

Global Alliance Against Child Sexual Abuse Online – 2014 Reporting Form

SLOVENIA

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.

A) Please report on implementation of any measures announced in your country's 2013 report

As we announced potential measures in our first report (2013),

we implemented as follows:

- Implementation of Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA,
- Implementation of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA,

we ratified as follow:

- Ratification of Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse CETS No.: 201.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

- Necessary steps toward connection to ICSE DB (organisational) were made,
- In the moment of reporting, the official response from European Commission is awaited on approval of potential reprogramming of the project FACE TRACE (getting funded for equipment),
- This would help us to get connected as indicated in point C) below.

C) Please indicate specific actions that your country will undertake as a follow-up

In the future Slovenia will undertake actions as indicated:

1. Connecting with Interpol's ISCE DB (**by the end of 2014 or early 2015**);
2. Setting up a national database regarding CAM (NSCE DB) (**optional, in approx. 2017**), which will be connectable to ISCE DB;
3. Implementation Of Directive 2012/29/EU Of The European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and

protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (**Time frame: 16. November 2015**).

4. Implementation of future Directive on attacks against information systems, replacing Framework Decision 2005/222/JHA (**Time frame: 2 years after adoption**).

As permanent actions, we see the below mentioned tasks:

1. Monitoring the needs to change legislation in the area of personal data, electronic communications, protection and security of victims, use of covert investigative measures, competences of the police and other authorities while respecting human rights and fundamental freedoms (**a permanent duty**);
2. Training investigators, prosecutors and judges at home and abroad (**a permanent task**);
3. Acquiring the necessary funds from the national budget or through calls for proposals, e.g. of the European Commission (**a permanent task**);
4. Performing own or joint international operations (**a permanent task**);
5. Improving cooperation with Internet service providers (ISP) and mobile network operators (**a permanent task**);
6. Searching for solutions to improve work methods and tactical approaches (**a permanent task**);
7. Efforts for improvement of the existing number of qualified investigators (**a permanent task**);
8. Efforts for setting-up of a National Victim Identification Point, by taking into account Interpol resolution no. AG-2011-RES-08 (**a permanent task**).

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.

A) Please report on implementation of any measures announced in your country's 2013 report

With regard to measures mentioned in our first report (2013), we ratified/implemented many international treaties, directives and standards, especially we stress these:

- UN Convention on the Rights of the Child (Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990),
- UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000, entered into force on 18 January 2002),
- Council of Europe Convention on Cybercrime, ETS No. 185 (Budapest Convention, 23 November 2001),
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse CETS No.: 201 (Lanzarote Convention, 25 October 2007),
- Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating sexual abuse and sexual exploitation of children, and child pornography, replacing the Council Framework- Decision 2004/68/JHA,
- ILO Worst Forms of Child Labour Convention, 1999 (No. C182).

According to a/m documents, national legalisation was improved in order to protect children from sexual exploitation, abuses or slavery; they are presented as criminal offenses, content is mainly implemented in the Slovene Criminal Code (CC-1), i.e.

- Rape (Article 170, CC-1),
- Sexual assault (Article 171, CC-1),
- Sexual abuse of defenceless person (Article 172, CC-1),
- Sexual assault against person, below fifteen years of age (Article 173, CC-1),
- Criminal offence of child grooming (Article 173a, CC-1),
- Violation of sexual integrity by abuse of position (Article 174, CC-1),
- Misuse of prostitution (Article 175, CC-1),
- Presentation, manufacture, possession and distribution of pornographic material (Article 176, CC-1),
- Forcing into slavery relationship (Article 112, CC-1), and
- Trafficking in human beings (Article 113, CC-1).

Considering the context of GA we would like to point out that if the sexual crimes against children were committed abroad (anywhere in the world) and the offender is caught in Slovenia or expatriated to Slovenia, the prosecution against the offender is possible.

Slovenian Criminal Police wish to stress not to use the wrongful and offensive terminology “child pornography” anymore, and they suggest to use “child (sexual) abuse material” (CAM/CSAM) or “child (sexual) exploitation material” (CEM/CSEM). It is a recommendation from experts in the CSE area.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

Slovenia invited the Europol delegation to visit Criminal Police Department in order to present their work; part of this visit was designated to child sexual exploitation area only (Europol’s Road Show). The investigators were able to get the know-how directly from the Europol officers, which resulted in increase of intelligence sent to Europol’s focal point Twins.

Slovenian Criminal Police implemented in its daily work the so-called data loader to ensure sending the relevant information to the Europol Information System (taking into account the Europol mandate).

Slovenian Criminal Police have joined the Europol’s initiative, called Raven (Haven), which is meant to get more knowledge on the offenders that will be prosecuted or charged with the sexual offenses against children in other member states.

Ministry of Justice is now part of ECRIS system (European Criminal Records Information System), which means computerized system to achieve an efficient exchange of information on criminal convictions between EU member states. This means that Slovenia took care of its criminal records accurately and up-to-date even with technical solutions.

Slovenian Criminal Police have done the classification scale for the Child Abuse Material (CAM), which shall be used for investigative purposes nationally and internationally. The accepted classification will be part of national CSE database, to be established in the future. Classification scale was also presented at the closing conference of the IN-4-MATION project in Amsterdam (NL).

Trainings of our investigators, prosecutors and judges were done, but the trainings will still remain on our agenda in the future.

Slovenian authorities are continuing its goal to cooperate with industry, NGOs and other relevant parties as partners to achieve better protection and solutions in favour of all children.

C) Please indicate specific actions that your country will undertake as a follow-up

1. Some changes in the national legislation are in progress: Criminal Procedure Act (suggestion to CPA-M /ZKP-M/) of using technical sophisticated secret measures (to improve receiving personal data and information on internet users from internet service providers/information society providers, using the IMSI catcher) **(in years 2014/2015)**.
2. Accurate and up-to-date keeping data collection under Art. 84 of the CC-1 **(permanent task)**,
3. Improving and upgrading the level of cooperation with Internet service providers and mobile telephony operators as well as other interest groups **(permanent task)**,
4. Training of investigators, prosecutors and judges in the field of CAM at home and abroad **(permanent task)**,
5. Acquiring appropriate equipment for covert investigative measures and inspection of

seized CAM materials (in three years, since 1st report).

Operational Goal: Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online.

A) *Please report on implementation of any measures announced in your country's 2013 report*

Slovenian Criminal Police were a part of the international IN-4-MATION project, that was meant to built up a roadmap on CAM (Child Abuse Material) and on TCSO (Transnational Child Sexual Offenders), with the purpose of improving investigative measures (synchronisation of criminal investigations among project partners). The NL was leading the project, the partners were: SI, BE, DK, SE, Interpol and Europol. The findings were presented at the international conference in NL.

Slovenia is a part of EU Policy Cycle (MASP), which means that the Slovenian Criminal Police have a representative (expert in CSE area) in EMPACT Cybercrime CSE area. The EMPACT meetings are held several times a year/each year, where important topics are discussed by the experts from EU MS (28), NO, CH, Interpol, Eurojust, and Europol in order to find solutions, networking and getting better results:

- How to protect children on-line, from the abuse and further abuse,
- Tools and techniques used,
- Exchanging information, data and intelligence,
- Using the databases, systems,
- Legal issues and boundaries,
- Victim identifications,
- Promoting the joint investigating teams (JITs)
- Educating, training,
- Joining in different initiatives or projects,
- etc.

Experts from Slovenian Criminal Police are trying to do their best to establish the good baseline for their work process.

B) *Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance*

As explained, the Slovenian Criminal Police were an active part of the IN-4-MATION project, and it is active at the other initiative that gave us some newer overlook in this area:

- What to adapt in daily work (preparations, investigations, data checking, intelligence gathering, sharing the information, etc.),
- Findings in what way the legislation might be changed or upgraded (TCSO, dividing into serious and organised crime area on one hand and other crimes on the other, rules on sharing information on convictions in CSE area),
- Learning about different approaches to train the investigators, and trainings as well,
- The meaning of internal cooperation, with partners and internationally (global, EU, elsewhere),
- Seeing trends in criminal activities in the area CSE/TCSO,
- Finding tools and techniques for investigating and their implementation in daily work.

So, Slovenian Criminal Police are aware of the potential steps to be made in future. What was stressed was the recognition of potentials, various changes and developmental possibilities, trainings, cooperation and networking among experts.

C) Please indicate specific actions that your country will undertake as a follow-up

1. Built up and implement tools in daily work (**in next 2 years**),
2. Making new approaches in daily work (**in next 2 years**).

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.

Operational Goal: 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.

A) Please report on implementation of any measures announced in your country's 2013 report

Slovenian Criminal Police were a part of many preventive and awareness campaigns, in which the investigators visited many primary or secondary schools in the country to present the "good" and "bad" sides of the Internet. On the other hand, the Police have their own campaigns named:

- "Nekatere skrivnosti ne smejo ostati skrite" (eng. Some secrets should not be kept hidden),
- "Policist Leon svetuje" (eng. Officer Leon advises),
- "Policija za otroke z lutkovno igrico 113" (eng. Police for children with a puppet show 113 [the number is the emergency police line]),
- "Policist Beno! Kaj pa zdaj?" (eng. Officer Beno! Now what?).

All these campaigns are focused on awareness rising, they differ only in the age of population (various stages of child development); all of them have different life situations explained and the children can talk about them, how they could solve their problems or problems of their peers.

Some extra lectures were given at faculties, e.g. Faculty of Education, Faculty for Criminal Justice and Security, Police College.

Also, the responses were given to press and wider media in the CSE area, for the purpose of awareness rising.

Slovenian Criminal Police are also a partner in the Council of Safer Internet (CSI) [web-site: safe.si], established at the Faculty of Social Sciences, where different national topics related to children and Internet are discussed, and then actions are taken in schools or in public (for children, parents, social workers, teachers, counsellors). The partners in the CSI are: governmental and non-governmental organisations, industry, social services, companies, academia, ombudsman, data protection commissioner, criminal police etc.

Every autumn, a wider conference is organised by the Police and Slovenian INHOPE point (Spletno oko; spletno-oko.si); with different topics for participant with various fields of expertise, but with focus on CSE matters.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

As announced, the Police, with relevant partners, have reached the operational goal by

- Performing of preventive activities (a permanent task);
- Cooperating with the media and press releases (a permanent task);
- Teaching and training, lectures for school staff, school headmasters, counselling service staff (permanent task);

C) Please indicate specific actions that your country will undertake as a follow-up

1. Continue with preventive measures (**a permanent task**),
2. Cooperation with the media and press releases (**a permanent task**),
3. Teaching and training, lectures for children, parents, school staff, school headmasters, counselling service staff (**a permanent task**).

Operational Goal: 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.

A) Please report on implementation of any measures announced in your country's 2013 report

[Please, see above the points where the IN-4-MATION project and EMPACT are presented.]

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

As announced as well:

- Publicise relevant information on websites of governmental institutions (published on Police web-site);
- Updating the brochure on sexual violence (published on Police web-site).

C) Please indicate specific actions that your country will undertake as a follow-up

1. Updating the brochure “When I am a victim of a criminal offence” (**by the end of 2014 or early 2015**).
2. Publicise relevant information on government institutions websites – updating according to trends (**a permanent task**).

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.

A) Please report on implementation of any measures announced in your country's 2013 report

Preparations and discussions on the issues of blocking, removal or filtering the CSE content (CAM) are in progress. Next steps will be taken afterwards.

Slovenian Police cooperate with the INHOPE point Slovenia (Spletno oko), which has the ability to collect and inform the police of the published CSE material. These reports are processed by the police.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

As mentioned in 1st report, Slovenian authorities are encouraging establishment of public-private partnerships in the area of identifying child abuse contents and their removal, which remains the permanent task. As well, the study of national legislation is not completely done, when talking from the point of view of 'the existence of obstacles for the private sector in connection with the identification of child abuse contents and their removal'.

The task is not done yet; finding the solutions is still the main goal.

C) Please indicate specific actions that your country will undertake as a follow-up

A special meeting with relevant actors will be taken in near future, then steps forward will be taken as a result of the meeting.

Operational Goal: Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation.

A) Please report on implementation of any measures announced in your country's 2013 report

If the reports or complaints shall be sent to the Police, the Police would process them and make the potential requests for NTD procedure ASAP. So far, all the providers are cooperating and therefore we see no problems.

B) Please assess progress made in your country to pursue this shared policy target and to reach this operational goal of the Global Alliance

The speed of NTD procedures cannot be increased any further due to capabilities issues (organisational, staff).

C) Please indicate specific actions that will be undertaken as a follow-up

Future tasks would still remain:

1. Studying national legislation from the point of view of ‘the existence of obstacles for the private sector in connection with the identification of child abuse contents and their removal’ (**permanent task**),
2. Promoting, within Slovenian competence, the development and use of technologies for the identification and removal of pictures depicting sexual abuse of children (**permanent task**),
3. Maintaining good international cooperation in the field of strategic planning for the removal of child abuse contents so that countries can develop consistent approaches and exchange information (**permanent task**).

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