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ARRS

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PREVENTION OF SEXUAL EXPLOITATION AND SEXUAL ABUSE OF CHILDREN

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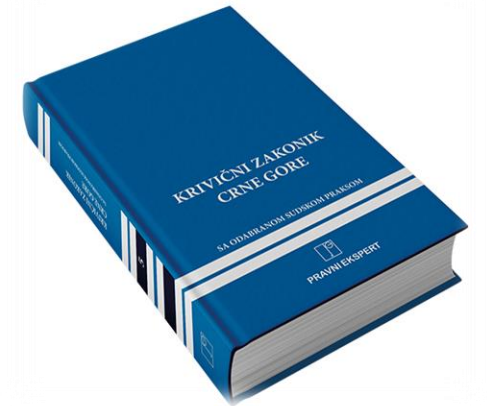
Introduction



- In this work, we will talk about sexual exploitation and abuse of children in Montenegro and internationally. We will talk about the current situation in Montenegro, explain how it is regulated in our legislation, give several examples, and how it is possible to improve the prevention of such crimes.
- Any kind of violence is unacceptable, and when sexual abuse happens the system must be ready to provide effective and timely protection to the victim, as well as to punish the perpetrator adequately.

Laws in Montenegro

- **Constitution** - a child is guaranteed special protection from any form of exploitation or abuse
- **Criminal Code of Montenegro** - *Criminal offenses against sexual freedom*
 - 1. Forbidden sexual acts with a child
 - 2. Pimping and facilitating sexual intercourse
 - 3. Intermediation in prostitution
 - 4. Child pornography
 - 5. Inducing a minor to witness the commission of criminal offenses against sexual freedom
 - 6. Enticing a child in order to commit acts against sexual freedom
 - 7. Rape



CHILD PORNOGRAPHY – Criminal Code of Montenegro

(Article 211)



- Child pornography is considered to be any material that visually depicts a child engaged in real or simulated sexually explicit behavior and any depiction of a child's sexual organs for primarily sexual purposes.¹
- Anyone who makes any items of pornographic content available to a child or shows a pornographic performance to a child shall be punished by imprisonment from six months to five years.
- Whoever induces or uses a child for the production of images, audiovisual or other items with pornographic content or for a pornographic performance, shall be punished by imprisonment from one to eight years.

Strategy of Montenegro for prevention and protection of children from violence

- **Specific strategic goals:**
- 1. Improvement of legislation and implementation of policies that protect children from all forms of violence
- 2. Improvement of the institutional framework for professional, high-quality and more efficient child care and protection
- 3. Strengthening the judicial system to protect children from violence and to work in the best interest of the child
- 4. Developing life skills and resilience in children in order to prevent violence and its consequences
- 5. Creation of a system for monitoring, evaluation and research





Measures to prevent sexual exploitation of children



Primary level	Secondary level	Tertiary level
Education and raising awareness	Early identification and intervention	Rehabilitation of offenders
Developing a safe environment	Creating safe places	Victim support
Developing secure relationships	Therapy and support	Harmonization of laws and policies
Reporting of crime cases	Cooperation of different institutions	Medical help
Monitoring of children	Judicial intervention	Legal aid
Establishing clear rules and restrictions	Prevention of repetition of abuse	Help in social integration

International Conventions

- ❑ **THE COUNCIL OF EUROPE CONVENTION ON PROTECTION OF CHILDREN AGAINST SEXUAL EXPLOITATION AND SEXUAL ABUSE (LANZAROTE, SPAIN – 2007.)**
- ❑ **UN CONVENTION ON THE RIGHTS OF THE CHILD (NEW YORK, USA – 1989.)**

Council of Europe Convention

Protection of Children
against Sexual Exploitation
and Sexual Abuse

Publishing
Editions



UN Convention on the Rights of the Child – Article 34

- “States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:
 - (a) The inducement or force of a child to engage in any unlawful sexual activity;
 - (b) The exploitative use of children in prostitution or other unlawful sexual practices;
 - (c) The exploitative use of children in pornographic performances and materials. “



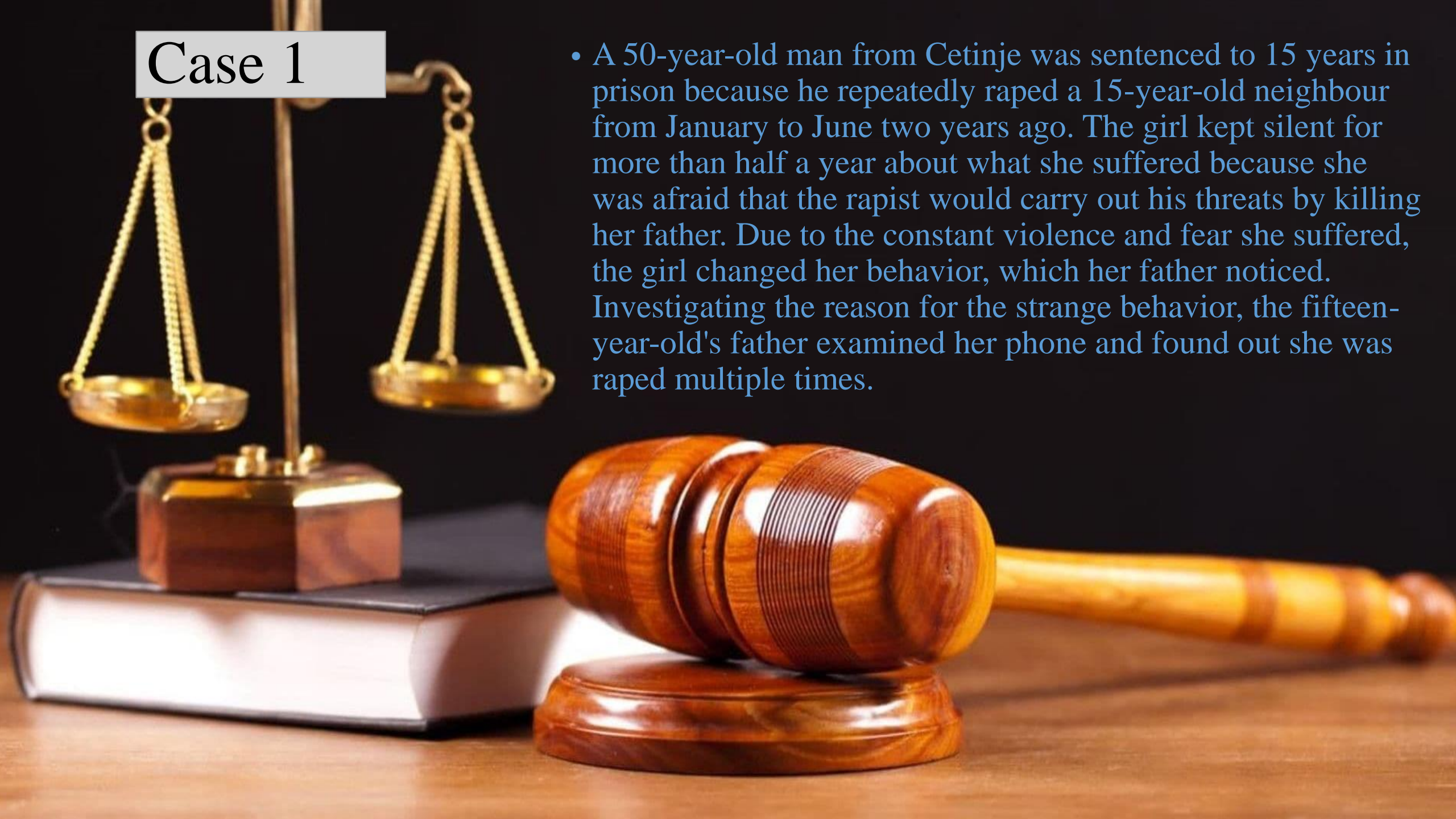
The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse – Article 20

- Criminal offenses related to **child pornography**:
 - a. production of child pornography;
 - b. offering or making available child pornography;
 - c. distribution or transmission of child pornography;
 - d. obtaining child pornography for oneself or another person;
 - e. possession of child pornography;
 - f. knowingly gaining access to child pornography



Case 1

- A 50-year-old man from Cetinje was sentenced to 15 years in prison because he repeatedly raped a 15-year-old neighbour from January to June two years ago. The girl kept silent for more than half a year about what she suffered because she was afraid that the rapist would carry out his threats by killing her father. Due to the constant violence and fear she suffered, the girl changed her behavior, which her father noticed. Investigating the reason for the strange behavior, the fifteen-year-old's father examined her phone and found out she was raped multiple times.



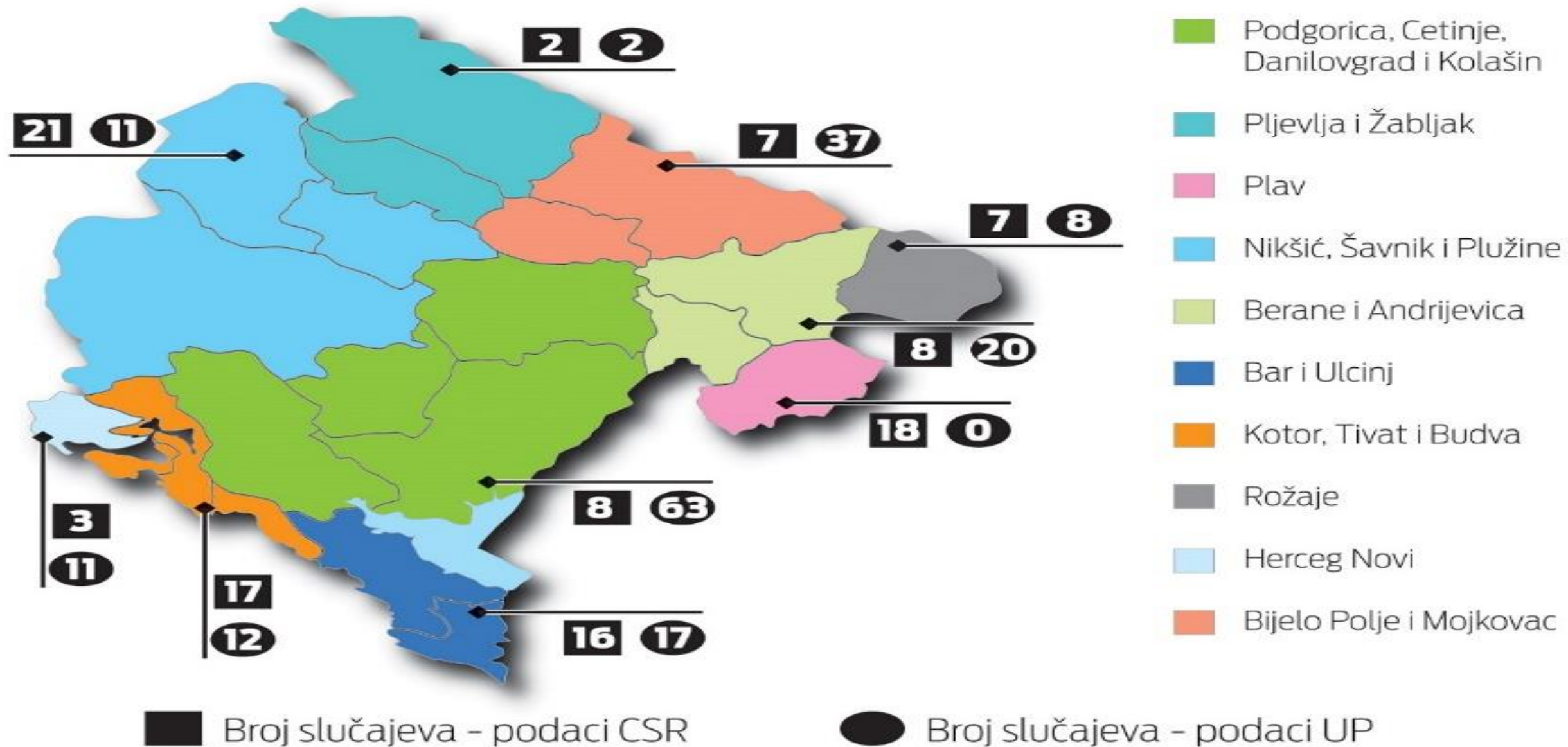


Case 2

- A man from Nikšić was sentenced to 17 years in prison for the multiple rape of his twelve-year-old stepdaughter and human trafficking.
- The man raped the child on two occasions, while her mother pimped a girl for money and helped commit the crime of rape, for which she was sentenced to 15 years in prison.
- The outrageous sexual abuse of the girl was discovered in 2017, when the girl reported this crime to the police. Doctors confirmed her claims of rape, so the monstrous tandem ended up in prison. Also, checking the phone, it was revealed that the girl's mother contracted her daughter's sexual services for money.

Sexual exploitation and abuse of children (2004-2014)

The Police Administration registered 181 minor victims of sexual exploitation in 10 years. The Center for Social work recorded 97 cases in the same period.



Conclusion

- We hope we have managed to bring closer the criminal acts of sexual exploitation of children, through statistics and examples.
- It is important that children know that the abuser is responsible for his behavior. A child is a victim, and can never be held responsible for sexual abuse. Abusers rarely use force, they more often use threats and bribery.
- However, it is too late to react after a child experiences trauma, so it is necessary to devote oneself to the prevention of these crimes.



Literature



- *Criminal Code of Montenegro* ("Official Gazette of Montenegro", no. 40/2008, 25/2010, 32/2011, 64/2011, 40/2013, 56/2013, 14/2015, 42/2015, 58/2015, 44/2017, 49/2018 i 3/2020) , Podgorica, Montenegro.
- “*The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse*” (2007), Lanzarote, Spain.
- “*UN Convention on the Rights of the Child*” (1989), New York, USA .
- Ministry of Finance of Montenegro – (2017) “*Strategy of Montenegro for prevention and protection of children from violence*”, Podgorica, Montenegro.

THANK YOU FOR YOUR ATTENTION!

