child Sex Offenders through an amendment to the Criminal Executive Code. The new law requires that all individuals convicted for sex offenses against children be subject to lifetime registration, regardless of whether the conviction has been expunged.

At this point in time, the electronic register has been designed and developed, and its population with data is pending until the supporting regulations detailing the procedures for data collection, entry, storage, retrieval and access have been finalised. One of the potential challenges noted by the stakeholders interviewed is retroactive collection and entry of sex offender information (i.e. information of sex offenders who had been convicted and served their sentences prior to the law on child sex offender register entry into effect).

It is recommended that further development of the electronic Register of Child Sex Offenders, including the development of relevant supporting regulations to facilitate its implementation, be given full support.

b) Sex Offender Support in Rehabilitation

Initial Recommendation

The Gap Analysis recommended that regulations and operational guidance be developed to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse.

Progress assessment

No new developments have been noted in this respect.

It is recommended that regulations and operational guidance be developed to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse.

c) Restrictions on convicted child sex offender employment in relation to children

Initial Recommendation

The Gap Analysis recommended that:

- Amendments to the Criminal Code be made to restrict the access to and employment of convicted sex offenders in roles requiring contact with children;
- Ukraine immediately implement a screening system for all persons employed or involved in education or activities with children and young people.

⁶ Full text of the Bill and the supporting documentation may be viewed at https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=66444 (last visited on 25 August 2020).

Progress assessment

As noted above, a new amendment to the Criminal Executive Code (adopted as part of Bill No 0887) introduces a nationwide Register of Child Sex Offenders, and a set of supporting regulations to implement the Register is currently in development. The draft regulations being finalised reportedly provide that administrations of educational institutions would be required to request background checks on job candidates, with only the vetted candidates granted employment. This requirement would extend to both public and private institutions. Access to the Register would be granted to law enforcement, to whom the background check requests would need to be addressed.

It is recommended that Ukraine implements the Register on Child Sex Offenders, ensuring that the supporting regulations require vetting of candidates for all positions involving contact with children.

d) Support for Sex Offender Families

Initial Recommendation

The Gap Analysis recommended that consideration be given to the introduction of support systems for offenders' families.

Progress assessment

No new developments have been noted in this respect.

It is recommended that consideration be given to the introduction of support systems for offenders' families.

e) Support Systems for Children Displaying Harmful Sexual Behaviours

Initial Recommendation

The Gap Analysis recommended that support systems for children who display harmful sexual behaviours be introduced.

Progress assessment

There exists a regulation that provides for setting up ad hoc multidisciplinary teams to work with children in conflict with the law, which in theory permits the development of individualised treatment programming for children who display harmful sexual behaviours if such a child is referred to the Probation Centre. However, as of today no such children have been referred. Moreover, this scheme would potentially only address the needs of children in conflict with the law, while not extending to a vast cohort of children who display harmful sexual behaviours that put them at risk of OCSEA victimisation, yet who have committed no offense.

It is recommended that support systems for children who display harmful sexual behaviours be introduced, which would cater to both children in conflict with the law and children who display harmful sexual behaviors but who have committed no offense.

3.5 Crime Detection, Crime Disruption and Harm Reduction

a) Procedures for Electronic Evidence

Initial Recommendation

The Gap Analysis recommended that:

- A definition of electronic evidence should be introduced and that the procedures for handling electronic evidence should be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements as detailed in the Budapest Convention;
- The rules related to seizure, retention, handling and presentation of electronic evidence be clarified, including developing operational guidance for investigators.

Progress assessment

The above-noted legislative initiative to bring domestic legislation in compliance with the Budapest Convention will reportedly cover the issues related to electronic evidence.

b) Victim Identification Availability

Initial Recommendation

The Gap Analysis recommended that a review of the facilities, training and procedures for victim identification be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements and can seamlessly feed into the national and international responses in this area.

Progress assessment

No new developments have been noted in this respect.

It is recommended that a review of the facilities, training and procedures for victim identification be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements and can seamlessly feed into the national and international responses in this area.

c) Regulation of CSAM/CSEM Takedown

Initial Recommendation

The Gap Analysis recommended that Ukraine strengthen the regulation of internet service providers to ensure that proper control of illegal material and appropriate mechanisms to secure the takedown and removal of illegal material expeditiously are in place.

Progress assessment

Admittedly, the introduction of procedures to report and take down prohibited content has proven one of the most challenging. As of today, there is no mechanism for

reporting CSAM/CSEM, although voluntary reporting is expected to be facilitated through the upcoming launch of the web portal.

There, however, exist no obligations on any institution or profession to report CSAM/CSEM. Moreover, no agency is vested with powers to take down such content. The Ministry of Digital Transformation is treating this issue as a priority and is currently exploring a number of takedown models, ranging from self-regulatory to co-regulatory to government-mandated. One major concern voiced by the media and technology community has been with the potential chilling effect on freedom of expression. In order to address it, the Ministry is currently developing a White Paper on self-regulatory guidance for ISPs. This is expected to promote a proactive approach on the part of internet service and hosting providers, thereby ensuring that law enforcement action targets solely non-compliant actors.

It is recommended that

- **A mechanism for CSAM/CSEM reporting be put in place;**
- **The initiative to develop a takedown regulation model that would promote self-regulation by internet service and hosting providers and ensure targeted law enforcement intervention in cases of non-compliance be given full support.**

d) Tools to Prevent Further Harm to Children

Initial Recommendation

The Gap Analysis recommended that safeguards and tools be made available to all child-victims of sexual abuse or exploitation including online.

Progress assessment

It is unclear whether such safeguards and tools would be introduced as part of the ongoing effort to amend criminal and criminal procedural legislation.

It is recommended that safeguards and tools be made available to all child-victims of sexual abuse or exploitation including online.

3.6 Prevention and Public Awareness

a) Self-Regulation of Technology Sector & Private/Public Partnerships

Initial Recommendation

The Gap Analysis recommended that:

- Public awareness activities be expanded to cover OCSEA specifically;
- The National Prevention Mechanism and Ombudsman should have adequate resources to deal with OCSEA;
- Educational programmes related to OCSEA and protecting children online be introduced into school curriculum;
- The State Social Programme for Preventing and Combatting Domestic and Sexual Violence must include provisions on CSEA/OCSEA crimes and

provision of adequate financial resources for the implementation of the Programme.

Progress assessment

As stated above, the Ministry of Digital Transformation is currently exploring a number of models of internet service and hosting provider regulation. In particular, it is developing a White Paper on self-regulatory guidance for ISPs.

Moreover, the web portal planned for launch under the leadership of the Ministry of Digital Transformation will include, among other services, a repository of resources raising awareness on OCSEA and targeting a range of audiences, from children to parents to teachers.

The Institute of Educational Content Modernisation is another stakeholder taking an active part in awareness raising. In particular, it has developed a package of resources on online safety, which are now undergoing approval. The package includes not only text resources, but also video and public service announcements. Given that the Institute is the national clearinghouse on educational content, including on secondary school curricular content, it is highly likely that at least part of the content developed would be incorporated into school curricula.

The Institute of Educational Content Modernisation has also developed methodological guidelines for psychologists and social pedagogues on delivering online consultations for children and parents, especially under COVID-19 lockdown conditions with their ensuing risks for children's online safety. These consultations are envisioned as another avenue for raising children's and parents' awareness on OCSEA.

Important work in this area is also being done by the Free Legal Aid Centres under the Ministry of Justice. Public awareness forms a core part of the Free Legal Aid Centres' activities, and much of the Centres' focus in 2020 has been on raising awareness on the existing legal tools for parents amidst the COVID-19 pandemic. In particular, the Centres have disseminated information for parents advising them of their entitlement for childcare leave to stay with children while they are being home-schooled. However, the Centres have not made a specific connection between COVID-19 and the need to provide a safer online environment.

In the framework of a pilot project, the Free Legal Aid Centres provide online consultations on a range of issues related to children's safety through messengers and social media, including Viber and Telegram. They have partnered with the National Police to operate a Telegram bot on domestic violence issues, but there is no bot specifically targeting children at risk for OCSEA.

In the near future, the Free Legal Aid Centres with UNDP's funding support will be launching an app, "Your Right", which will serve children among other eligible clients. The Centres also conduct peer-to-peer awareness raising on TikTok and other platforms popular with children.

It is recommended that:

- Public awareness activities be expanded to cover OCSEA specifically;
- The State Social Programme for Preventing and Combatting Domestic and Sexual Violence must include provisions on CSEA/OCSEA crimes and provision of adequate financial resources for the implementation of the Programme.

3.7 Coordination & Monitoring

a) National Specialist Centre for Online Child Exploitation and Abuse

Initial Recommendation

The Gap Analysis recommended that the Ukrainian authorities consider setting up a national centre dedicated to the investigation of Online Child Sexual Exploitation and Abuse bringing together expertise, knowledge and powers to provide a national Centre of Excellence.

Progress assessment

No new developments have been noted in this respect.

It is recommended that the Ukrainian authorities consider setting up a national centre dedicated to the investigation of Online Child Sexual Exploitation and Abuse bringing together expertise, knowledge and powers to provide a national Centre of Excellence.

b) Existence of Regular Threat Assessment on OCSEA

Initial Recommendation

The Gap Analysis recommended that a regular threat assessment of OCSEA be introduced.

Progress assessment

No new developments have been noted in this respect.

It is recommended that a regular threat assessment of OCSEA be introduced.

c) Assessment & Categorisation of Referrals of OCSEA

Initial Recommendation

The Gap Analysis recommended that the system of assessment and categorisation of referrals in the area of OCSEA be enhanced to work at a national level – collecting and collating data in a meaningful and complete way to ensure the statistics produced illustrate the true extent of the issue and allowing for informed decisions on the allocation of funding and resources to deal effectively with the subject.

Progress assessment

No new developments have been noted in this respect.

It is recommended that the system of assessment and categorisation of referrals in the area of OCSEA be enhanced to work at a national level – collecting and collating data in a meaningful and complete way to ensure the statistics produced illustrate the true extent of the issue and allowing for informed decisions on the allocation of funding and resources to deal effectively with the subject.

d) CSE/OCSEA Flagging with Respect to Perpetrators in the National Crime Recording System

The authors were unable to identify information relating to flagging of offenders of Online exploitation & abuse of children on national recording systems

e) Existence of a Co-ordinated Approach to Training

Initial Recommendation

The Gap Analysis recommended that co-ordination, training and mutual assistance between authorities and bodies be strengthened at national level.

Progress assessment

Admittedly, interagency coordination and interdisciplinary training remain among the most challenging issues in countering OCSEA. As noted above, some stakeholders believe that lack of clarity in defining roles and terms of reference for individual stakeholders, as well as excessively narrow and rigid interpretation of the existing roles contribute significantly to the problem.

It is expected that with the adoption of the Basic Set of Standards for Professional Education, currently being developed by the Interagency Coordination Council on Juvenile Justice, the situation will improve as an interdisciplinary baseline for professional training and education will be set. Another initiative by the Interagency Coordination Council, which promotes the development of multi-agency protocols and memoranda of understanding to support the introduction of Barnahus, is likewise welcome in this respect.

While the need for interdisciplinary coordination in training is recognised by both domestic and international stakeholders, no mechanism focuses specifically on interdisciplinary training in the context of OCSEA. However, the fact that UNICEF with EU's support successfully advocated for a separate Justice for Children subgroup within the framework of a Donor Coordination Group established as part of the Millennium Development Goals process under the Prime Minister's Office, raises hopes of better donor coordination in respect of interdisciplinary training at least on wider violence against children issues.

It is recommended that co-ordination, training and mutual assistance between domestic authorities and organizations, as well as international donors, be further strengthened at national level.

f) *Mechanisms used to monitor the implementation of the national strategy against CSEA/OCSEA*

Initial Recommendation

The Gap Analysis recommended that a strategy against CSEA and OCSEA be adopted.

Progress assessment

A National Strategy on Child Protection in the Digital Environment for 2021-2026 has been drafted and is currently being discussed among the relevant stakeholders. The Strategy, however, does not form part of a wider effort to address CSEA and violence against children generally. This risks contributing to further entrenchment of the fragmented approach to dealing with OCSEA.

It is recommended that the National Strategy on Child Protection in the Digital Environment for 2021-2026 be adopted as part of a comprehensive, holistic strategy to combat violence against children.

Annex 1: Interviewed stakeholders

The author expresses her appreciation for the stakeholders that contributed their information and expertise to this Progress Assessment:

Intergovernmental Organisations:

UNICEF

Legislature:

Verkhovna Rada Committee on Law Enforcement

Judiciary:

Supreme Court

Government Ministries, Other Public Sector Bodies and Institutions:

Ministry of Justice

Ministry of the Interior

Ministry of Digital Transformation

General Prosecutor's Office

National Police

State Penitentiary Service and the Probation Centre

Free Legal Aid Centres under the Ministry of Justice

Presidential Commissioner on Children's Rights

Public Educational and Research Institutions:

National Academy of the Interior

National School of Judges

Institute of Educational Content Modernisation

Civil Society Organisations:

DEJURE non-governmental organisation

La Strada non-governmental organisation

Annex 2: Table of Recommendations

Area	Initial Recommendation (by the 2019 Gap Analysis)	Recommendation Revised in Light of the Progress Made
International instruments	1) It is recommended that Ukraine reviews legislation, policies and practices to ensure full compliance with the Lanzarote and Budapest Conventions.	
Criminalisation of OCSEA	<p>It is recommended that:</p> <p>2) the Criminal Code be amended to include all the constituent elements set down in the Lanzarote Convention to define child sexual abuse, and to provide for the use of ICTs as a constitutive element or aggravating circumstance in the case of sexual offences against children.</p> <p>3) Ukraine implements the Lanzarote Committee recommendations to ensure that the age of child victims is not taken into account where exploitation or abuse occurs in the circle of trust.</p> <p>4) the Criminal Code be amended to expressly criminalise all constituent elements listed in Article 20 Lanzarote Convention, specifically:</p> <ul style="list-style-type: none"> - the storage and simple possession of child sexual exploitation or abuse material, to deal with those who hold and collect the material for their own gratification which constitutes a sexual exploitation and violation of children; - offering or making available Child Pornography to cater for those who attempt to distribute to others but do not commit the full act of distribution of the material; 	<p>1) It is recommended that Ukraine further amends the Criminal Code by introducing a definition of non-contact child sexual abuse.</p> <p>2) It is recommended that Ukraine implements the Lanzarote Committee recommendations to ensure that the age of child victims is not taken into account where exploitation or abuse occurs in the circle of trust. In particular, since the age of consent in Ukraine is 16 years, it is recommended that the provisions criminalising offenses in which having not reached the age of consent is a constitutive element be amended to waive this element in cases in the event that the exploitation or abuse of the child occurs in the circle of trust, thereby criminalising CSEA in the circle of trust in respect of all children under 18 years of age.</p> <p>It is recommended that Ukraine</p> <p>3) criminalises offering or making available CSAM to cater for those who attempt to distribute to others but do not commit the full act of distribution of the prohibited content;</p> <p>4) considers introducing the definition of CSAM as part of the relevant articles rather than as a comment.</p> <p>5) It is recommended that Ukraine considers extending criminalisation of online grooming also to cases when the</p>

	<ul style="list-style-type: none"> - knowingly obtaining Child Pornography through modern information and communication technologies. <p>5) the Criminal Code be amended to define and criminalise online solicitation of children for sexual purposes (grooming) as defined by Article 23 of the Lanzarote Convention.</p> <p>6) consideration be given to ensure that impersonation using ICT for the purpose of interacting with a child is criminalised.</p> <p>7) consideration be given to amend the Criminal Code to address the use of technology to distribute CSAM for retaliatory purposes or obtaining coercive control as aggravating factors.</p> <p>8) the penalties in regard to the distribution of CSAM for retaliatory purposes or obtaining coercive control legislation be graduated to take various elements into account, including the ages of the parties concerned.</p> <p>9) Ukraine implement legislation on the basis of which legal persons can be held liable for acts of child sexual exploitation and abuse in line with the Lanzarote Committee recommendation and the requirements of the Lanzarote Convention, specifically Article 26.</p>	<p>sexual abuse is not the result of a meeting in person, but is committed online.</p> <p>6) It is recommended that consideration be given to ensure that impersonation using ICT for the purpose of interacting with a child is criminalised.</p> <p>It is recommended that</p> <p>7) The proposal to amend the Criminal Code to address the use of technology to distribute CSAM for retaliatory purposes or obtaining coercive control as aggravating factors be given full support;</p> <p>8) The penalties in regard to the distribution of CSAM for retaliatory purposes or obtaining coercive control legislation be graduated to take various elements into account, including the ages of the parties concerned.</p>
<p>Criminal Procedure</p>	<p>It is recommended that:</p> <p>10) regulation of the Intelligence-led and Proactive areas of investigation within the OCSEA area be clarified and strengthened or introduced, if there are none, this needs to be addressed as a matter of urgency.</p> <p>11) appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.</p>	<p>It is recommended that</p> <p>9) The development of the hash registry for proactive search, identification and reporting of CSAM/CSEM content be given full support;</p> <p>10) Regulation of the Intelligence-led and Proactive areas of investigation within the OCSEA area be clarified and strengthened or introduced, if there are none, this needs to be addressed as a matter of urgency;</p>

	<p>12) clear regulation, monitoring and recording of Undercover Officers conducting investigation in the OCSEA area be strengthened or introduced, if there is none, this needs to be addressed as a matter of urgency.</p> <p>13) appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.</p>	<p>11) Appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.</p> <p>It is also recommended that</p> <p>12) Clear regulation, monitoring and recording of Undercover Officers conducting investigation in the OCSEA area be strengthened or introduced, if there is none, this needs to be addressed as a matter of urgency;</p> <p>13) Appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.</p>
<p><i>Child-friendly justice principles and procedures</i></p>	<p>It is recommended that:</p> <p>14) consideration be given to the provision and implementation of standardised, appropriate recording facilities (video & audio) to enable child victims and witnesses to properly describe the circumstances of their ordeal once (and only once) with the appropriate personnel involved in such interrogations; which can be used at all points within the investigation without repetition and therefore re-traumatisation;</p> <p>15) Ukraine ensures that the General Provisions on dealing with witnesses and victims differentiate clearly between adults and children – ensuring appropriate child-friendly justice is provided in line with the requirements of the Lanzarote Convention;</p> <p>16) Ukraine ensures that child victims, witnesses and suspects in OCSEA cases are dealt with expeditiously and within a proscribed timeframe from the time of the reporting of the offence.</p>	<p>It is recommended that</p> <p>14) The amendments to Article 224(3) of the Criminal Procedure Code and Article 3 of the Law on the Protection of Childhood be supplemented by a proper implementation mechanism, namely, a supporting regulation providing for a standard operating procedure for age assessment and verification that would ensure that young individuals undergoing age assessment would have their age verified holistically rather than solely on the basis of anthropometric criteria;</p> <p>15) Ukraine further discusses and adopts the provision requiring that pretrial investigative interviews of children be subject to mandatory recording, with the possibility of their use as evidence in court.</p> <p>It is recommended that</p> <p>16) Ukraine implements specialised investigation units across the country to deal with the issues of investigating CSEA/OCSEA, which will promote and provide child-friendly</p>

	<p>17) Ukraine implements specialised investigation units across the country to deal with the issues of investigating child sexual exploitation and abuse (including online offences) which will promote and provide child friendly justice for the country's children in line with the requirements of the Lanzarote Convention.</p> <p>18) those specialised investigation units must have fully documented protocols, processes and procedures in place to ensure a standardised and legally compliant approach to the investigation of offences of child sexual exploitation and abuse.</p> <p>19) appropriate training must be provided to investigators and staff working in this field in the areas of child welfare & safeguarding, OCSEA offences and offending and in differing levels of interviewing techniques. This will enable children to be properly interviewed to achieve the best possible evidence and accounts of events which can be utilised within investigations.</p> <p>20) Ukraine strengthens and expands the use of specialised and trained prosecution units across the country to deal with the issues of prosecuting child sexual exploitation and abuse (including online offences) with suitably trained and informed specialised prosecutors and judges to enable the successful prosecution of offenders in this area whilst maintaining child friendly standards and protecting children subject to criminal acts.</p> <p>21) Ukraine improves mechanisms to uphold the rights of the child during investigations and interviews, in line with the Lanzarote Convention and at a minimum, use the existing 'Green Rooms' as an important part in the process of</p>	<p>justice for the country's children in line with the requirements of the Lanzarote Convention;</p> <p>17) Those specialised investigation units must have fully documented protocols, processes and procedures in place to ensure a standardised and legally compliant approach to the investigation of offences of child sexual exploitation and abuse;</p> <p>18) The Academy of Internal Affairs develops and offers regular short-term courses on OCSEA investigation, child-friendly investigative interviewing and child safeguarding in the context of investigations as part of its continuing police education (CPE) curriculum, to ensure that serving officers and staff can be quickly retrained to fill capacity gaps;</p> <p>19) Ukraine introduces a requirement of having successfully completed relevant training for officers and civilian staff detailed to positions within such units, as well as, within the transitional period until such units are in place, to officers and civilian staff involved in handling CSEA/OCSEA cases from the perspectives of both investigation and child safeguarding. In particular, it is recommended that a step-by-step guide be introduced to guide all officers and staff from the moment the crime report is taken; it is also advisable that a module on sexual offences be incorporated in regular curricula at the Academy of Internal Affairs, and that this module addresses OCSEA-specific issues among others.</p> <p>It is recommended that</p> <p>20) Ukraine further strengthens the use of specialised prosecutors in CSEA/OCSEA cases, ideally introducing a legislative requirement to this end;</p>
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	<p>ensuring child-friendly justice and ensure their availability for all interviews and interrogations of children concerned in online child sexual exploitation and abuse. There should be documented procedural guidelines on the necessary use of these rooms.</p> <p>22) consideration be given to the creation of child-friendly interview rooms located outside of police and law enforcement premises to ease the stigma associated with being a victim of online child sexual exploitation or abuse and encourage compliance of child victims and witnesses to fully relate their experiences without duress.</p> <p>23) Ukraine considers the introduction of a number of strategically, geographically located Barnahus multi-disciplinary hubs for use in an interdisciplinary and multi-agency approach to dealing with children subject to child sexual exploitation and abuse (including online cases); allowing assessment and controlled interviewing of victims and witnesses, subsequent medical examination and the provision of relevant therapeutic services from appropriate professionals.</p> <p>24) Ukraine considers the position of psychological assessment in all OCSEA cases where children are involved as victims, witnesses and suspects. The psychologist should work in close co-operation with the investigators to consider and safeguard the child's welfare.</p> <p>25) appropriate training be given to psychologists working in this field, bespoke to the OCSEA area, which should include both regulation of them as well as the creation of a national register of appropriately trained and qualified psychologists.</p>	<p>21) Ukraine introduces a requirement that cases involving child victims of serious crime, including CSEA/OCSEA, be assigned to specially trained judges.</p> <p>It is recommended that</p> <p>22) "Green Rooms" be strategically repositioned based on empirical data on CSEA/OCSEA victimisation, to ensure a better supply-demand match and prevent underuse of existing facilities;</p> <p>23) A standardised child investigative interviewing protocol be developed and adopted with specific emphasis on interviewing CSEA/OCSEA victims, including younger children;</p> <p>24) Consideration be given to the introduction of mobile child-friendly interviewing units to facilitate access for children from remote or underserved localities;</p> <p>25) Consideration be given to the creation of child-friendly interview rooms located outside of police and law enforcement premises to ease the stigma associated with being a victim of online child sexual exploitation or abuse and encourage compliance of child victims and witnesses to fully relate their experiences without duress.</p> <p>It is recommended that</p> <p>26) A comprehensive revision of the extant legislation be undertaken to create an enabling environment for the introduction of a full-fledged Barnahus;</p> <p>27) The initiative to identify solutions to implement Barnahus within the existing legislative framework be given full support as a valid interim strategy;</p>
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		psychologists to ensure that only appropriately qualified and vetted professionals may be involved as interview intermediaries.
Mutual Legal Assistance	26) It is recommended that Ukraine implements the T-CY recommendations relevant to Mutual Legal Assistance.	
Investigation of OCSEA and wider child abuse cases	27) It is recommended that Ukraine commences a country-wide crime recording system to collect data and statistics on OCSEA cases to facilitate the effective monitoring of the situation and to provide empirical evidence to enable responses and resourcing in the detection and prevention of it.	It is recommended that 35) Ukraine commences a country-wide crime recording system to collect data and statistics on OCSEA cases to facilitate the effective monitoring of the situation and to provide empirical evidence to enable responses and resourcing in the detection and prevention of it; 36) Ukraine reviews the existing crime statistics indicators and develops and adopts a set of uniform indicators on CSEA/OCSEA that would be cross-sectorally applicable.
Data protection and data retention. Regulation of the telecommunications sector	28) It is recommended that Ukraine complies with accepted international standards, in particular Articles 16, 17, 18 and 19 of the Budapest Convention and 37 of the Lanzarote Convention and implements changes to the Criminal Code to bring them into line with data protection and data retention requirements.	
Victim services	It is recommended that: 29) Ukraine creates a streamlined, mandatory reporting mechanism for cases of child exploitation and abuse (including OCSEA) involving multi-stakeholder organisations to ensure the immediate protection of children which should include practical implementation guidelines and a viable enforcement mechanism for failure to report. 30) Ukraine strengthens these reporting mechanisms and portals, in line with international standards.	37) It is recommended that Ukraine creates a streamlined, mandatory reporting mechanism for cases of child exploitation and abuse (including OCSEA) involving multi-stakeholder organisations to ensure the immediate protection of children which should include practical implementation guidelines and a viable enforcement mechanism for failure to report. It is recommended that

	<p>31) consideration be given to creating a compensation scheme for all victims of OCSEA.</p> <p>32) nationwide victim and witness support services must be made available to all child victims of OCSEA and be supported by nationwide standards and operational guidance be adopted for support workers.</p> <p>33) protective mechanisms be made available to all child victims of sexual abuse and exploitation.</p>	<p>38) The initiative to launch a web portal to facilitate OCSEA reporting be given full support;</p> <p>39) A mechanism for crowdsourcing intelligence to assist in the investigation of active OCSEA cases be given consideration.</p> <p>40) It is recommended that consideration be given to creating a compensation scheme for all victims of OCSEA.</p> <p>41) It is recommended that nationwide victim and witness support services be made available to all child victims of OCSEA and be supported by nationwide standards and operational guidance be adopted for support workers.</p>
<p>Offender Management</p>	<p>It is recommended that:</p> <p>34) Ukraine proceeds with the creation of this Sex Offender Register with records of individuals who have committed crimes which would identify them to allow:</p> <ul style="list-style-type: none"> - Monitoring by authorities of their actions and activities; - Preclude them from interaction with children and young people. <p>35) regulations and operational guidance are developed to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse.</p> <p>36) amendments to the Criminal Code be made to restrict the access to and employment of convicted sex offenders in roles requiring contact with children;</p> <p>37) Ukraine must immediately implement a screening system for all persons employed or involved in education or activities with children and young people.</p> <p>38) consideration be given to the introduction of support systems for offenders' families.</p>	<p>42) It is recommended that further development of the electronic Register of Child Sex Offenders, including the development of relevant supporting regulations to facilitate its implementation, be given full support.</p> <p>43) It is recommended that regulations and operational guidance be developed to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse.</p> <p>44) It is recommended that Ukraine implements the Register on Child Sex Offenders, ensuring that the supporting regulations require vetting of candidates for all positions involving contact with children.</p> <p>45) It is recommended that consideration be given to the introduction of support systems for offenders' families.</p> <p>46) It is recommended that support systems for children who display harmful sexual behaviours be introduced, which would cater to both children in conflict with the law and children who display harmful sexual behaviours but who have committed no offense.</p>

	39) It is recommended that support systems for children who display harmful sexual behaviours be introduced.	
Crime Disruption and Harm Reduction	<p>It is recommended that:</p> <p>40) A definition of electronic evidence should be introduced and that the procedures for handling electronic evidence should be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements as detailed in the Budapest Convention;</p> <p>41) The rules related to seizure, retention, handling and presentation of electronic evidence be clarified, including developing operational guidance for investigators.</p> <p>42) a review of the facilities, training and procedures for victim identification be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements and can seamlessly feed into the national and international responses in this area.</p> <p>43) Ukraine strengthens the regulation of internet service providers to ensure that proper control of illegal material and appropriate mechanisms to secure the takedown and removal of illegal material expeditiously are in place.</p> <p>44) safeguards and tools be made available to all child-victims of sexual abuse or exploitation including online.</p>	<p>47) It is recommended that a review of the facilities, training and procedures for victim identification be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements and can seamlessly feed into the national and international responses in this area.</p> <p>It is recommended that</p> <p>48) A mechanism for CSAM/CSEM reporting be put in place;</p> <p>49) The initiative to develop a takedown regulation model that would promote self-regulation by internet service and hosting providers and ensure targeted law enforcement intervention in cases of non-compliance be given full support.</p> <p>50) It is recommended that safeguards and tools be made available to all child-victims of sexual abuse or exploitation including online.</p> <p>It is recommended that:</p> <p>51) Public awareness activities be expanded to cover OCSEA specifically;</p> <p>52) The State Social Programme for Preventing and Combatting Domestic and Sexual Violence must include provisions on CSEA/OCSEA crimes and provision of adequate financial resources for the implementation of the Programme.</p>
Prevention and awareness raising	<p>It is recommended that:</p> <p>45) public awareness activities be expanded to cover OCSEA specifically;</p>	<p>It is recommended that:</p> <p>53) Public awareness activities be expanded to cover OCSEA specifically;</p>

	<p>46) the National Prevention Mechanism and Ombudsman should have adequate resources to deal with OCSEA;</p> <p>47) educational programmes related to OCSEA and protecting children online be introduced into school curriculum;</p> <p>48) the State Social Programme for Preventing and Combatting Domestic and Sexual Violence must include provisions on CSEA/OCSEA crimes and provision of adequate financial resources for the implementation of the Programme.</p>	<p>54) The State Social Programme for Preventing and Combatting Domestic and Sexual Violence must include provisions on CSEA/OCSEA crimes and provision of adequate financial resources for the implementation of the Programme.</p>
<p><i>Co-ordination, monitoring and evaluation</i></p>	<p>It is recommended that:</p> <p>49) the Ukrainian authorities consider setting up a national centre dedicated to the investigation of Online Child Sexual Exploitation and Abuse bringing together expertise, knowledge and powers to provide a national Centre of Excellence.</p> <p>50) a regular threat assessment of OCSEA be introduced.</p> <p>51) the system of assessment and categorisation of referrals in the area of OCSEA be enhanced to work at a national level - collecting and collating data in a meaningful and complete way to ensure the statistics produced illustrate the true extent of the issue and allowing for informed decisions on the allocation of funding and resources to deal effectively with the subject.</p> <p>52) co-ordination, training and mutual assistance between authorities and bodies be strengthened at national level.</p> <p>53) a strategy against CSEA and OCSEA be adopted.</p>	<p>55) It is recommended that the Ukrainian authorities consider setting up a national centre dedicated to the investigation of Online Child Sexual Exploitation and Abuse bringing together expertise, knowledge and powers to provide a national Centre of Excellence.</p> <p>56) It is recommended that a regular threat assessment of OCSEA be introduced.</p> <p>57) It is recommended that the system of assessment and categorisation of referrals in the area of OCSEA be enhanced to work at a national level – collecting and collating data in a meaningful and complete way to ensure the statistics produced illustrate the true extent of the issue and allowing for informed decisions on the allocation of funding and resources to deal effectively with the subject.</p> <p>58) It is recommended that co-ordination, training and mutual assistance between domestic authorities and organisations, as well as international donors, be further strengthened at national level.</p>

Annex 3: Matrix of Monitoring Indicators

<i>Area</i>	<i>Recommendation</i>	<i>Checklist questions/Status of progress</i>		
		<i>Inputs</i>	<i>Outputs and outcomes</i>	<i>Next steps</i>
<i>International instruments</i>	1) It is recommended that Ukraine reviews legislation, policies and practices to ensure full compliance with the Lanzarote and Budapest Conventions.	a) What efforts have been made since the Gap Analysis to conduct such a review?	b) What has been achieved as a result of the efforts made?	1. Are there any disabling factors or bottlenecks that could hinder progress? 2. How can these disabling factors/bottlenecks be addressed to create an enabling environment?
<i>Criminalisation of OCSEA</i>	It is recommended that: 2) the Criminal Code be amended to include all the constituent elements set down in the Lanzarote Convention to define child sexual abuse, and to provide for the use of ICTs as a constitutive element or aggravating circumstance in the case of sexual offences against children. 3) Ukraine implements the Lanzarote Committee recommendations to ensure that the age of child victims is not taken into account where exploitation or abuse occurs in the circle of trust. 4) the Criminal Code be amended to expressly	a) Have any of these recommendations been discussed among the stakeholders? Which recommendations? b) Is there a working group tasked with drafting Criminal Code amendments? c) If drafting is underway, what stage it is at now?	d) Have any of the recommended amendments been drafted/initiated? Which? e) Have any of the recommended amendments been passed by the Verkhovna Rada? Which?	3. What have we learned from the process of implementation (or lack thereof)? 4. What remains to be done to fully implement the recommendation(s) ? 5. Where can the Council of Europe's involvement benefit further progress?

	<p>criminalise all constituent elements listed in Article 20 Lanzarote Convention, specifically:</p> <ul style="list-style-type: none"> - the storage and simple possession of child sexual exploitation or abuse material, to deal with those who hold and collect the material for their own gratification which constitutes a sexual exploitation and violation of children; - offering or making available Child Pornography to cater for those who attempt to distribute to others but do not commit the full act of distribution of the material; - knowingly obtaining Child Pornography through modern information and communication technologies. <p>5) the Criminal Code be amended to define and criminalise online solicitation of children for sexual purposes (grooming) as defined by Article 23 of the Lanzarote Convention.</p>			
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	<p>6) consideration be given to ensure that impersonation using ICT for the purpose of interacting with a child is criminalised.</p> <p>7) consideration be given to amend the Criminal Code to address the use of technology to distribute CSAM for retaliatory purposes or obtaining coercive control as aggravating factors.</p> <p>8) the penalties in regard to the distribution of CSAM for retaliatory purposes or obtaining coercive control legislation be graduated to take various elements into account, including the ages of the parties concerned.</p> <p>9) Ukraine implements legislation on the basis of which legal persons can be held liable for acts of child sexual exploitation and abuse in line with the Lanzarote Committee recommendation and the requirements of the Lanzarote Convention, specifically Article 26.</p>			
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Criminal Procedure	It is recommended that: 10) regulation of the Intelligence-led and Proactive areas of investigation within the OCSEA area be clarified and strengthened or introduced, if there are none, this needs to be addressed as a matter of urgency.	a) Has Recommendation 10 been discussed? b) Has an internal review been attempted to find out the priorities for addressing?	c) What regulatory changes have been made to implement Recommendation 10? d) Has the tasking of the National Police Juvenile Prevention and Cybercrime Units been amended to include online proactive policing for OCSEA?	
	11) appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.	a) If Recommendation 10 has been addressed, what efforts have been made to implement Recommendation 11?	b) Has any specific training been provided? What training? c) Has the police training plan for the next quarter/year been amended to include such training?	
	12) clear regulation, monitoring and recording of Undercover Officers conducting investigation in the OCSEA area be strengthened or introduced, if there is none, this needs to be addressed as a matter of urgency.	a) Has Recommendation 12 been discussed? b) Has an internal review been attempted to find out the priorities for addressing?	c) What regulatory changes have been made to implement Recommendation 12?	
	13) appropriate training be provided to officers engaged in this area to ensure the law and all regulations are adhered to in the collection and dissemination of such work.	a) If Recommendation 12 has been addressed, what efforts have been made to implement Recommendation 13?	b) Has any specific training been provided? What training? c) Has the police training plan for the next quarter/year been amended to include such training?	

<p>Child-friendly justice principles and procedures</p>	<p>It is recommended that: 14) consideration be given to the provision and implementation of standardised, appropriate recording facilities (video & audio) to enable child victims and witnesses to properly describe the circumstances of their ordeal once (and only once) with the appropriate personnel involved in such interrogations; which can be used at all points within the investigation without repetition and therefore re-traumatisation.</p>	<p>a) Has Recommendation 14 been discussed? b) Have efforts been made to make it part of the budgeting process for the next budget period?</p>	<p>c) Has a commitment been secured to provide and implement such facilities?</p>	
	<p>15) Ukraine ensures that the General Provisions on dealing with witnesses and victims differentiate clearly between adults and children – ensuring appropriate child-friendly justice is provided in line with the requirements of the Lanzarote Convention.</p>	<p>a) Has Recommendation 15 been discussed among the stakeholders? Which recommendations? b) Is Recommendation 15 on the agenda of the interagency task force working on the draft Law on Child-Friendly Justice? c) Is there a working group tasked with drafting relevant Criminal Procedure Code amendments? d) If drafting is underway, what stage it is at now?</p>	<p>e) Have any of the recommended amendments been drafted/initiated? Which? f) Have any of the recommended amendments been passed by the Verkhovna Rada? Which?</p>	

	<p>16) Ukraine ensures that child victims, witnesses and suspects in OCSEA cases are dealt with expeditiously and within a proscribed timeframe from the time of the reporting of the offence.</p>	<p>a) What efforts have been made to implement Recommendation 16?</p>	<p>b) What has been achieved as a result of the efforts made?</p>	
	<p>17) Ukraine implements specialised investigation units across the country to deal with the issues of investigating child sexual exploitation and abuse (including online offences) which will promote and provide child friendly justice for the country's children in line with the requirements of the Lanzarote Convention.</p> <p>18) those specialised investigation units must have fully documented protocols, processes and procedures in place to ensure a standardised and legally compliant approach to the investigation of offences of child sexual exploitation and abuse.</p>	<p>a) Has Recommendation 17 been discussed by the relevant stakeholders? b) Has an effort been made to estimate the resources required (e.g. additional funding, reallocation of the existing resources, incl. in respect of staffing and training of new hires/officers detailed by other structural units)?</p>	<p>c) Has a commitment been secured to implement such specialised investigation units? d) If a commitment has been secured to implement such specialised investigation units, has a decision been made to conduct a review of the relevant protocols, processes and procedures?</p>	

	<p>19) appropriate training must be provided to investigators and staff working in this field in the areas of child welfare & safeguarding, OCSEA offences and offending and in differing levels of interviewing techniques. This will enable children to be properly interviewed to achieve the best possible evidence and accounts of events which can be utilised within investigations.</p>	<p>a) Has a training needs analysis been undertaken in this area? If so, what are the priority needs identified?</p>	<p>b) Has any specific training been provided? What training? c) Have the relevant training plans for the next quarter/year been amended to include such training?</p>	
	<p>20) Ukraine strengthens and expands the use of specialised and trained prosecution units across the country to deal with the issues of prosecuting child sexual exploitation and abuse (including online offences) with suitably trained and informed specialised prosecutors and judges to enable the successful prosecution of offenders in this area whilst maintaining child friendly standards and protecting children subject to criminal acts.</p>	<p>a) Has Recommendation 20 been discussed by the Prosecutor General’s Office? b) Has an effort been made to estimate the resources required (e.g. additional funding, reallocation of the existing resources, incl. in respect of staffing and training)?</p>	<p>c) Has a commitment been secured to strengthen and expand the use of such specialised and trained prosecution units?</p>	

	<p>21) Ukraine improves mechanisms to uphold the rights of the child during investigations and interviews, in line with the Lanzarote Convention and at a minimum, uses the existing 'Green Rooms' as an important part in the process of ensuring child-friendly justice and ensures their availability for all interviews and interrogations of children concerned in online child sexual exploitation and abuse. There should be documented procedural guidelines on the necessary use of these rooms.</p>	<p>a) Has Recommendation 21 been discussed by the relevant stakeholders? b) Is Recommendation 21 on the agenda of the interagency task force on the draft Law on Child-Friendly Justice? c) Has an effort been made to analyse the existing mechanisms and identify the priorities for addressing?</p>	<p>d) What has been achieved in terms of implementing Recommendation 21?</p>	
	<p>22) consideration be given to the creation of child-friendly interview rooms located outside of police and law enforcement premises to ease the stigma associated with being a victim of online child sexual exploitation or abuse and encourage compliance of child victims and witnesses to fully relate their experiences without duress.</p>	<p>a) Has Recommendation 22 been discussed? b) Have efforts been made to make it part of the budgeting process for the next budget period?</p>	<p>c) Has a commitment been secured to provide and implement such child-friendly interview rooms?</p>	

	<p>23) Ukraine considers the introduction of a number of strategically, geographically located Barnabus multi-disciplinary hubs for use in an interdisciplinary and multi-agency approach to dealing with children subject to child sexual exploitation and abuse (including online cases); allowing assessment and controlled interviewing of victims and witnesses, subsequent medical examination and the provision of relevant therapeutic services from appropriate professionals.</p>	<p>a) Has Recommendation 23 been discussed? b) Have efforts been made to secure funding for such a pilot initiative?</p>	<p>c) Has a commitment been secured to implement this pilot initiative?</p>	
	<p>24) Ukraine should consider the position of psychological assessment in all OCSEA cases where children are involved as victims, witnesses and suspects. The psychologist should work in close co-operation with the investigators to consider and safeguard the child's welfare.</p>	<p>a) Has Recommendation 14 been discussed? b) Has a specific mechanism been proposed to implement it?</p>	<p>c) What has been achieved in terms of practical implementation of Recommendation 24?</p>	

	25) appropriate training should be given to psychologists working in this field, bespoke to the OCSEA area, which should include both regulation of them as well as the creation of a national register of appropriately trained and qualified psychologists.	a) Has Recommendation 25 been discussed among the relevant stakeholders? b) Have efforts been made to introduce regulation and setting up a register of such psychologists?	c) Has any specific training been provided? What training? d) What has been achieved in terms of introducing efforts regulation and setting up a register of such psychologists?	
Mutual Legal Assistance	26) It is recommended that Ukraine implements the T-CY recommendations relevant to Mutual Legal Assistance.	a) What efforts have been made to implement these recommendations?	b) What has been achieved as a result of the efforts made?	
Investigation of OCSEA and wider child abuse cases	27) It is recommended that Ukraine commences a country-wide crime recording system to collect data and statistics on OCSEA cases to facilitate the effective monitoring of the situation and to provide empirical evidence to enable responses and resourcing in the detection and prevention of it.	a) Has Recommendation 27 been discussed among the relevant stakeholders? Which stakeholders? b) Have efforts been made to review the existing/develop new statistical indicators to facilitate the collection and analysis of OCSEA data?	c) Have the crime recording/reporting indicators been reviewed/new indicators developed to facilitate the collection and analysis of OCSEA data? d) Is there a mechanism in place to avoid data discrepancies across agencies?	
Data protection and data retention. Regulation of the	28) It is recommended that Ukraine complies with accepted international standards, in particular Articles 16, 17, 18 and 19 of the Budapest Convention and 37 of the Lanzarote	a) Has Recommendation 28 been discussed among the stakeholders? b) Is there a working group tasked with drafting Criminal Code amendments?	d) Have the recommended amendments been drafted/initiated? e) Have the recommended amendments been passed by the Verkhovna Rada?	

telecommunications sector	Convention and implement changes to the Criminal Code to bring them into line with data protection and data retention requirements.	c) If drafting is underway, what stage it is at now?		
Victim services	It is recommended that: 29) Ukraine creates a streamlined, mandatory reporting mechanism for cases of child exploitation and abuse (including OCSEA) involving multi-stakeholder organisations to ensure the immediate protection of children which should include practical implementation guidelines and a viable enforcement mechanism for failure to report.	a) Has Recommendation 29 been discussed among the relevant stakeholders? What stakeholders have been involved?	b) Has a commitment been secured to create a streamlined mandatory reporting mechanism? c) Have any regulations been adopted to support its creation?	
	30) Ukraine strengthens these reporting mechanisms and portals, in line with international standards.	a) Have efforts been made to strengthen the existing reporting mechanisms?	b) What has been achieved as a result of these efforts?	
	31) consideration be given to creating a compensation scheme for all victims of OCSEA.	a) Has Recommendation 31 been discussed among the relevant stakeholders?	b) Has a commitment been secured to create such a compensation scheme?	

	<p>32) nationwide victim and witness support services must be made available to all child victims of OCSEA and be supported by nationwide standards and operational guidance be adopted for support workers.</p>	<p>a) Has Recommendation 32 been discussed among the relevant stakeholders? b) Has an effort been initiated to develop nationwide standards and operational guidance for support workers?</p>	<p>c) Have regulatory changes been made to extend nationwide victim and witness support services to all child victims of OCSEA? d) Have nationwide standards and operational guidance for support workers been developed and, if so, when is adoption expected?</p>	
	<p>33) protective mechanisms be made available to all child victims of sexual abuse and exploitation.</p>	<p>a) Has Recommendation 32 been discussed among the relevant stakeholders?</p>	<p>b) Have regulatory changes been made to protective mechanisms to all child victims of CSEA?</p>	
<p>Offender Management</p>	<p>It is recommended that: 34) Ukraine proceeds with the creation of this Sex Offender Register with records of individuals who have committed crimes which would identify them to allow:</p> <ul style="list-style-type: none"> - Monitoring by authorities of their actions and activities; - Preclude them from interaction with children and young people. 	<p>a) Has Recommendation 34 been discussed? b) Has the need for legislative and /or regulatory changes to implement such a Sex Offender Register been analysed? c) Have the technical/infrastructural requirements for introducing the Register been assessed?</p>	<p>d) Has a commitment been secured to create such a Sex Offender Register? e) Have amendments to the existing legislation and/or new regulations been drafted/adopted to provide for a legislative/regulatory basis for the Register? f) Have Terms of Reference for the e-system to support the implementation of the Register been drafted/adopted?</p>	

	<p>35) regulations and operational guidance are developed to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse.</p>	<p>a) Have the existing regulations and operational guidance on pre- and post-release probation programming been analysed to determine priority needs? b) Have efforts been made to develop specific regulations and operational guidance to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse?</p>	<p>c) Have specific regulations and operational guidance to govern pre-and post-release probation programmes for sex offenders convicted of child sexual abuse been developed/adopted? d) Has specific programming for this category of offenders been piloted?</p>	
	<p>36) amendments to the Criminal Code be made to restrict the access to and employment of convicted sex offenders in roles requiring contact with children.</p>	<p>a) Has Recommendation 36 been discussed among the stakeholders? b) Is there a working group tasked with drafting Criminal Code amendments? e) If drafting is underway, what stage it is at now?</p>	<p>c) Have the recommended amendments been drafted/initiated? d) Have the recommended amendments been passed by the Verkhovna Rada?</p>	
	<p>37) Ukraine must immediately implement a screening system for all persons employed or involved in education or activities with children and young people.</p>	<p>a) Has Recommendation 37 been discussed?</p>	<p>b) Has a commitment been secured to implement such a screening system? c) Has the screening system been implemented?</p>	

	<p>38) consideration be given to the introduction of support systems for offenders' families.</p>	<p>a) Has Recommendation 38 been discussed? b) Has an analysis been made to assess the existing potential and the needs to introduce such support systems?</p>	<p>c) Has a commitment been secured to introduce support systems for offenders' families? d) Have any pilot initiatives been launched?</p>	
	<p>39) It is recommended that support systems for children who display harmful sexual behaviours be introduced.</p>	<p>a) Has Recommendation 38 been discussed? b) Has an analysis been made to assess the existing potential and the needs to introduce such support systems?</p>	<p>c) Has a commitment been secured to introduce support systems for children who display harmful sexual behaviours? d) Have any pilot initiatives been launched?</p>	
<p>Crime Disruption and Harm Reduction</p>	<p>It is recommended that: 40) A definition of electronic evidence should be introduced and that the procedures for handling electronic evidence should be conducted to ensure that Ukraine's law enforcement community is compliant with international requirements as detailed in the Budapest Convention;</p>	<p>a) Has Recommendation 40 been discussed among the stakeholders? b) Is there a working group tasked with drafting Criminal Procedure Code amendments to introduce a definition of electronic evidence? c) If drafting is underway, what stage it is at now?</p>	<p>d) Have the recommended amendments been drafted/initiated? e) Have the recommended amendments been passed by the Verkhovna Rada?</p>	

	<p>41) The rules related to seizure, retention, handling and presentation of electronic evidence be clarified, including developing operational guidance for investigators.</p>	<p>a) Have the existing rules related to seizure, retention, handling and presentation of evidence been analysed to determine the gaps concerning electronic evidence? b) Has the drafting of the rules and procedures for seizure, retention, handling and presentation of electronic evidence been initiated? If so, does it include operational guidance for investigators?</p>	<p>c) Have the rules and procedures for seizure, retention, handling and presentation of electronic evidence been drafted/adopted? If so, do they include operational guidance for investigators?</p>	
	<p>42) a review of the facilities, training and procedures for victim identification be conducted to ensure that Ukraine’s law enforcement community is compliant with international requirements and can seamlessly feed into the national and international responses in this area.</p>	<p>a) What efforts have been made since the Gap Analysis to conduct such a review?</p>	<p>b) What has been achieved as a result of the efforts made?</p>	

	<p>43) Ukraine strengthens the regulation of internet service providers to ensure that proper control of illegal material and appropriate mechanisms to secure the takedown and removal of illegal material expeditiously are in place.</p>	<p>a) Has an analysis of the regulation of internet service providers been conducted to determine the priorities? b) Has drafting been initiated to address these priorities?</p>	<p>c) Have regulatory changes been made to strengthen the regulation of internet service providers to ensure that proper control of illegal material and appropriate mechanisms to secure the takedown and removal of illegal material expeditiously are in place?</p>	
	<p>44) safeguards and tools be made available to all child-victims of sexual abuse or exploitation including online.</p>	<p>a) Has a review of the existing regulations been attempted to determine the priorities for specific safeguards and tools to protect child victims of CSEA, including OCSEA? b) Has drafting been initiated to introduce regulations to provide for such safeguards and tools?</p>	<p>c) Have such safeguards and tools been introduced?</p>	
<p>Prevention and awareness raising</p>	<p>It is recommended that: 45) public awareness activities be expanded to cover OCSEA specifically.</p>	<p>a) Have efforts been made to implement Recommendation 45?</p>	<p>b) What has been achieved as a result of such efforts?</p>	
	<p>46) the National Prevention Mechanism and Ombudsman should have adequate resources to deal with OCSEA.</p>	<p>c) Have efforts been made to implement Recommendation 45?</p>	<p>d) What has been achieved as a result of such efforts?</p>	

	<p>47) educational programmes related to OCSEA and protecting children online be introduced into school curriculum.</p>	<p>e) Has Recommendation 47 been discussed? f) Has curriculum review been initiated?</p>	<p>g) Has relevant content been developed/incorporated in the school curriculum?</p>	
	<p>48) the State Social Programme for Preventing and Combatting Domestic and Sexual Violence must include provisions on CSEA/OCSEA crimes and provision of adequate financial resources for the implementation of the Programme.</p>	<p>a) Has the State Social Programme for Preventing and Combatting Domestic and Sexual Violence been reviewed with a view to incorporating such provisions? b) Have efforts been made to provide for adequate financial resources in the next budget period?</p>	<p>c) Has the State Social Programme for Preventing and Combatting Domestic and Sexual Violence been amended to incorporate these provisions?</p>	
<p>Co-ordination, monitoring and evaluation</p>	<p>It is recommended that: 49) the Ukrainian authorities consider setting up a national centre dedicated to the investigation of Online Child Sexual Exploitation and Abuse bringing together expertise, knowledge and powers to provide a national Centre of Excellence.</p>	<p>a) Has Recommendation 49 been discussed? b) Have efforts been made to make it part of the budgeting process for the next budget period?</p>	<p>c) Has a commitment been secured to set up a national centre dedicated to the investigation of Online Child Sexual Exploitation and Abuse?</p>	

	<p>50) a regular threat assessment of OCSEA be introduced.</p>	<p>a) Has Recommendation 50 been discussed?</p>	<p>b) Has a decision been made to introduce regular threat assessment of OCSEA? c) Is a methodology for such threat assessment in development/been drafted/adopted?</p>	
	<p>51) the system of assessment and categorisation of referrals in the area of OCSEA be enhanced to work at a national level – collecting and collating data in a meaningful and complete way to ensure the statistics produced illustrate the true extent of the issue and allowing for informed decisions on the allocation of funding and resources to deal effectively with the subject.</p>	<p>a) Have efforts been made to enhance the system of assessment and categorisation of OCSEA referrals to work at a national level?</p>	<p>b) What has been achieved as a result of such efforts?</p>	
	<p>52) co-ordination, training and mutual assistance between authorities and bodies be strengthened at national level.</p>	<p>a) Have efforts been made to improve interagency coordination, training and mutual assistance?</p>	<p>b) What has been achieved as a result of such efforts?</p>	
	<p>53) a strategy against CSEA and OCSEA be adopted.</p>	<p>a) Has the development of such strategy been initiated?</p>	<p>b) Has the strategy been adopted?</p>	

