

Review of training materials, courses, programmes and strategies on investigation of online child sexual exploitation and abuse for law enforcement officials in the Republic of Moldova



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courses, programmes
and strategies on investigation
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officials in the Republic of Moldova**

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It examines training materials, courses, programmes and strategies on online child sexual exploitation and sexual abuse available for Law Enforcement Agencies and officials in the Republic of Moldova.

In the preparation of this review, the relevant legal framework¹, training curricula of the Police Academy “Stefan cel Mare” and other relevant materials and documents were used. The findings of the review are based on contributions of the relevant stakeholders, international organisations and NGOs during a fact-finding mission carried out on 1–4 October 2019² and a workshop organised on 27 February 2020 in Chisinau.

The review was carried out by the international consultant, Ms **Andrea Bradley**, digital investigator and founder and managing director of the Zentek Forensics Limited – Digital Forensic Investigation company (United Kingdom), based on the contribution of the national consultant Mr **Iurie Rosca**, senior criminal investigation officer within the Criminal Investigation Unit of the IT Crimes Investigation Department (Republic of Moldova), as well as the Council of Europe project team.

1. See the list of relevant laws in Appendix 1 to the present review.

2. See the Agenda of the assessment mission in the Appendix 2 to the present review.

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Abbreviations

CEPOL	European Union Agency for Law Enforcement Training
CSEA	Child sexual exploitation and abuse
EUROPOL	European Union Agency for Law Enforcement Cooperation
FBI	Federal Bureau of Investigations (US)
GIP	General Inspectorate of Police
GRIDCOP	Child Protection System provided by the Child Rescue Coalition (CRC)
ICMEC	International Centre for Missing and Exploited Children (US)
ICSE	Interpol international child sexual exploitation
IOCP	International Organisation of the Criminal Police
IOM	International Organisation for Migration
ILEA	International Law Enforcement Academies
ITCID	IT Crimes Investigation Department
La Strada	Public Association International Centre “La Strada”
NCA	National Crime Agency of the United Kingdom
NCMEC	National Centre for Missing and Exploited Children
NIJ	National Institute of Justice of the Republic of Moldova
OCSEA	Online child sexual exploitation and abuse
POCOCS	Prosecutor’s Office for Combating Organised Crime and Special Cases
SELEC	Southeast European Law Enforcement Centre
SOC	Security Operation Centres

1. Introduction

The Council of Europe project Protecting children from sexual exploitation and sexual abuse in the Republic of Moldova (October 2018 – March 2020) has been implemented in the framework of the Council of Europe Action Plan for the Republic of Moldova (2017–2020). It aimed at supporting the Republic of Moldova to effectively implement the Council of Europe Convention on the Protection of children against sexual exploitation and sexual abuse (Lanzarote Convention)³ and strengthen the state response towards child sexual exploitation and sexual abuse (CSEA). It focused on three key components: 1) harmonisation of the legal and policy framework; 2) capacity building of professionals; and 3) awareness raising for the prevention and protection of children against sexual exploitation and sexual abuse.

In this context, and in particular to contribute towards improving the skills and knowledge of professionals to respond to online child sexual exploitation and abuse (OCSEA), the review of training materials, courses, programmes and strategies available for law enforcement officials, prosecutors and judges in the Republic of Moldova was carried out during the period of October 2019 – February 2020. Similar training reviews were carried out in parallel also in other countries under the framework of the Council of Europe project End online child sexual abuse and exploitation @ Europe.

This report focuses on the review of training courses, programmes and strategies available for Law Enforcement Agencies (LEA) in the Republic of Moldova. A separate report covers the relevant aspects for judges and prosecutors in the Republic of Moldova.

The review aimed to cover the following topics:

- ▶ specialised training on OCSEA;
- ▶ training on specific measures in place before, during and after the trial to ensure child victims are supported throughout the proceedings: including child-friendly interviewing, use of child-friendly and age-appropriate language, involving parents/guardians/caregivers in the proceedings, non-standard methods of giving evidence;
- ▶ provision of specialised and regular training, psychological and wellness support for staff;
- ▶ training and information on national and international cooperation.

a. METHODOLOGY

As a starting point for developing the methodology, a model outline of existing international training materials, programmes and strategies was developed and used as a benchmark against which current training materials and training available for LEA within the Republic of Moldova could be assessed. The model outline takes into account good practices from national frameworks in place in the UK and the U.S. and includes following relevant aspects⁴:

- ▶ Investigation training and child-friendly practices for interview and investigation;
- ▶ Multi-agency training and multi stakeholder co-operation at national level;
- ▶ International cooperation and trans-border investigations;
- ▶ Handling of electronic evidence, search scene training, live data capture and technology in child protection investigation;
- ▶ Court and evidence presentation;
- ▶ Proactive and reactive software;
- ▶ Open source investigation and undercover online investigation;

3. Ratified by the Republic of Moldova law no. 263 of 19.12.2011.

4. The list is not exhaustive, please refer to the Annex 3 for more details.

The methodology was divided into separate steps (fig. 01), designed to achieve the following:

1. National in-country data collection, aiming to identify three specific areas regarding training available and/or delivered in the area of OCSEA:
 - a. Training Courses
 - b. Training Programmes
 - c. Training Strategies
2. Subject data collection, including collection of materials from relevant national and international organisations active in areas relevant to OCSEA.
3. Desktop research and review, including:
 - a. Detailed assessment of all identified and available training courses, programmes and strategies covering OCSEA in-country for LEA;
 - b. Identification of areas for improvement within existing training courses, programmes and strategies.

Fig. 1 – Methodology outline



b. FACT-FINDING MISSION

The available training courses, programmes and strategies as well as training needs on these topics were explored during a fact-finding mission to Chisinau, the Republic of Moldova, which was carried out on 1–4 October 2019 as a follow-up to national in-country data collection. During the fact-finding mission representatives from the following stakeholder bodies were consulted and the access of LEA to training or provision of training to LEA further explored:

- ▶ Ministry of Internal Affairs of the Republic of Moldova (MoIA), including the Police Academy “Stefan cel Mare” (Police Academy);
- ▶ General Inspectorate of Police (GIP);
- ▶ National Institute of Justice of the Republic of Moldova (NIJ);
- ▶ General Prosecutors Office (GPO);
- ▶ Supreme Court of Justice (SCJ);
- ▶ Focus group discussion with selected lawyers with experience on CSEA/OCSEA cases;
- ▶ Focus group discussion with representatives of civil society.⁵

The following findings emerged from the discussions:

⁵. For more details see the Agenda of the assessment mission in the Appendix 2 to the present review.

- ▶ The **Police Academy**, as the main institution responsible for delivering initial and continuous training for police, does not have a separate training on OCSEA included in the curricula.
- ▶ The **GPO** does not provide training to LEA. Although, prosecutors recognise the need to supply law enforcement with guidelines for investigating child abuse cases and propose the creation of such guidelines, supported by workshops to deliver and promote child abuse investigation.
- ▶ The **SCJ** judges identified a requirement to train LEA especially those responsible for taking the initial complaint of child sexual abuse. In their experience, the judges often conclude that procedures are not being followed, initial evidence gathering and investigation is sometimes flawed and cases may be lost due to early mistakes.
- ▶ **Lawyers** stated that they regularly identify a problematic approach by first responders to a report of child abuse. Correct procedures are not followed, and victims/witnesses are often left without psychological or legal support. They suggest that all stakeholders would further benefit from clear procedures to follow from the initial report of a crime. These procedures should be tailored to online and offline incidents. It was also estimated that around 30% of victims are discouraged from proceeding with a sexual offence complaint, because of the way they are dealt with at first report. In addition to this, it was stated that parents or caregivers of child victims also require supporting services.

To improve initial reporting of a child abuse case throughout the Moldovan territory, Officers especially in remote towns require training to understand how a report of child abuse should be taken, the support available for victims, witnesses and their families, the procedures to follow and the treatment of witnesses and victims.

2. Investigating online child sexual exploitation and abuse: Law Enforcement officials

The Law Enforcement bodies which may have a remit for OCSEA investigation were first identified to better evaluate and assess their training needs.

There are many investigative Law Enforcement bodies within the Republic of Moldova, but only one currently possesses specialist skills and software necessary to proactively investigate/prosecute occurrences of online child sexual exploitation and abuse (OCSEA). This is a **specialised unit within the IT Crimes Investigation Department (ITCID)** of the National Investigation Inspectorate of the GIP. This ITCID is made up of 5 sections and one of them is a dedicated Child Protection Unit. Manned by 7 Officers, this unit is predominantly proactive and uses the Child Protection Software System (GRIDCOP), provided free of charge by the Child Rescue Coalition (USA). This system will identify local users of peer-to-peer networks, who are trading in child sexual abuse images and/or videos. The unit generally identifies 4–8 suspects per month. They are supported by a dedicated team of 6 Criminal Investigators and the investigation is overseen by prosecutors, who ensure the prosecution files are collated appropriately and the identified images are uploaded to and verified by the Interpol International Child Sexual Exploitation (ICSE) database.

The Prosecutor's Office for Combating Organised Crime and Special Cases (POCOCSC) is the only unit within the Prosecution Service to deal with cases related to cybercrime and OCSEA at national level. There are currently about 10 prosecutors seconded to this unit.

In addition, a **dedicated bureau works within the Prosecutor's Office of Chisinau Municipality**, which has the remit of dealing with crimes of trafficking in human beings and computer crimes. There are 5 prosecutors within this bureau who will handle cybercrime cases, including OCSEA, that occur in the city of Chisinau. They may seek assistance from, or transfer cases to the POCOCSC for larger and more technically complicated investigations. Furthermore, the General Prosecutor's Office has a **special Section on Information Technologies and Cyber Crime** within the Department of Criminal Investigation and Criminalistics. This section is responsible for the generalization and unification of the practice in the field, as well as based on the order of the general prosecutor, to lead, to carry out the criminal investigation and to represent the accusation in the Court on certain cases, including OCSEA cases. At the same time, according to an order of the general prosecutor⁶, each Prosecutor's Office should appoint by an internal order the prosecutor(s) who will be responsible for leading the criminal investigation on cases involving children.

In addition, there are **Officers and investigative Officers⁷ from 38 regional Police units and 6 Chisinau Police units**, which may take a report in OCSEA cases. However, most of these reports will be forwarded to the ITCID and the investigation will be completed there.

Historically, at international level, the investigation of OCSEA has usually become the remit of Officers with experience in IT and an understanding of complexities encountered with Internet Investigations. Without this skill set, the 'online' element can be lost, and prosecution would be based on 'offline' legislation.

Several countries have identified that this is a specialised area of investigation and have created national units to deal with OCSEA cases. For example, in the United Kingdom the **Child Exploitation and Online Protection** unit was established in 2006, as part of the National Crime Agency. In Australia, **Task Force Argos**, a branch of the Queensland Police Service, was founded in 1997. Both units are responsible for investigation of online child exploitation and abuse and/or dissemination of OCSEA intelligence packages.

6. Order of the General Prosecutor on the Prosecutor's Office tasks on the cases involving children no. 808 of 07.09.2010.

7. According to the Law on special investigative activity no. 59 of 29.03.2012 "the investigative officer is empowered to carry out special investigative measures according to the legal framework in place".

It is encouraging to find that ITCID has already created a specialised unit for investigation of OCSEA. Although their main investigation tool is the GRIDCOP, they regularly take on national investigations involving online child abuse. OCSEA dedicated, proactive units such as the specialised unit within ITCID are not commonly found at national level in this region. It is more common to find cybercrime/child protection units, which will occasionally instigate a proactive OCSEA operation, if and when time and resources allow. In this context, to have a dedicated unit whose sole remit is to proactively identify people with a sexual interest in children is a positive sign in the fight against OCSEA in the Republic of Moldova.

3. Training courses, programmes and strategies available for the initial and continuous/specialised training for Law Enforcement officials

To the extent possible, both initial and continuous/professional training on OCSEA available to police officers was analysed to explore the materials and strategies currently existing on OCSEA for training purposes. The section below starts with the identification of training providers followed by an analysis of the materials, courses, programmes and strategies identified.

(i) TRAINING COURSES

Existing training provided internally to Law Enforcement

The **Police Academy** has the responsibility to train all new police recruits (16-week course), investigative officers (up to 3 years), rank promotion officers, as well as to deliver graduate programmes. The current training curricula of the Police Academy contain only brief modules on investigating all types of sexual offences, dealing with all types of victims of sexual offences, general offender interviewing and an overview of electronic evidence.

At the same time, the MoIA is in the process to pilot a new formula of training via establishment of a new Training Centre for Law Enforcement⁸ which will be responsible solely for continuous/professional training of police officers and investigative officers. If such a formula is implemented, the Police Academy will be mandated only for the initial training of new police recruits in the future.

Within the Professional Development Directorate of the Police Academy, new training has been introduced and delivered to a total of 111 employees from subordinated subdivisions of the MoIA since February 2019 (see fig 2 and fig 3).

Fig. 2 – Continuous training organised in the school year 2018–2019⁹

1. The activity of prevention and control of trafficking of human beings

25.02.2019–26.02.2019: **30** employees from subordinated subdivisions of the MoIA;

2. The activity of criminal investigation

08.04.2019–12.04.2019: **28** employees from subordinated subdivisions of the MoIA.

8. Decision no. 53 of 17.01.2018 regarding the Integrated Training Centre for Law Enforcement of the Ministry of Internal Affairs.

9. Order of the MoIA no. 214 of 22.06.2018 regarding the organization of the training/specialization/retraining courses in the 2018–2019 school year.

Fig. 3 – Continuous training organised in the school year 2019–2020¹⁰:

<p><u>1. The activity of preventing and combating trafficking of human beings group I</u></p> <p>16.09.2019–18.09.2019: 24 employees from subordinated subdivisions of the MoIA:</p> <p><u>2. The activity of criminal prosecution and investigation group II (Combating child pornography)</u></p> <p>17.02.2020–21.02.2020: 29 employees from subordinated subdivisions of the MoIA.</p>
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As part of their remit, the **GIP conducts an annual review of training requirements for Police Departments**. In the beginning of every year, the GRIDCOP of the ITCID will identify and request external training courses, seminars and/or workshops on OCSEA, provided by the European Union Agency for Law Enforcement Cooperation (Europol), NGOs and other International Police Agencies. The informal arrangement within the ITCID is that if the GIP funds such training (usually provision of daily subsistence allowance only), the members of the unit will attend the training in turns. In reality, these opportunities are not provided regularly.

The **NIJ**, which is mandated to provide training for judges and prosecutors and other legal professionals, runs a two-day seminar twice per year. The seminar introduces the topic of child sexual exploitation and abuse (CSEA) and is delivered by specialist external trainers, including a senior criminal investigation officer from the ITCID of the GIP and a representative from the Centre for Combating of Human Trafficking. It targets judges, prosecutors and their assistants. There is a Memorandum agreement between the NIJ and Police Academy that, at the request of the Academy, the criminal investigation officers could attend training organised by the NIJ. However, as stated by the NIJ during the mission, such requests have never been sent and although this training is open to Law Enforcement, since its inception in 2018, no Law Enforcement personnel have benefitted from this training.

The new training courses developed and delivered by the Police Academy illustrate that the MoIA has identified the requirement for knowledge enhancement in the area of OCSEA investigation. Although, the full content and teaching methods were not available for review, the subject matter covered appears to be in line with the requirements of the Lanzarote Convention and the Council of Europe Convention on cybercrime¹¹, which is an encouraging start. To date only 4 courses have been completed, but this could potentially lead towards establishing a more formal training strategy which would ensure a wider coverage and accessibility of training to more regional Officers.

Existing training provided externally to the Law Enforcement

The majority of OCSEA specific training to Law Enforcement in the Republic of Moldova has been organised and supplied on an *ad hoc* basis by external organisations, including national and international non-governmental organisations, embassies, specialised units and training providers based in other countries. In particular, the following organisations have implemented regular activities on OCSEA and are present in the Republic of Moldova:

- ▶ **The Public Association International Centre “La Strada”** (La Strada), which was launched in the Republic of Moldova in 2011, has an overall remit of capacity building in four areas: preventing human trafficking, preventing domestic violence, preventing sexual exploitation of children for commercial purposes and promoting online safety of children. Even though training for LEA is not a direct objective, La Strada have supplied *‘ad hoc’* training and support in the past and will continue to do so when time and funding is available. During the mission, La Strada mentioned its desire to further strengthen its activities in this regard.
- ▶ The **United States Embassy** has facilitated one relevant LEA training course, delivered by the Federal Bureau of Investigation (FBI) Child Task Force, but only 1 officer attended the course and has since left the Police. The Embassy has also provided the ITCID with some new IT equipment and appropriate IT training and remains the main donor in this area. In January 2016 it offered training on “Investigations on Child Pornography” to 6 employees of the ITCID in Budapest. Plans of the United States Embassy for the future include provision of more training opportunities for LEA, possibly in collaboration with the NIJ.

10. Order of the MoIA no. 374 of 20.06.2019 regarding the organization of the training/specialization/retraining courses in the 2019–2020 school year.

11. Council of Europe Convention on cybercrime of 23.11.2001 ratified by the Republic of Moldova law no. 302 of 22.12.2016.

A small number of operational officers from the ITCID have received training from external sources (please see fig 4 below for further details) or made use of online training facilities like webinars (provided by European Union Agency for Law Enforcement Training (CEPOL)). These courses have merely benefited the individual officers and have not been part of a recognised training programme. To ensure transfer of knowledge of individual officers to a larger number of staff, some seminars have been previously arranged by the GIP, calling upon investigators from ITCID to deliver training for investigative officers. However, these good initiatives have generally suffered from poor organisation and, consequently, have been poorly attended.

Fig. 4 – Training provided, by external parties, to members of the ITCID over the last 4 years

<p>2015:</p> <ul style="list-style-type: none"> ▶ 2 ITCID Officers participated in “Combating child pornography on the Internet”, organised under the project “Improving international cooperation in combating trafficking in human beings in the context of the defence of the law”, arranged by Academy of MIA of Belarus, with the support of International Organisation for Migration (IOM) in the Police Academy in Minsk, Belarus.¹² <p>2016:</p> <ul style="list-style-type: none"> ▶ 6 ITCID employees participated in “Investigations on child pornography”, organised jointly by the International Academy of Law Bodies (ILEA) and the United States Embassy in Moldova, in Budapest, Hungary; ▶ 1 ITCID employee participated in “Sexual exploitation of children at international level”, organised under the aegis of the General Secretariat of the International Criminal Police Interpol Organisation, in Lyon, France; ▶ 2 ITCID employees participated in the “Use of the child protection system”, an event organised under the aegis of the British Agency for Combating Organised Crime, held in Poland, Warsaw; ▶ 2 ITCID employees participated in the “Investigating trafficking in human beings’ crimes: tracking of illicit goods in parallel financial investigations”, which took place in Chisinau and was organised by the Council of Europe in cooperation with National Committee for Combating Trafficking in Human Beings of the Republic of Moldova; ▶ 1 ITCID employee participated in specialised courses on “Sexual exploitation of children”, within the Exchange Program organised by the CEPOL, in Wroclaw, Poland; ▶ 1 ITCID employee participated in the 17th training course on “Combating sexual exploitation of children online”, organised by the Europol in Selm, Germany; ▶ 2 ITCID representatives participated in a “Training session on financial investigations in trafficking in human beings”, organised by the Council of Europe in cooperation with the National Committee for Combating Trafficking in Human Beings in Chisinau municipality. <p>2018:</p> <ul style="list-style-type: none"> ▶ 1 ITCID employee of the ITCID participated at the 19th training course “Combating sexual exploitation of minors online”, which took place in Selm, Germany and was organised by Europol; ▶ 2 ITCID representatives participated in “Fighting child pornography in the Internet space” seminar and obtained access to work in the Child Protection System provided by the Child Rescue Coalition (GRIDCOP) database¹³, held in Minsk, Belarus; <p>2019:</p> <ul style="list-style-type: none"> ▶ 1 ITCID employee participated in “Undercover online investigations”, provided by the Council of Europe in Bucharest, Romania.
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12. The training course included both theoretical and practical sessions, focused on the actions of law enforcement officers with reference to responding, investigating and performing expertise in cases of sexual exploitation of children on the Internet. The purpose of the training course was to develop capacities to investigate offences of online child sexual abuse and exploitation, as well as to strengthen common international standards in order to streamline international cooperation.

13. For more details see <https://childrescuecoalition.org/>

Fig. 5 – Other capacity building and training opportunities provided for the members of the ITCID over the last 4 years

Conference/meeting	
2015:	<ul style="list-style-type: none"> ▶ 2 ITCID Officers participated in the “Regional Conference on the investigation of online child sexual exploitation” organised by the National Crime Agency of the United Kingdom (NCA) within the Southeast European Law Enforcement Centre (SELEC) in Bucharest, Romania; ▶ 2 ITCID Officers participated in the 33rd meeting of the Interpol Group of Experts on Crime against Children, organised under the aegis of the International Organisation of the Criminal Police (IOCP) General Secretariat in Lyon, France;
2018:	<ul style="list-style-type: none"> ▶ 1 ITCID employee participated in the 20th Meeting of the Committee of the Parties to the Council of Europe Convention for the protection of children against sexual exploitation and sexual abuse (Lanzarote Committee), as a substitute expert, organised by the Council of Europe in Strasbourg, France; ▶ 1 ITCID employee together with representatives from La Strada and GPO participated in the event with the generic “Risks of online sexual exploitation and child abuse”, dedicated to law enforcement bodies in different states, organised by NCA, in London, United Kingdom;
2019:	<ul style="list-style-type: none"> ▶ 1 ITCID employee participated at the launch and regional conference of the Council of Europe regional project “End Online Child Sexual Exploitation and Abuse @ Europe”, as a national focal point, held in Strasbourg, France.
Webinars/2017	
	<ul style="list-style-type: none"> ▶ ITCID Officers participated in the instructive Webinar on the use of the Cyber-tip line virtual channel of the National Centre for Missing and Exploited Children of the United States (NCMEC).
Workshops/2017	
	<ul style="list-style-type: none"> ▶ 4 ITCID employees of the ITCID participated in the workshop with the topic “Fight against sexual exploitation of children in the online environment”, an event held in Chisinau municipality, organized by the Police Partnership Program of the Eastern Partnership of the European Union.
Round tables	
2018:	<ul style="list-style-type: none"> ▶ 1 employee of the ITCID participated at the round table on “Implementation of the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse: challenges and good practices”, event organised jointly by the MoIA and the Council of Europe, held within the Ministry of Foreign Affairs and European Integration.
2019:	<ul style="list-style-type: none"> ▶ 1 employee of the ITCID participated at the conference “Multi-sectorial co-operation to prevent and combat Online Child Sexual Exploitation and Abuse”, organised by the Council of Europe in Strasbourg, France.

In total, more than 18 opportunities for training/knowledge improvement have been provided from external sources over the last 5 years and over 33 staff members received this training. However, it is unclear how many individuals benefited from them and if there were several events attended by the same officer. In any case, transfer of knowledge by a small group of officers benefiting from these training initiatives and resources should be made more systematic. This would mitigate against the risk of low staff retention. For example, an online repository (wiki) is a cost-effective way to share knowledge and training notes and can be made available for a wide group of professionals. Efficient and effective replication of training at national level would require further resources to be made available, but moreover putting in place internal structures and formal plans to enable cascade training approach.

(ii) TRAINING PROGRAMMES

Existing training programmes provided internally by the Law Enforcement

Even though many OCSEA-related trainings for LEA have been carried out in the Republic of Moldova in recent years¹⁴, no formal training programmes specific to OCSEA were identified during the desktop research and the fact-finding mission. As opposed to individual courses implemented on an ad hoc basis or as part of other training modules, a training programme would be a long-term training activity with long-term objectives, which would comprise a series of courses with a flexible time and cost budget assigned for its implementation.

An effective training programme will have several components and steps to develop it. First, training needs should be established: what is the desired outcome; what is the gap between the goal and actual capacities of the training institution and skills of target groups to be trained? In relation to OCSEA, key training needs include the requirement for regional officers to obtain some introductory training on processes and procedures for dealing with a complaint of OCSEA. The training needs for the investigators within the ITCID, having already received external, introductory training, is for more advanced input. Ultimately objectives should be set, training materials should be designed, training delivered, feedback sought, and improvements implemented. However, all this takes time, resources and funding. Consequently, an alternative approach could be to organise a programme of cascade training from the ITCID investigators to the regional Officers. This would take advantage of further, more advanced, external training accessible for the ITCID Officers.

In this context, in order to unify practice and response to OCSEA at European level, a comprehensive and flexible training module is in the process of being developed and tested by the CoE, under the framework of the regional CoE project to End online child sexual exploitation and abuse @ Europe¹⁵. This training module targets investigative officers, prosecutors and judges and includes 4 practical and hands-on training modules on OCSEA:

1. Substantive and Procedural Criminal Law relevant to OCSEA;
2. Investigation and Prosecution: Proactive OCSEA Investigation;
3. Investigation and Prosecution: Reactive OCSEA Investigation;
4. Victims' Rights: Protecting the child victim or witness throughout criminal proceedings.

The modules will be tested during several workshops in Armenia, Azerbaijan and Ukraine and further developed based on the participants' feedback. Piloting of training in collaboration with Moldovan stakeholders will be explored during the phase II of the project in 2020–2021. In combination with training initiatives and material development planned and already done at local level, common European training standards on OCSEA could further contribute towards consolidating a sustainable training approach towards OCSEA in the country.

(iii) TRAINING STRATEGIES

Training strategies either provided by the organisation or in consideration by the organisation

A training strategy goes beyond a training programme in that it is a plan for future development of personnel and is often provided via different levels of training (introductory, intermediate and advanced), working towards an established goal of competencies. Training strategies should include various types of input: classroom, mentoring, online courses, personal development profiles, etc. An effectively run training strategy will encourage personnel development, job satisfaction and, ultimately, staff retention.

During the extensive desk top research and the fact-finding mission no training strategies on OCSEA for Law Enforcement were identified.

¹⁴. See Annex 4 for more details.

¹⁵. For more details please see <https://www.coe.int/en/web/cybercrime/endocsea-europe>

Conclusions and recommendations

The Republic of Moldova, as an early adopter of the Lanzarote Convention, has made significant headway in respect of child-friendly justice and proactive investigation of OCSEA, in the last 9 years. However, in many areas this has been piecemeal with little coordination.

In this context, the following conclusions are drawn up and recommendations proposed to address the identified gaps and needs:

- ▶ **More comprehensive training provision on OCSEA is required for all Police Officers throughout the Republic of Moldova.** Training for Law Enforcement is recognised as a requirement by all stakeholders interviewed, yet development and provision of such training is not implemented in a systematic and comprehensive manner. The Child Pornography Investigation Unit has received several training courses, provided by external agencies, but their remit is proactive intelligence gathering and investigation of online child abuse material and those possessing/distributing this material. Regional frontline officers should receive introductory training on processes and procedures for dealing with a complaint of OCSEA.
- ▶ There are several factors affecting the training of Law Enforcement in the field of OCSEA. Not least of which is lack of funding. An effective way of overcoming this would be to enforce **cascade teaching**. When officers or investigative officers benefit from training, they could be required to deliver the same training to their peers. This would increase the knowledge of more personnel and form the basis of a training strategy. However, **internal structures and formal plans** to enable this approach need to be put in place. Additionally, officers could be encouraged to **make use of freely available Law Enforcement online training and webinars**, for example those provided by CEPOL¹⁶ and International Centre for Missing and Exploited Children (ICMEC)¹⁷. Consideration should be given to **training of trainers** for those officers who are likely to be delivering regular training. **The creation and maintenance of an online repository (wiki)** would be an excellent, cost-effective way to share knowledge and training notes.
- ▶ **Staff retention** is also a significant factor with many trained Officers leaving the Police to find more lucrative private employment. This problem is not peculiar to Moldova and is a recurring issue for many other Law Enforcement agencies, throughout the world. The increase in Cyber related crime and the phenomenal impact this has on industry, has created a need for industry to employ cyber incident responders (Security Operation Centres (SOC)), often paid high salaries due to the financial vulnerabilities at stake.
- ▶ Several stakeholders suggested that improved training and guidelines should be provided for responding officers from regional Police Units. It was mentioned many times that the officers who take the initial report of CSEA or OCSEA, have had very little training on how to take this type of report and are generally unaware of the child's rights and the appropriate procedures to follow. **The Police Academy should consider introducing specific modules on the rights of a child, investigation of CSEA and OCSEA, procedures for initial report taking, guidelines on supporting agencies. Improved training at this initial Police Training stage would ensure a broader understanding for all Police recruits.** In addition, the provision of suitable IT equipment to facilitate the training should be explored. Furthermore, regular refresher courses should also be implemented to cover new legislation and procedural changes. Combined training, delivered to all agencies (Prosecution, NGO's, Social Workers and Psychologists), would improve the knowledge of available support and an understanding of the remit of other stakeholders.
- ▶ Ideally, **a dedicated team of officers should be established, with the sole remit of taking/investigating and prosecuting reports of child sexual abuse, both online and offline.** These Officers should receive appropriate training in child-friendly practices, investigation techniques, interviewing techniques (victims,

16. For more detail please see <https://www.cepola.europa.eu/tags/child-sexual-exploitation>

17. For more details please see <https://www.icmec.org/education-portal/>

witnesses and suspected offenders), relevant legislation¹⁸, report preparation, capturing best evidence at the scene of the crime and an understanding of electronic evidence (for OCSEA) as a minimum.

- ▶ It is highly **recommended to encourage a multidisciplinary approach to training on OCSEA, to include trained Police, Prosecutors, Social Workers, Phycologists and NGOs** for a more supportive, efficient and effective treatment of victims/witnesses (during and after the investigation) and successful prosecution of offenders. Officers forming part of this “team” should be required to remain in the role for a minimum period (suggested minimum – 2 years). This would assist with a consistent approach to CSEA investigations, provide time to understand the roles of other stakeholders and the ability to create a multifaceted and supporting response to victims of CSEA.
- ▶ Judges and prosecutors are required to maintain **continual personal development (CPD)** and must obtain a set number of hours of training per year in order to keep their knowledge current. **This type of system could be introduced to Law Enforcement Officers**, within “the team”, to enforce knowledge improvement and contribute towards a formal training strategy in CSEA/OCSEA. It would be beneficial if this type of training would be delivered in conjunction with Judges and Prosecutors at the NIJ.
- ▶ **A step-by-step guide should be produced** (ideally, by the “team”) **for frontline officers**. This would provide a clear description of actions to follow and procedures to adhere to, when taking a report of CSEA/OCSEA. It should also include contact details of relevant supporting stakeholders (24/7). The use of this guide should be trained to all Officers during their initial cadet training.
- ▶ As the Republic of Moldova provides free, fast speed Internet connectivity and the availability of smart phones and smart devices continues to increase, the risk of OCSEA for the young members of society becomes a more pressing issue. Training for Law Enforcement is one step towards improved handling of reported crimes, but a much more holistic approach is required. Prevention is better than cure and improved relationships between all stakeholders (Law Enforcement, Social Services, Teachers, Parents, Prosecutors, Judges, Lawyers, etc.) would undoubtedly benefit the victims and streamline the way in which they are protected, supported and dealt with.

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

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

Annex 1: Bibliography of the relevant legislation, regulations and decisions reviewed

1. Council of Europe Convention on the Protection of children against sexual exploitation and sexual abuse adopted in Lanzarote of 25.10.2007
2. Convention on cybercrime, adopted in Budapest on 23.11.2001
3. The Criminal Code of the Republic of Moldova
4. The Criminal Procedure Code of the Republic of Moldova
5. Law on preventing and combating cybercrime, no. 20-XVI from 03.02.2009
6. Law on computer science, no. 1069-XIV of 22.06.2000
7. The information security strategy of the Republic of Moldova for 2019–2024
8. Regulation on the organization and functioning of the Centre for the fight against computer crimes of the National Inspectorate of Investigations of the General Inspectorate of Police approved by the General Inspectorate of Police Order no. 123 of 01.07.2015
9. Decision No. 53 of 17.01.2018 regarding the Integrated Training Centre for Law Enforcement of the Ministry of Internal Affairs
10. Order of the Ministry of Internal Affairs no. 214 of 22.06.2018 regarding the organization of the training/specialization/retraining courses in the 2018–2019 school year
11. Order of the Ministry of Internal Affairs no. 374 of 20.06.2019 regarding the organization of the training/specialization/retraining courses in the 2019–2020 school year

Annex 2



Building a Europe
for and with children
Construire une Europe
pour et avec les enfants



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Review of the materials, programmes, strategies available for judges and prosecutors and law enforcement bodies on child-friendly practices and e-evidence in relation to online child sexual exploitation and abuse (OCSEA)

On-site research with key stakeholders, including bilateral meetings and/or focus group discussions

AGENDA FOR THE ON-SITE RESEARCH MISSION

1–4 October 2019, Chisinau, Republic of Moldova

Mission team:

- ▶ **Andrea Bradley**, Council of Europe international consultant
- ▶ **Paul Chiosac**, Council of Europe international consultant
- ▶ **Boris Talpa**, Council of Europe national consultants
- ▶ **Iurie Rosca**, Council of Europe national consultants
- ▶ **Mirka Honko**, Senior Project Officer, “Protecting children from sexual exploitation and sexual abuse in the Republic of Moldova”, Children’s Rights Division, Council of Europe
- ▶ **Lucia Popescu**, Project Officer, “Protecting children from sexual exploitation and sexual abuse in the Republic of Moldova”, Council of Europe Office in Chisinau

Tuesday, 1 October 2019

9:00–10:00	Meeting with the Mission Team Participants: <ul style="list-style-type: none"> ▶ Mission team 	<i>Council of Europe Office / Sky tower building</i> <i>63, Vlaicu Parcalab Street, 4th floor (Meeting Room)</i>
10:30–12:00	National Institute of Justice of the Republic of Moldova <ul style="list-style-type: none"> ▶ Diana Scobioala, Director of the National Institute of Justice ▶ Ecaterina Popa, Head of the Training and Research Department ▶ Mission team 	<i>National Institute of Justice Headquarter</i> <i>Serghei Lazo street, 1</i>
12:30–13:30	Lunch	<i>TBC</i>
14:00–15:30	Focus group discussions with the representatives of the civil society Participants: <ul style="list-style-type: none"> ▶ La Strada, Ms Ana Revenco, Director (TBC) ▶ National Center for Prevention of Child Abuse, Ms Iulia Gheorghies, Child Friendly Justice Coordinator and Ms Diana Teberneac, legal consultant & special conditions interviewer ▶ Mission team 	<i>Council of Europe Office / Sky tower building</i> <i>63 Vlaicu Parcalab Street, 11th floor (Meeting Room)</i>
15:30–17:00	Focus group discussions with the representatives of the international organisations Participants: <ul style="list-style-type: none"> ▶ UNICEF, Sergiu Rusanovschi, Child Protection Officer (TBC) ▶ US Embassy, Tatiana Lungu, Program Manager, Criminal Justice and Law Enforcement Section (TBC) ▶ Mission team 	<i>Council of Europe Office / Sky tower building</i> <i>63 Vlaicu Parcalab Street, 11th floor (Conference Room)</i>

Wednesday, 2 October 2019

9:00–10:30	Ministry of Internal Affairs of the Republic of Moldova (Police Academy “Stefan cel Mare”) Participants: <ul style="list-style-type: none"> ▶ Mr Iurie Odagiu, Director of Studies ▶ Mr Marian Gherman, Head of Special Investigative Activities Department ▶ Mr Constantin Rusnac, Head of Criminal Investigation and Forensics Department ▶ Ms Victoria Jitari, Head of the International Cooperation Unit ▶ Mission team 	<i>Police Academy “Stefan cel Mare”</i> <i>21, Gheorghe Asachi street</i>
11:00–12:30	General Inspectorate of Police of the Republic of Moldova <ul style="list-style-type: none"> ▶ Artur Degteariov, Centre for Combating of Human Trafficking, Moldovan member of the Lanzarote Committee ▶ Mission team 	<i>General Inspectorate of Police Headquarter</i> <i>Tiraspol street, 11/1</i>
13:00–14:00	Lunch	<i>TBC</i>

14:30–15:30	General Prosecution Office of the Republic of Moldova Participants: <ul style="list-style-type: none"> ▶ Mariana Gornea, Chief Prosecutor of the Juvenile Justice Section, Department for Policy, Reform and Protection of Society ▶ Veaceslav Soltan, Chief of Information Technology and Cybercrime Investigation Department ▶ Gheorghe Bos, Head of the project Management Department ▶ Mission team 	<i>General Prosecution Office Headquarter</i> <i>73, Stefan cel Mare si Sfint boulevard</i>
16:00–17:00	Supreme Court of Justice of the Republic of Moldova Participants: <ul style="list-style-type: none"> ▶ Liliana Catan, judge at the Supreme Court of Justice (Criminal Board) ▶ Maria Ghervas, judge at the Supreme Court of Justice (Criminal Board) ▶ Mission team 	<i>Supreme Court of Justice Headquarter</i> <i>70, M. Kogalniceanu street</i>

Thursday, 3 October 2019

09:00–10:00	Meeting with lawyers Participants: <ul style="list-style-type: none"> ▶ Arina Turcan, lawyer ▶ Denis Terioschin, lawyer ▶ Mission team 	<i>Council of Europe Office / Sky tower building</i> <i>63, Vlaicu Parcalab Street, 4th floor (Meeting Room)</i>
10:30–11:30	National Council for the Protection of Children’s Rights (Permanent Secretariats Department, Government of the Republic of Moldova) Participants: <ul style="list-style-type: none"> ▶ Svetlana Mirca, Deputy Head of the Permanent Secretariats Department ▶ Mission team 	<i>Government Headquarter</i> <i>1, Piata Marii Adunari Nationale</i>
12:00–13:00	Lunch	<i>TBC</i>
13:30–14:30	De-briefing Participants: Mission team	<i>Council of Europe Office / Sky tower building</i> <i>63 Vlaicu Parcalab Street, 11th floor (Conference Room)</i>

Friday, 4 October 2019

09:45–11:00	De-briefing of the OCSEA mission during the second Steering Committee meeting (separate agenda to be provided)	<i>Venue: Hotel Bristol (room “Assembly”) 32, Puşkin str, Chisinau</i>
14:00–17:00	Participation of the mission to the workshop on the presentation of the LC mapping report (separate agenda to be provided)	<i>Venue: Hotel Bristol (room “Assembly”) 32, Puşkin str, Chisinau</i>

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Annex 3: A model outline used as a benchmark for this review and an overview of the analysis of current training courses, programmes and strategies identified

Training Area	Brief Description
Investigation Training	<p><i>Basic detective skills at initial, intermediate & advanced levels – laws, procedure, etc.</i></p> <p>This type of training is covered in the initial Police recruit training at the Police Academy.</p> <p><i>Content not provided – unable to review</i></p>
Online child sexual abuse and exploitation	<p><i>Specific training in relation to officer/staff role dealing with OCSEA.</i></p> <p>Some ad hoc presentations are delivered by representatives from the Centre for Combating Cybercrime – predominantly delivered to Judges at the NIJ or awareness sessions for annual functions (e.g. Safer Internet Day). The content of the presentation covers the following:</p> <ol style="list-style-type: none"> 1. An introduction to the work of the Child Protection Section, examples of cases and outcomes and child awareness campaigns. 2. Methods of Investigating crime of Sexual Exploitation of Children using Information Technologies. <ul style="list-style-type: none"> ▶ Relevant Legislation ▶ History of this type of crime ▶ Peer to Peer Networks ▶ Darknet ▶ Examples of Grooming ▶ Case Studies ▶ Commercial OCSEA ▶ National and international reporting mechanisms ▶ The role of the NGOs ▶ International Child Exploitation Database (ICSE – Interpol) <p><i>Only the slides of these presentations have been provided – actual content will vary depending on the knowledge of the speaker. Full content cannot be reviewed.</i></p> <p>In addition, the new training courses developed and delivered by the “Stefan cel Mare” Academy of the MIA – over the last 12 months, contain the topic of OCSEA and child pornography. This content was not provided for review.</p>

Training Area	Brief Description
Victim identification	<p><i>Bespoke training to identify victims & offenders from imagery.</i></p> <p>The IT Crimes Investigation Department of the National Investigation Inspectorate of the GIP (Ministry of Internal Affairs) performs victim identification function. The IT Crimes Investigation Department administers the national database on child pornography victims and their abusers through the "Child Protection Information System".</p> <p><i>Training was provided in 2016 by British Agency for Combating Organised Crime.</i></p> <p>The content of this training is not available for review.</p>
Interview training	<p><i>Specialist interview training relating to victims, witnesses & offenders</i></p> <p>Some level of Interview training is delivered by the Police Academy.</p> <p>In addition, two of the new training courses developed and delivered by the "Stefan cel Mare" Academy of the MIA – over the last 12 months, contain the topic of effective communication with children and offenders.</p> <p><i>The content of this training is not available for review.</i></p>
Interview recording	<p><i>Recording interview content for use in investigation & prosecution</i></p> <p>Some level of Interview training is delivered by the Police Academy.</p> <p><i>The content of this training is not available for review.</i></p>
Child friendly practices for interview and investigation	<p><i>Specific training in relation to the interview of children including the use of child friendly facilities</i></p> <p>Two of the new training courses developed and delivered by the "Stefan cel Mare" Academy of the MIA – over the last 12 months, appear to contain the topic of child friendly practices but the full content of the training was not provided for review.</p>
SCADIP	<p><i>Specialist Child Abuse Detective Improvement Programme</i></p> <p>No evidence of this training was identified.</p>
Sexual Offences	<p><i>Specialist sexual offences training</i></p> <p>The new training courses developed and delivered by the "Stefan cel Mare" Academy of the MIA – over the last 12 months, appear to contain the topic of sexual offences but the full content of the training was not provided for review.</p>
Child Protection	<p><i>Specialist child protection training</i></p> <p>No evidence of this training was identified.</p>
Safeguarding & Welfare	<p><i>Specialist training in this area</i></p> <p>No evidence of this training was identified.</p>
Multi-Agency Training	<p><i>Training undertaken with other agencies involved in the welfare & protection of children</i></p> <p>No evidence of this training was identified.</p>
Multi stakeholder co-operation at National Level	<p><i>Dealing with other bodies involved in evidence collection.</i></p> <p>Three of the new training courses developed and delivered by the "Stefan cel Mare" Academy of the MIA – over the last 12 months, appear to contain the topic cooperation mechanisms and specifically mention the role of La Strada and Interpol, but the full content of the training was not provided for review.</p>
MLA and 24/7 POC	<p><i>Training designed to aid the use of Mutual Legal Agreements & the use of the 24/7 Point of Contact – standards & procedures</i></p> <p>No evidence of this training was identified.</p>

Training Area	Brief Description
International co-operation and trans-border investigations	<p><i>Specific to how materials & requests are created & applied for – or responded to, to ensure international compliance.</i></p> <p>The Police Academy cover this to a degree in their Cybercrime module, which covers: Use of automated information systems for the detection and investigation of cybercrimes (the criminal information system of Interpol, Europol; use of technical insurance systems of measures of the special investigation activity when investigating cybercrimes.</p>
Handling of electronic evidence	<p><i>Basic skills to identify & deal with digital evidence through the course of an OCSEA enquiry</i></p> <p>Some ad hoc presentations are delivered by representatives from the Centre for Combating Cybercrime – predominantly delivered to Judges at the NIJ or awareness sessions for annual functions (e.g. Safer Internet Day). The content of the presentation covers the following:</p> <p>Investigation of crimes committed with the use of IT, covering:</p> <ul style="list-style-type: none"> ▶ Data preservation ▶ Legislation ▶ Email compromise and other cyber offences ▶ Subscriber checks ▶ Action for search and seizure ▶ Social media ▶ Crypto Currency <p>In addition, the latest training course, developed and delivered by the “Stefan cel Mare” Academy of the MIA (THE ACTIVITY OF CRIMINAL PROSECUTION AND INVESTIGATIONS), contain the topic of <i>Technologies used in the investigation of crimes. The content of this training is not available for review.</i></p>
Search scene training	<p><i>Understanding the needs at the scene for capture, securing & seizing of relevant materials including computer-based data.</i></p> <p>Some ad hoc presentations are delivered by representatives from the Centre for Combating Cybercrime – predominantly delivered to Judges at the NIJ or awareness sessions for annual functions (e.g. Safer Internet Day). The content of the presentation covers the following:</p> <p>Investigation of crimes committed with the use of IT, covering:</p> <ul style="list-style-type: none"> ▶ Data preservation ▶ Legislation ▶ Email compromise and other cyber offences ▶ Subscriber checks ▶ Action for search and seizure ▶ Social media ▶ Crypto Currency
Live data capture	<p><i>Dealing with live & volatile data capture at a search scene for further investigation</i></p> <p><i>No evidence of this training was identified</i></p>

Training Area	Brief Description
Technology in Child Protection Investigation	<p><i>General awareness of the use that technology plays in OCSEA & how it is used to facilitate crimes</i></p> <p>Some ad hoc presentations are delivered by representatives from the Centre for Combating Cybercrime – predominantly delivered to Judges at the NIJ or awareness sessions for annual functions (e.g. Safer Internet Day). The content of the presentation covers the following:</p> <p>Investigation of crimes committed with the use of IT, covering:</p> <ul style="list-style-type: none"> ▶ Data preservation ▶ Legislation ▶ Email compromise and other cyber offences ▶ Subscriber checks ▶ Action for search and seizure ▶ Social media ▶ Crypto Currency <p>In addition, the latest training course, developed and delivered by the “Stefan cel Mare” Academy of the MIA (THE ACTIVITY OF CRIMINAL PROSECUTION AND INVESTIGATIONS), contain the topic of <i>Technologies used in the investigation of crimes</i>. <i>The content of this training is not available for review.</i></p>
Court & Evidence Presentation	<p><i>Preparation of prosecution files & the ability to present OCSEA investigation to the Courts. Specifically delivering technical evidence in a clear and understandable way.</i></p> <p>No evidence of this training was identified</p>
Proactive software	<p><i>Specialist software to assist in the investigation of OCSEA offences – e.g. GRIDCOP, Griffeye</i></p> <p>The IT Crimes investigation Department of the National Investigation Inspectorate of the GIP (Ministry of Internal Affairs) performs the victim identification function. The Centre IT Crimes Investigation Department administers the national database on child pornography victims and their abusers through the “Child Protection Information System”.</p>
Reactive software	<p><i>Software used to process digital evidence captures from which evidence will be produced – e.g. Encase, X-Ways, FTK, Cellebrite, XRY, Oxygen, etc.</i></p> <p>Encase, X-ways, FTK, Cellebrite, Ubersoft, BlueBear, Bit defender have been provided by the US Embassy.</p>
Open Source Investigation	<p><i>Training to identify offences or gather intelligence & supporting evidence (within legislative boundaries) in an evidential manner which can be used</i></p> <p>No evidence of this training was identified.</p>
Legislation pertinent to CESEA	<p>Budapest Convention, Lanzarote Convention</p> <p>The latest training course developed and delivered by the “Stefan cel Mare” Academy of the MIA (THE ACTIVITY OF CRIMINAL PROSECUTION AND INVESTIGATIONS), contain the topic of Transposition of the Lanzarote Convention and the Budapest Convention into the criminal code. <i>The content of this training is not available for review.</i></p>
Undercover Investigation	<p>Performing undercover tasks to identify offences or interact with criminals within legislative boundaries</p> <p>No evidence of this training was identified.</p>

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