

GLOBAL ALLIANCE AGAINST CHILD SEXUAL ABUSE ONLINE

Hungary

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

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

Actions ALREADY UNDERTAKEN

<i>Description of the actions already undertaken</i>	<p>Legislation</p> <p>Hungary adopted a new Criminal Code (hereinafter: new CC) which will enter into force on 1st of July in 2013, The rules of the new CC concerning child sexual abuse and child pornography comply with the 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, The provisions of the new CC conform to the Lanzarote Convention as well (Hungary signed the Lanzarote Convention In 2010 and the preparation of the ratification Is currently In progress.)</p> <ul style="list-style-type: none"> • The Chapter XIX of the new CC contains the criminal offences against the freedom of sexual life and sexual morality. This Chapter includes criminal offenses such as exploitation of child prostitution and child pornography. • There is a new provision in the new CC {Subsection (3) of Section 52} concerning disqualification from profession. <p><i>"(3) Offenders who committed crimes against the freedom of sexual life and sexual morality against a person under the age of eighteen may be disqualified from practising any profession or activity that involves the education, supervision care or medical treatment of persons under the age of eighteen or any other relationship of power or influence over such persons "</i></p> <ul style="list-style-type: none"> • The new CC introduced a new measure, namely rendering electronic data permanently inaccessible (Section 77 of new CC), The currently effective provisions are: <p><i>"(1) Data published on electronic telecommunication networks shall be rendered permanently inaccessible if</i></p> <p><i>a) the publication or making accessible of the data is a criminal offence</i></p> <p><i>b) the data was used for committing a criminal offence; or</i></p> <p><i>c) the data was created through a criminal offence,</i></p> <p><i>(2) Rendering electronic data permanently Inaccessible shall be ordered even If the perpetrator cannot be punished due to being a child, due to mental incapacity or a reason excluding punishability defined by law, or if the offender has been reprimanded,"</i></p> <ul style="list-style-type: none"> • In parallel with these rules, it was necessary to establish a new coercive measure during the criminal proceedings which has similar purposes but it only temporary hinders to access the electronic data. Therefore some new provisions were also introduced in the Act XIX of 1998 on Criminal Proceedings (hereinafter: CP). The rules of the new coercive measure, namely rendering electronic data
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temporarily (Section 158/B-D of the CP) will enter into force on 1st of July 2013.

- The third step is to establish the rules of legal assistance for the purpose to send/receive requests for legal assistance to/from another State concerning the rendering Inaccessible a website. This work is currently in progress

Practice

In case a child sexual abuse case is reported to the internet Hotline operated by the National Media and Infocommunications Authority (NMIAH), the hotline examines the case and if it is illegal reports it to the Hungarian Police and after the Police gives its approval, the hotline calls the provider to disable access to the contested content. In case the illegal content is hosted abroad, the hotline reports it to the INHOPE (International Association of Internet Hotlines) association so the competent hotline can proceed in the case,

With the above mentioned measures, the Internet Hotline identifies and helps the complainants and victims and assists in detecting the perpetrators.

The Ministerial Decree 32/2011, (XI.18.) of the Ministry of Public Administration and Justice regulates the circumstances for the hearings of children, based on which child-friendly hearing rooms are being created throughout the country. These child-friendly hearing rooms at police stations make it possible for experts to hear children under special circumstances suited to the child's age and level of development with the minimum trauma possible. According to the Ministerial Decree such hearing rooms will be available at all county seats by 2014,

A special signaling system is operated in order to protect the child's best interest, Whenever the Victim Support Service (VSS) become aware of a minor exposed to threats of crime, it shall immediately call the attention of the child welfare agency. If the circumstances disclosed by the service seem to expose the minor's life or physical integrity to serious threats or risks, the VSS shall simultaneously initiate the proceedings of the guardian court. 1rs 2011, the Office of Public Administration and Justice established a methodological guideline relating to the signaling system. The guideline aims to develop and improve protocols and standard procedures to identify victims and to provide a more efficient assistance to child victims. The document gives guidance to the capital/county victim support services on the fulfilment of their obligations related to the signaling system. In 2012 the Office of Public Administration and Justice requested the capital/county services to provide monthly updated data service on the local realization of the signaling system. These summarized statistics facilitate carrying out the above mentioned tasks in a more organized and effective way.

The forms of victim assistance set forth in Act CXXXV or 2005 on Crime Victim Support and State Compensation (hereinafter: Victim Support Act) are available for child victims too. in the context of child victims one of the most important forms of providing help is the psychological assistance within the service of facilitating the protection of the victims' interests. At present this service is available in 8 Hungarian counties. However, our goal is to widen the availability.

Our dedicated law enforcement (LE) unit has access to the ICSE database,

Cooperation and coordination is smooth with the responsible international partners,

We have already contributed with images as well

Thanks to some measures as well that have been implemented to support children friendly justice system we can provide appropriate services to all victims,

	The effective investigatory tools are already available thanks to the rules of CP in Sections 200-206.
Actions that WILL BE UNDERTAKEN	
<i>Description of the actions that will be undertaken and timeframe</i>	<p>The internet Hotline plans to launch a Facebook site and continue its present campaign to improve public awareness regarding the risks of using internet or social network sites and to educate the users about safe and responsible use of Internet, Furthermore the hotline intends to s in schools and various events to promote its activity.</p> <p>We will develop a national protocol and guidance to improve our procedure on identification by the end of 2014</p> <p>We will increase the number of identified victims in the ICSE database by 10% yearly.</p>

Policy target No. 2: Enhancing efforts to investigate cases of child sexual abuse online and to identify 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 <u>already undertaken</u></i>	
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<i>Description of the actions that <u>will be undertaken</u> and timeframe</i>	
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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

Description of the actions already undertaken

The National Media and Infocommunications Authority's key objective is to improve public awareness regarding the risks of using internet or social network sites and to educate parents, teachers and children about safe and responsible use of online technology and mobile phones and conscious media consumption.

For this reason, the website of the internet Hotline (www.internethotline.hu) contains several materials regarding the above mentioned topics for teachers, parents and children, « Furthermore, the internet Hotline informs the complainants about the necessary steps to be taken to avoid the cases similar to the reported crimes.

Regarding child sexual abuse material cases in the Internet Hotline reports the Hungary hosted content to the Police and calls the provider to disable access to the illegal content. The internet Hotline reports the foreign hosted content to INHOPE.

The Biztonsagosinternet Hotline provides training courses on demand for children, teachers and parents that deal with current information security awareness topics.

The Biztonsagosinternet Hotline, together with the Safer internet HU members, addresses the media with press releases in any urgent on current information security awareness topics.

The Biztonsagosinternet Hotline lays special emphasis on awareness in privacy issues.

The Biztonsagosinternet t Hotline maintains a public awareness section on its website ([www. Biztonsagosinternet.hu](http://www.Biztonsagosinternet.hu)) that provides easily understood descriptions of IT security related topics as well as basic; respective legal regulations.

We have already set up a specialized police unit to handle important cases, to support other investigations and operate as national focal point within the different cooperation formations.

We continuously try to share, negotiate and solve problems concerning the operational cooperation and information exchange as well as legal obstacles in this field. We are members in several expert networks both on policy making and operational level,

New technologies always set us challenges, so we try to build up closer partnerships with the private sphere (companies, NGOs) and with universities in the field of S&D.

We attach great Importance to training not only for the staff at the special unit, but also for others in the first line at local level.

We participate in and support the Virtual Global Task Force

Actions that WILL BE UNDERTAKEN	
<i>Description of the actions that <u>will be undertaken</u> and timeframe</i>	<p>The Internet Hotline plans to launch a Facebook site and continue its present campaign to improve public awareness regarding the risks of using internet and social network sites and to educate the users about safe and responsible Internet use. Furthermore the hotline intends to take presentations in schools and various events to promote its activity.</p> <p>The Biztonsagosinternet Hotline is planning to update the awareness raising content on its website. Timeframe about 1 year.</p> <p>The Theodore Puskas Foundation is maintaining the Saferinternet.hu website that will be upgraded by mid-2013;</p> <p>The Biztonsagosinternet Hotline is willing to take part in widespread public campaigns In awareness-raising, where public and Industry stakeholders build a common programme in awareness raising. Timeframe next 2 years.</p> <p>The Theodore Puskas Foundation Is willing to take part in any national initiative that will aim to include information security In the national curriculum,</p> <p>We will build up a national network of LE local experts in this field by the end of 2015,</p> <p>We will promote continuously, facilitate and support International law enforcement investigation with a Hungarian link among Global Alliance countries that dismantle networks of child sex offenders online, including, where appropriate, the setting up and use of Joint Investigation Teams.</p> <p>LE experts will contribute further to the trainings of judges and prosecutors,</p> <p>We will develop continuously our forensic capacities and techniques</p>

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
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Actions ALREADY UNDERTAKEN	
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<i>Description of the actions <u>already undertaken</u></i>	<p>The National Media and Infocommunication Authority operated Internet Hotline website (www.intenrhonline.hu) contains several materials about safe internet use, so about appropriate online behaviour or necessary steps to avoid becoming a victim of online crimes,</p> <p>LE is present in all related conferences and active partner in all campaign events.</p>
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Actions that WILL BE UNDERTAKEN	
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<i>Description of the actions that <u>will be undertaken</u> and timeframe</i>	<p>The Internet Hotline plans to launch a Faeebook site and continue its present campaign to increase public awareness regarding the risks of using internet and social network sites and to educate the users about safe and responsible internet use. Furthermore the hotline intends to take presentations in schools and various events to promote safer internet use.</p>
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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

Description of the actions already undertaken

The National Media and Infocommunications Authority (NMIAH) operates the Internet Hotline service, that was created to allow the reporting of illegal, especially pedophile online contents.

The Internet Hotline has the best practices to identify the server of the child pornographic contents so the Hotline can take the necessary steps to carry out the notice and take down procedure toward the ISPs.

The NMIAH and so the Internet Hotline cooperates with the Hungarian Police in the field of combating illegal online content, especially child pornography material and reports the pedophile contents to the Police. After reporting the illegal contents to the Police the Internet Hotline takes the necessary steps to remove the child pornographic content from the internet,. In case the illegal content is hosted in Hungary or the content is presumably uploaded by Hungarian citizens, the Hotline reports the crime to the Police and calls the provider to disable access to the contested contents. If the abroad, the internet Hotline reports the content to the INHOPE (International Association of Internet Hotlines) organization, after that the competent hotline can take steps to remove the contested content, The INHOPE membership makes it possible to proceed faster and more efficiently in connection with pedophile contents.

Furthermore, the NMAIH has cooperation agreements with several governmental, civil organizations; ISPs.

The Biztonsagosinternet Hotline was established in 2011, in the framework of the Safer Internet Action Plan, to provide a reporting point for harmful and illegal content; with special focus on CSAM and xenophobic content. The hotline is hosted by the Theodore Puskas Foundation,

The Biztonsagosinternet Hotline has a signed MoU with national police that designates a reporting point for the hotline to forward illegal content. This is a baseline requirement for INHOPE membership.

The Biztonsagosinternet Hotline has a well-established working relationship with the Budapest Police HQ Dept. of Computer Crime Subdivision, as the designated contact point to the hotline.

The Biztonsagosinternet Hotline has a signed MoU with the Hungarian TLD registrar that provides a mechanism for the revocation of .hu domain names in cases of continuous breaches against code of conduct. This process is called the Hotline Arbitration Forum.

The Biztonsagosinternet Hotline has received INHOPE membership in 2012, thus becoming a member of the International network of hotlines.

	<p>The Biztonsagosinternet Hotline has a cooperation agreement with the hotline of the National Media and Infocommunications Authority.</p> <p>The Biztonsagosinternet Hotline has an MoU with the Kék Vonal Child Crisis Foundation, the host of the Helpline in the framework of the Safer Internet Action Plan, that details the main protocols of case handling.</p> <p>In order to avoid further and secondary victimization; the Victim Support Service (VSS) shall counsel all its clients on the ways of avoiding multiple victimization with regard to the type of the criminal act (based on the Section (9) Subsection (1) Point e) of the Victim Support Act). In the cases of child victim, this form of assistance is provided for the legally appointed representative of the child since most of the time children turn to the VSS accompanied. This counselling includes crime prevention advices to the clients. If there is a danger of secondary victimization the victim support advisor contacts the proper Institutions of the social welfare system. Hand-outs relayed to the victims by the police helps the VSS to offer its client widespread coverage.</p> <p>LE concluded several cooperation agreements; with all the relevant national hotlines and service providers.</p> <p>We have Implemented all binding instruments of the EU.</p>
<p>Actions that WILL BE UNDERTAKEN</p>	
<p><i>Description of the actions that <u>will be undertaken</u> and timeframe</i></p>	<p>The NMAIH plans to maintain the present and good operating cooperation with the Police and other organizations, ISPs in the future and to set up more cooperation agreements with others to make its work more efficient.</p> <p>The Biztonsagosinternet Hotline is willing to build cooperation with ESPs/ISPs that aims to filter/cleanse networks of CSAM. There are special tools (photoDNA) provided for this by global vendors that the hotline can facilitate in sharing. Legal preparations should involve about 1 year.</p> <p>In support of the efficient actions against the abuse and sexual exploitation of children, the Office of Public Administration and Justice participates as a partner in the international tender “successful multi-agency working to safeguard children: a European guide and blended training among law enforcement officers & key agencies”. The tender was to be submitted to the European Commission! and is related to "ISEC Call for proposals restricted to Framework Partners 2012”. The project will make recommendations and offer guidance, in the form of an online guide, on how to form a successful professional chain for children exposed to different forms of violence, exploitation and abuse.</p> <p>We will set out guidelines and model for cooperation between the private sector and law enforcement authorities by the end of 2014.</p> <p>We should ensure regular and appropriate feedback by the LE authorities.</p>