

Global Alliance against Child Sexual Abuse Online

Lithuania

Policy target No. 1: Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection

Operational Goal:	Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly
Actions ALREADY UNDERTAKEN	
<i>Description of the actions already undertaken</i>	<ol style="list-style-type: none"> 1. Officers of the Cyber Crime investigation Board of the Lithuanian Criminal Police Bureau (hereinafter – LKPB NEETV) are provided access to the ICSE database managed by Interpol. Three officers of the Board have graduated from the training of the work with the ICSE database. 2. The liability for possession of pornography items containing images of children is provided in Article 309(2) of the Penal Code of the Republic of Lithuania (hereinafter – PC).
Actions that WILL BE UNDERTAKEN	
<i>Description of the actions that will be undertaken and timeframe</i>	As of 1 July 2013, the LKPB NEETV intends to appoint a dedicated officer regularly working with the ICSE database managed by the Interpol.

Policy target No. 2: Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders

Operational Goal:	Establish the necessary framework for the criminalization of child sexual abuse online and the effective prosecution of offenders, with the objective of enhancing efforts to investigate and prosecute offenders
Operational Goal:	Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online
Actions ALREADY UNDERTAKEN	
<i>Description of the actions already undertaken</i>	<p>Legal acts:</p> <p>1. On 13 December 2011, the European Parliament and the Council adopted Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA. Member States including Lithuania shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 18 December 2013. With this taken into account the following amendments to legal acts were drafted:</p> <ul style="list-style-type: none"> - draft Law on the amendment of Articles 8 (liability for crimes committed abroad), 60 (circumstances aggravating the liability), 151 (forcing to sexual intercourse), 151¹ (satisfaction of sexual desire violating the freedom of self-determination and inviolability of an under-age person), 153 (corruption of the minor person), 162 (exploitation of a child for pornography purposes), 307 (profiteering from another person's prostitution), 308 (recruiting into prostitution), 309 (possession of items of pornographic content), and the supplement of the PC by Article 152¹ (seduction of a child) (draft Law No.12-1077-01) (the draft Law has been submitted for consideration to the Seimas); - draft Law on the amendment and supplementing of Articles 9, 55, 154, 186 and 280 of the Code of Criminal Procedure of the Republic of Lithuania (hereinafter – CCP) (draft Law No. 12-1078-01), and the amendment of Article 9 of the Law on Operational Activities (the Law on Operational Activities is invalidated as of 1 January 2013, however, the provision of this law proposed to be amended is relevant for the provision of Article 8(1) of the law on Criminal Intelligence (draft Law No. 12-1081-01) (the draft Law has been submitted for consideration to the Seimas of the Republic of Lithuania). <p>2. By the law No. XI-2368 of 6 November 2012, Seimas of the Republic of Lithuania ratified the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse adopted on 25 October 2007 in Lanzarote.</p> <p>For the purpose of implementing the provisions of this Convention the States signatories have undertaken to take all necessary legislative and other measures with a view to ensuring that any intentional exploitation of children is prosecuted, including sexual exploitation of children in the internet environment.</p>

3. On 8 February 2013, the Prosecutor General of the Republic of Lithuania approved the Strategic Action plan of the Prosecutor's General office providing that criminal prosecution for sexual exploitation of children is a priority area of activities of the institution. The priority focus for criminal prosecution of criminal actions related to the sexual exploitation or sexual violence against children is a consistent follow-up of a number of previously implemented measures. The purpose of the measures is to intensify actions of pre-trial investigation, shorten to a maximum extent the term for collection of the material for expertise and the appointment of the expertise; implement the principle of one inquiry of a child; reduce the number of pre-trial investigations completed within longer than 12 months, of repealed decisions to refuse to initiate a pre-trial investigation on non-rehabilitating basis; increase the ratio of fully investigated crimes of the type by referring the cases to court in relation to the total number of the criminal actions of the category recorded; ensure that prosecutors file claims for the indemnification of non-property damage.

4. Article 176 of the PC requires initiating a pre-trial investigation within the shortest terms possible, and par. 2 of the same Article provides that a pre-trial investigation must be a priority in the cases in which the suspects have been detained, also in the cases in which the suspects or victims are minors. The responsibility to ensure that the pre-trial investigation is not unjustifiably protracted is borne by a prosecutor, therefore the Prosecutor General by his Order No. I-142 of 15 October 2010 approved the Description of the time limits of a pre-trial investigation (version of Order No. I-300 of 5 October 2012). Item 5 of the Description provides that a pre-trial investigation concerning criminal activity against the freedom of determination and inviolability of minors is considered a matter of highest priority, and must be completed within a shortest term possible, and in any case within not longer than 4 months.

With a view to ensuring a successful criminal prosecution of criminal activities related to sexual exploitation of children the Strategic action plan of the Prosecutor's General Office for 2013-2015 provides for an objective to ensure that the number of cases in the category the pre-trial investigation of which has been completed within 4 months from 42% in 2013 increases to 46%, and the number of pre-trial investigations carried out for longer than 24 months decreases, respectively from 8% to 6%.

With a view to accelerating the expert investigations in the cases of the category on 18 January 2011 the Prosecutor General by his Order No. I-4 approved the Recommendations concerning assigning the tasks to specialists and experts, providing that expert investigations concerning criminal acts against the freedom of self-determination and inviolability of a person, committed against a minor are of priority importance and upon a motion of a prosecutor may be examined as a matter of urgency.

Appointment of specialised prosecutors and officers

The specialisation of prosecutors in the area of juvenile justice in the Prosecutor's General Office and in territorial prosecutor's offices is established in the Recommendations concerning the specialisation of

	<p>prosecutors in criminal proceedings and pre-trial investigations. For the purpose of implementation of the provisions of the Recommendations all prosecutor's offices have appointed prosecutors specialised in the area of juvenile justice, that according to their competence organise and manage pre-trial investigations, carry out the control of the criminal prosecution actions of officers of pre-trial investigation, support the state indictment in criminal cases and control the enforcement of judgements.</p> <p>Training</p> <p>The prosecutors specialising in the area of minor justice engage in professional development by participating in:</p> <ol style="list-style-type: none"> 1. inter-agency qualification enhancement programmes organised by the Training centre of the National Courts Administration: 5-8 December 2011 – a 25 academic hours workshop "Juvenile justice", on 19-22 March 2012, and 17-19 December 2012 – a 24 academic hours workshop "Juvenile justice". 2. International conferences and training hosted by the PI Children Support Centre: On 5 November 2010, at the conference "Strengthening of protection of children from foster homes against violence and sexual exploitation in Lithuania. Inter-institutional approach". on 24 May 2011, at the conference "Child – a victim of violence: inter-agency approach and international experience"; on 12-13 June 2012, training "Inquiries of children victims and witnesses of violence. Methods and recommendations on working with children; on 28 September 2012, at the national conference "Protect the early youth".
Actions that WILL BE UNDERTAKEN	
<p><i>Description of the actions that will be undertaken and timeframe</i></p>	<ul style="list-style-type: none"> • In cooperation with the Training centre of the Lithuanian police the Prosecutor's General office is planning to arrange in second half of 2013 joint training of specialised prosecutors, judges and pre-trial investigation officers concerning sexual exploitation of children the agenda whereof will also include training of the issue concerned. • The Lithuanian Criminal Police Bureau submitted an application No. PA-GRo_521 according to the Nordic-Baltic mobility programme for public administration, concerning the project "Combating sexual exploitation of children online". Within the framework of the project in September-December 5 officers of the LKPB will be visiting the law enforcement institutions of Norway and Sweden to participate in meetings with officers of divisions investigating facts of sexual exploitation of children online. The purpose of the visits is to exchange in best practice, experience in research and establish direct contacts, in addition to overall improvement of international cooperation in this area.

Policy target No. 3: Enhancing efforts to increase public awareness of the risks posed by children's activities online, including grooming and self-production of images that results in the production of new child pornography that may be distributed online

<p>Operational Goal:</p>	<p>Develop, improve, or support appropriate public awareness campaigns or other measures which educate parents, children, and others responsible for children regarding the risks that children's online conduct poses and the steps they can take to minimize those risks</p>
<p>Operational Goal:</p>	<p>Share best practices among Global Alliance countries for effective strategies to inform the public about the risks posed by online, self-exploitative conduct in order to reduce the production of new child pornography</p>
<p>Actions ALREADY UNDERTAKEN</p>	
<p><i>Description of the actions already undertaken</i></p>	<p>The prosecutors specialising in juvenile justice are actively participating in different prevention programmes with a view to strengthening the cooperation between the institutions in the area of juvenile justice, they cooperate with specialists of the Children's rights protection Services, also from Education divisions of municipalities, employees of neighbourhoods, heads of schools and social pedagogues.</p> <p>Considering that joint efforts of territorial prosecutor offices and Children's right divisions of municipality administrations may contribute to a more efficient protection of children's rights and their legitimate interests, and seeking to ensure a closer cooperation between territorial prosecutor's offices and the children rights protection divisions, also to improve the protection of children's rights in criminal proceedings, on 27 January 2011 the General Prosecutors' Office of the Republic of Lithuania, the Ministry of Social Security and Labour, and the Institution of the Ombudsman for the Children Rights of the Republic of Lithuania concluded a cooperation agreement No. 17.3-40/D4-45/11-1.</p> <p>Prosecutors are frequent visitors to schools, children foster homes, where they have a chance to communicate with the children, pedagogues, and are frequent participants at meetings of children's parents, are active in delivering lectures to school children trying to help them acquire legal knowledge. Notable is the contribution of the Panevėžys region prosecutor's office in disseminating legal knowledge to schoolchildren: the contest on legal awareness "Temidė" for 9-12 grade schoolchildren of Panevėžys region has been organised since 1996. Within that period the contest developed into a national event and the final national round is held every year in Panevėžys. This contest-quiz contributes to the enhancement of legal awareness and education of schoolchildren, and offers to schoolchildren an opportunity to meet in an informal environment representatives of law enforcement institutions and learn more about the rights and duties of minors.</p> <p>The Lithuanian Police has concluded an agreement on cooperation with the Lithuanian Communications Regulatory Authority (hereinafter – CRA) (of 31 December 2012 No. 5-IL-2142/(7.2)-1E-121) concerning the project "Lithuanian Awareness, Hotline and Helpline Actions for Safer</p>

	<p>Internet". The website of the project www.draugiskasinternetas.lt. It presents the information in the Lithuanian language meant for children and parents about different threats in the internet. The internet "Hot line" www.draugiskasinternetas.lt has been operational since 2007, and since 2008 it has been a member of the international internet hot line association INHOPE.</p>
<p>Actions that WILL BE UNDERTAKEN</p>	
<p><i>Description of the actions that will be undertaken and timeframe</i></p>	<p>Shortly the General Prosecutor's Office (in July 2013) plans to become a partner for a social campaign about the safety of children online "You never know who is on the other side" launched on 4 December by the Children Support Centre. This social campaign is part of the project implemented by the Children Support Centre "Prevention and Intervention into sexual exploitation of children". The project is supported by the crime prevention programme of the Directorate-General of Internal Affairs of the European Commission. The purpose of this campaign is to draw the attention of children to threats posed by communication on internet and meetings in real life and enhance the safety of children and teenagers on internet. The campaign has been designed to children, teenagers and adults having or working with children.</p>

Policy target No. 4: Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimization of children whose sexual abuse is depicted

Operational Goal:	Encourage participation by the private sector in identifying and removing known child pornography material located in the relevant State, including increasing as much as possible the volume of system data examined for child pornography images.
Operational Goal:	Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation
Actions ALREADY UNDERTAKEN	
<i>Description of the actions already undertaken</i>	<p>The website of the internet hotline at www.draugiskasinternetas.lt offers a facility to notify of any cases of sexual exploitation of children noticed on the Internet.</p> <p>In fulfilling its functions related to the hotline and obligations under the agreements with the Police Department under the Ministry of the Interior, and the Service of the Ombudsman of Journalists' Ethics the CRA communicates any notices received about illegal contents on Internet to the institutions concerned. The cooperation agreement between the CRA and the Police Department under the Ministry of the Interior provides for the Notice and Take Down Procedure (NTD). The Police Department under the Ministry of the Interior provides to the CRA on a quarterly basis reports on the investigation of the notices received by the hotline.</p>
Actions that WILL BE UNDERTAKEN	
<i>Description of the actions that will be undertaken and timeframe</i>	According to the data provided by the CRA, the authority plans in 2013 to initiate the signing of the Code of Ethics of internet service providers, that will provide for the Notice and Takedown procedure.