

Legal questionnaire completed by Kalo & Associates Kosovë SH.P.K. • September 2025

This document contains responses from the law firm listed above to a questionnaire distributed by NCMEC (questions are in **bold text**). Responses to the questionnaire may be limited to officially enacted legislation; it is possible that actual practice or enforcement of the law varies, and relevant court rulings or case law may also differ from legislative text. Responses have been reformatted and may have been slightly edited for clarity. Furthermore, responses may include commentary, paraphrasing, and unofficial translations of source material (e.g., national legislation) originally produced in other languages. Only official source documents in official languages should be relied upon as legally binding. This document serves to inform further research and does not constitute legal advice from NCMEC or the listed law firm.

Is this jurisdiction a European Union (EU) Member State or otherwise subject to EU laws/regulations (such as an overseas territory or department of an EU Member State)?

No. The Republic of Kosovo is not a member of the European Union (EU). However, through its Stabilization and Association Agreement (SAA) with the EU and ongoing efforts to harmonize its legal framework with EU standards, Kosovo aligns many of its laws and regulations, particularly in areas such as data protection, criminal law, and child protection, with EU law.

1. What laws and regulations contain legal definitions of the following terms or corresponding terms in your local jurisdiction (links to existing U.S. legal definitions are included, where relevant, as background for comparison – please include definitions of any corresponding terms in your jurisdiction):

Overview of Applicable Laws and EU Alignment

In the Republic of Kosovo, the legal framework relevant to this questionnaire is composed of criminal law, child protection law, cybercrime legislation, personal data protection law, and related regulations. Many of these legal instruments are harmonized with the requirements 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.

The official texts of these laws and regulations are available in English through the Official Gazette of the Republic of Kosovo. The Gazette publishes legislation in five languages; however, the hyperlink to each act remains the same, and users must manually select their preferred language from the menu at the top of the landing page.

a. child or minor (18 U.S.C. 2256(1), <https://www.law.cornell.edu/uscode/text/18/2256>)

According to applicable Kosovo legislation, precisely to Article 113 (paragraphs 22 and 23) of the Criminal Code of the Republic of Kosovo no. 06/L-074 (hereinafter 'Criminal Code of Kosovo'), Article 3 (paragraphs 1.1 and 1.2) of the Code of Juvenile Justice Code no. 06/L-006 (hereinafter 'Code of Juvenile Justice Code'), and Article 3 (paragraphs 1.1 and 1.3) of the Law on Child Protection no. 06/L-084 (hereinafter 'Law on Child Protection'), the definition of the "child" is a person who is under the age of eighteen (18) years old, while a "minor" (or "juvenile" as at paragraph 1.2 of the Code of Juvenile Justice) is a person who is between the ages of fourteen (14) and eighteen (18) years old.



- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>
- Juvenile Justice Code No. 06/L-006
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=18019>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

b. child sexual exploitation (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(9), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)

The term “child sexual exploitation” is not specifically defined. However, but the term “exploitation”, according to Article 165 (paragraphs 6.2 and 6.4) of the Criminal Code of Kosovo, shall include but not be limited to, prostitution of others, pornography or other forms of sexual exploitation, begging, forced or compulsory labor or services, slavery or practices similar to slavery, servitude or other removal of organs or tissue.

Furthermore, the recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means as in the previous paragraph.

The term “exploitation” as defined in Article 3 (paragraph 1.34) of the Law on Child Protection includes, but is not limited to, exploitation of prostitution of others, pornography or other forms of sexual exploitation, charity, services or forced labor, slavery or acts similar to slavery, removal of body organs or cells.

- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

c. sexually explicit conduct (18 U.S.C. 2256(2), <https://www.law.cornell.edu/uscode/text/18/2256>)

This expression “sexually explicit conduct” is not specifically defined. However the concept is addressed through Article 225(8) of the Criminal Code of Kosovo, in which the term “child pornography” means any visual image or visual depiction or representation, including any photograph, film, video, picture or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, which shows or represents:

- 8.1 the genitals or the public area of a child primarily for sexual purposes;
- 8.2 a real child engaged in actual or simulated sexually explicit conduct;
- 8.3 a person appearing to be a real child engaged in actual or simulated sexually explicit conduct; or
- 8.4 realistic images of non-existent child engaged in actual or simulated sexually explicit conduct.

- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>

d. child sexual abuse (18 U.S.C. 2243(a), <https://www.law.cornell.edu/uscode/text/18/2243>)



“Child sexual abuse” according to Article 3 (paragraph 1.35) of the Law on Child Protection shall mean the expression of abuse within the home or the family, but does not exclude cases of abuse by persons outside the family by taking advantage of either social or official position for sexual benefit from the victim of abuse. Sexual activity which implies sexual intercourse and any other form performed by, with, and before the child, where the presence or the participation of the child is for the purpose of sexual satisfaction of the other person.

- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

e. child pornography or child sexual abuse material (CSAM) (18 U.S.C. 2256(8)),
<https://www.law.cornell.edu/uscode/text/18/2256>

According to Article 225(8) of the Criminal Code of Kosovo, the term “child pornography” means any visual image or visual depiction or representation, including any photograph, film, video, picture or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, which shows or represents:

- 8.1 the genitals (vagina, penis or anus) or the pubic area of a child primarily for sexual purposes;
- 8.2 a real child engaged in actual or simulated sexually explicit conduct;
- 8.3 a person appearing to be a real child engaged in actual or simulated sexually explicit conduct; or
- 8.4 realistic images of a non-existent child engaged in actual or simulated sexually explicit conduct.

“Child pornography” is defined in near-identical terms at Article 3 (paragraph 1.31) of the Law on Child Protection.

Although the term “child sexual abuse material” (CSAM) is not expressly used in Kosovo’s legal framework, the concept is effectively recognized and criminalized under Article 277(I) of the Code No. 08/L-188 Amending and Supplementing Criminal Code no. 06/L-074 (hereinafter ‘Criminal Code no. 08/L-188’), which refers to such content as “materials containing sexual exploitation and abuse of children.” Under paragraph 5 of Article 277(I), these materials are defined as the actual display, through videos or photos and including the use of information and communication technologies, of a child engaging in sexually explicit conduct, whether real or simulated, or depictions of the genitals of a child for primarily sexual purposes. Therefore, in substance Kosovo law defines CSAM as any visual content involving minors (under the age of 18) that depicts sexually explicit conduct or child genitalia intended for sexual gratification, irrespective of whether physical contact occurred.

- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>
- Code No. 08/L-188 Amending and Supplementing Criminal Code no. 06/L-074
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=84232>

f. computer-generated images or videos of child pornography or CSAM (created by artificial



intelligence or morphed) (18 U.S.C. 2256(8) & (9),
<https://www.law.cornell.edu/uscode/text/18/2256>)

Under Article 225(8) of the Criminal Code of Kosovo and , “child pornography” is defined broadly to include “any visual image or visual depiction or representation, including any photograph, film, video, picture or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means” that shows or represents:

- 8.1 the genitals (vagina, penis or anus) or the pubic area of a child primarily for sexual purposes;
- 8.2 a real child engaged in actual or simulated sexually explicit conduct;
- 8.3 a person appearing to be a real child engaged in actual or simulated sexually explicit conduct; or
- 8.4 realistic images of a non-existent child engaged in actual or simulated sexually explicit conduct.

“Child pornography” is defined in near-identical terms at Article 3 (paragraph 1.31) of the Law on Child Protection.

This explicit inclusion of “computer-generated image or picture” ensures that artificially created, morphed, or AI-generated depictions of child sexual abuse material are criminalized in Kosovo, even if no real child was involved in the production of the material.

- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

**g. enticement or grooming (encouraging, persuading, or coercing a child to engage in sexual activity or to create child pornography or CSAM) (18 U.S.C. 2422(b),
<https://www.law.cornell.edu/uscode/text/18/2422>)**

The expression “grooming” is defined through Administrative Instruction (GRK) No. 04/2022 on measures for the protection of children against websites with pornographic content and those that harm the health and life of the child (hereinafter ‘AI no. 04/2022’). Under Article 3 (paragraph 1.1), grooming means and refers to the intention of child sexual abuse, motivated by the desire to use the child for sexual pleasure. This also includes approaching the child for seemingly friendly purposes, by adults who pretend to be a child or young person, who then end up attracting the child to discuss intimate matters, and gradually exposing the child to explicit materials in order to reduce resistance or even sex prevention. The expression “enticement” is not used in Kosovo legislation.

- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

h. legal age of consent for sexual activity – are there laws and regulations, if so, what ages are specified?



The “legal age of consent for sexual activity” according to Article 225(1) of the Criminal Code of Kosovo, means:

- (i) the voluntary agreement of a person who has reached the age of sixteen (16) years to engage in the sexual act in question; and
- (ii) the voluntary agreement of two persons who have reached the age of fourteen (14) years and where difference in their ages does not exceed two (2) years to engage in the sexual act in question.

- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>

- i. **Sextortion (extorting money or sexual favors from a child by threatening to share sexually explicit, child pornography or CSAM images of the child) (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(8), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**

The term “sextortion” is not specifically defined in Kosovo’s legislation. However, conduct meeting this description is criminalized. Under Article 225(5) of the Criminal Code of the Republic of Kosovo, ‘subjecting another person to a sexual act’ includes committing a sexual act on another person, inducing another person to commit a sexual act on the perpetrator or a third person, or inducing a third person to commit a sexual act on another person. When such conduct is combined with threats, coercion, or blackmail, such as threatening to disclose sexually explicit or CSAM material, it can constitute criminal offenses under both Article 225 and other relevant provisions relating to coercion and sexual exploitation of children.

- Criminal Code No. 06/L-074
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18413>

2. Please explain any legal or regulatory requirement or recommendation for Online Platforms to undertake any of the following activities on their systems to protect children online from sexual exploitation:

There is currently no specific legal or regulatory requirement in Kosovo that imposes a direct obligation on Online Platforms (such as social media platforms or messaging services) to undertake specific actions to detect, moderate, or remove content related to child sexual exploitation, child pornography, or child sexual abuse material (CSAM). However, Kosovo’s legal framework provides a foundation for protective measures through obligations imposed on public authorities such as Ministry of Internal Affairs (MIA), Kosovo Police and the Regulatory Authority for Electronic and Postal Communications (ARKEP) and Internet Service Providers (ISPs), through relevant criminal provisions.

a. review, screen, moderate, or detect content to identify child pornography or CSAM content

Kosovo law does not impose a legal obligation on Online Platforms to actively screen, detect, or moderate content for the purpose of identifying child pornography or CSAM. Article 277(I) of the Criminal Code no. 08/L-188 criminalizes the production, possession, sale, distribution, transmission, and promotion of materials involving sexual exploitation and abuse of children,



including those distributed through online systems. These provisions address the criminal liability of individuals but do not extend detection obligations to Online Platforms.

- Code No. 08/L-188 on Amending and Supplementing Criminal Code no. 06/L-074
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=84232>

b. review, screen, moderate, or detect content to identify enticement, grooming, or sextortion of a child

Administrative Instruction (GRK) No. 04/2022, adopted pursuant to Law on Child Protection, introduces obligations for responsible public authorities to implement protective measures. These include identifying websites with pornographic or harmful content and coordinating with ISPs to block access. While Online Platforms are not directly addressed, Article 11 of the Instruction mandates preventive measures, awareness, and technical interventions by the Ministry of Internal Affairs and other public authorities such as: (i) blocking websites, and other forms of Internet communication and surfing; (ii) installation of filters; (iii) parental control programs; (iv) safe search and clicking; (v) age verification.

- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

c. report child pornography, CSAM, enticement, grooming, or sextortion that they become aware of or are notified about on their systems to a law enforcement or government agency or nongovernmental organization

There is currently no legal duty under Kosovo law requiring Online Platforms to report CSAM or other forms of online child exploitation to any authority. Reporting obligations for such content apply only to public institutions and law-enforcement bodies as outlined in AI no. 04/2022, and not to private platforms.

- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

d. remove or take down any child pornography, CSAM, enticement, grooming, or sextortion that they identify, become aware of, or are notified about

Kosovo law does not require Online Platforms to remove or take down CSAM or related materials. No statutory or regulatory provision places a legal obligation on platforms to act upon detection or notification of such content. Takedown actions may occur only through law enforcement investigations and judicial measures.

e. review content by human moderators to screen or moderate for child pornography or CSAM



There is no legal or regulatory requirement in Kosovo mandating Online Platforms to employ human moderators for content screening. The legal framework does not prescribe any moderation methods or personnel standards for platforms operating within or accessible from Kosovo.

- f. remove child pornography, CSAM, enticement, grooming, or sextortion from their systems when notified of its presence by a victim, nongovernmental organization, law enforcement, or government agency**

Online Platforms in Kosovo are not legally required to remove child pornography, CSAM, grooming, sextortion, or related content when they are notified about it by a victim, nongovernmental organization, law enforcement, or a government agency. Kosovo's laws do not establish a "notice-and-takedown" system. While criminal laws apply to punish the individuals who create or share such material, there is currently no legal procedure that obligates platforms to remove it after receiving a notification.

- g. use any specific technology to detect, remove, block, or take down any child pornography, CSAM, enticement, grooming, or sextortion, including:**
 - i. "Hashing technology" (<https://www.thorn.org/blog/hashing-detect-child-sex-abuse-imagery/>). Many Online Platforms hash and tag images and videos of child pornography or CSAM and then use hashing technology to scan content on their systems to detect the distribution of child pornography or CSAM online so it can be removed.**
 - ii. Artificial intelligence or machine learning tools to detect the presence of child pornography, CSAM, enticement, grooming, or sextortion.**

Kosovo's legal framework does not currently impose specific obligations on Online Platforms (such as Meta, Instagram, or Snapchat) to use technologies like hashing, fingerprinting, or artificial intelligence to detect or block CSAM, grooming, sextortion, or other forms of child sexual exploitation. The deployment of such technologies is left to the discretion of the platforms themselves. At the time of writing, there are no official standards, regulations or regulatory guidelines in place that either mandate or recommend such tools.

However, AI no. 04/2022 anticipates a more coordinated technical response by other stakeholders. Specifically, under Article 13 it tasks the Regulatory Authority of Electronic and Postal Communications (ARKEP) with preparing a special technical manual that will detail forms of intervention for ISPs and video game providers, although they will not apply directly to Online Platforms. This manual is expected to address: (i) filtering mechanisms; (ii) parental control tools; (iii) safe search and click features; (iv) age verification systems. While these measures reflect "Safety by Design" principles, they constitute regulatory guidelines rather than legal obligations, and at the date of writing, the technical manual has not yet been issued or implemented.

The legal responsibility for detection and intervention remains with state authorities (e.g., Kosovo Police, Ministry of Internal Affairs), while service providers such as ISPs may be indirectly affected through future technical guidance under the administrative framework.



- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child

<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

- h. if the applicable laws or regulations require some, but not all, Online Platforms to perform any of the above activities, describe how the differing requirements apply. For example, are differences based on the number of online users, types of services offered, etc.?**

Kosovo's legal framework does not differentiate requirements for Online Platforms based on their size, user base, or type of service. Obligations under the Law on Child Protection (Article 53) and Administrative Instruction No. 04/2022 (Article 11) apply to public authorities and ISPs, tasking them with filtering, blocking harmful websites, and issuing technical guidelines. These provisions refer to harmful digital content, including grooming and sexting, but do not impose direct obligations on Online Platforms for content moderation, age verification, or detection technologies.

- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>
- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

3. Are Online Platforms legally required or recommended to implement any method to verify the age of a user before allowing access to an online platform?

Kosovo law does not set out a specific technical method for verifying a user's age, such as ID checks, biometric scanning, or facial recognition, before granting access to an Online Platform. However, under the Law on Personal Data Protection No. 06/L-082 (LPPD), Article 7 ("Conditions applicable to child's consent in relation to information society services"), platforms that provide "information society services" (e.g., websites, social media, messaging services) must verify whether a user is under sixteen (16) years old. If the user is under 16, processing their personal data is only lawful if consent is given or authorized by a parent or legal guardian. For children aged fourteen (14) to sixteen (16), platforms must make continuous efforts to confirm such consent using available technology.

This obligation means that platforms acting as data controllers must have a way to determine a user's age in order to decide whether parental consent is required and, if so, to verify it. The Information and Privacy Agency (IPA) is responsible for monitoring compliance, but no secondary legislation currently specifies the exact procedures or technologies that must be used.

Separately, Article 53 of the Law on Child Protection and Article 11 of the Administrative Instruction No. 04/2022 give public authorities and Internet Service Providers (ISPs) responsibilities to block children's access to pornographic or other harmful websites. These measures operate at the network level and do not impose user-level age verification duties on Online Platforms themselves.

- Law on Protection of Personal Data No. 06/L-082
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616>
- Law on Child Protection No. 06/L-084

<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

4. Are Online Platforms legally required or recommended to implement any method to obtain parental consent before a child uses the services of such Online Platforms?

Kosovo law requires parental consent for children to use certain online services, but this requirement applies only when a platform processes a child's personal data, not simply when a child accesses the platform. Processing personal data refers to a range of operations (set out at Article 3 (paragraph 1.2) of the Law on Protection of Personal Data (LPPD)) performed on information related to an identified or identifiable natural person, such as collection, recording, storage, retrieval, and disclosure by transmission. Under the LPPD, Article 7, if a platform offers "information society services" (such as websites, social media, or messaging services) directly to a child, it may process the child's personal data only if: the child is at least sixteen (16) years old; or if under sixteen (16), consent is given or authorized by a parent or legal guardian.

For children aged fourteen (14) to sixteen (16), platforms must make ongoing efforts to verify that consent, using available technology. They must also make reasonable efforts to confirm that the consent truly comes from a parent or guardian. This obligation applies equally to all platforms acting as data controllers, regardless of size, user base, or service type. The Information and Privacy Agency (IPA) monitors compliance, but there is no regulation setting out a uniform process for obtaining or managing parental consent, leaving platforms free to choose their own methods as long as they can show reasonable verification.

- Law on Protection of Personal Data No. 06/L-082
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

5. Are there legal remedies for children who have been victimized by online child sexual exploitation? This may include children who are victimized by the distribution of child pornography or CSAM imagery in which they are depicted, or children victimized by enticement, grooming or sextortion. If such legal remedies exist, do they include:

Kosovo's legal framework provides several remedies for children who are victims of online sexual exploitation, primarily through the Criminal Code No. 06/L-074, Code No. 08/L-188 Amending and Supplementing Criminal Code no. 06/L-074, the Law on Child Protection No. 06/L-084, the Law on Personal Data Protection No. 06/L-082, and the Law No. 08/L-109 on Crime Victim Compensation. These measures address criminal prosecution, victim protection, and compensation, though they do not create direct civil enforcement rights against Online Platforms.

a. The ability to stop the publication of the pornography or CSAM imagery by the Online Platform?

Kosovo law does not explicitly grant victims or their representatives a legal right to request or compel Online Platforms to remove CSAM. Instead, Article 277(I) of the Criminal Code 08/L-188 criminalizes the distribution, possession, and transmission of materials involving child



sexual abuse. Law enforcement, upon detection or report, can order the removal or blocking of such content through cooperation with Internet Service Providers (ISPs), as set out in Article 53 of the Law on Child Protection and Article 11 of the AI No. 04/2022. These measures are initiated and enforced by competent public authorities, not at the request of the victim.

- Code No. 08/L-188 Amending and Supplementing Criminal Code no. 06/L-074
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=84232>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>
- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

b. An obligation on the part of the Online Platform to take active steps to remove the pornography or other imagery from their servers?

Kosovo law does not currently impose a statutory obligation on Online Platforms to proactively remove child sexual abuse material (CSAM) from their servers.

c. An ability to get an injunction or other court order against the Online Platform to stop them from publishing the pornography or imagery?

Kosovo law does not expressly grant victims the right to obtain an injunction directly against Online Platforms to cease the dissemination of child sexual abuse material. While general civil law may allow for such remedies, they are uncommon and not specifically tailored to online exploitation cases.

Enforcement of foreign injunctions is governed by the Law on Private International Law (No. 08/L-028, Articles 157–165), requiring court recognition based on jurisdiction, procedural compliance, and public policy. Enforcement is limited if the platform lacks legal presence in Kosovo.

- Law no. 08/L-028 on Private International Law
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=62593>

d. A protective order or other court order that prohibits the person who posts the pornography or imagery from doing so in the future on the same or other Online Platform?

There is currently no such protective order or other court order that prohibits the person who posts pornography or imagery from doing so in the future on the same or other Online Platform foreseen through Kosovo legislation.

e. the ability to seek financial damages or any sort of monetary recovery from an offender who has shared the child's image or video, either in a civil or a criminal proceeding?

Victims may seek financial compensation through criminal proceedings (as civil parties in a criminal trial) or by initiating a civil lawsuit under Article 185 of the Law on Obligational



Relationships No. 04/L-077. Additionally, under Article 13 of the Law No. 08/L-109 on Crime Victim Compensation, child victims of serious crimes, including sexual exploitation and pornography-related offenses, may be granted a fixed state-funded compensation of 2,000 EUR for mental suffering. Mental suffering includes emotional distress, psychological trauma, and other disturbances resulting from the criminal offense, and eligibility is determined based on the nature of the crime and its impact on the victim.

- Law on Obligational Relationships No. 04/L-077
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2828>
- Law on Crime Victim Compensation No. 08/L-109
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=66178>

f. the ability to seek any other forms of victim compensation/recovery/services provided for under the law and/or by a government-funded source?

Kosovo law provides several avenues for victims of online child sexual exploitation to obtain support services, recovery assistance, and financial compensation. Under Article 13 of the Law No. 08/L-109 on Crime Victim Compensation, children who are victims of serious crimes, including sexual abuse or exploitation, may apply for state-funded financial compensation. This scheme covers physical and psychological harm, medical costs, lost income, and other damages directly resulting from the crime.

In addition, Article 14 of the Law on the Child Protection and the Law no. 08/L-255 on Social and Family Services guarantee child victims' access to psychosocial support, legal aid, shelter, and rehabilitation services. These services are coordinated by the Ministry of Justice, the Ministry of Labour and Social Welfare, and municipal-level social work centers, often with the involvement of the Department for Access to Justice, Transitional Justice and Crime Victim Support.

- Law on Crime Victim Compensation No. 08/L-109
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=66178>
- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>
- Law no. 08/L-255 on Social and Family Services
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=85111>

g. notification to a victim when an offender is arrested for distributing child pornography or CSAM in which the child is depicted?

Kosovo law does not explicitly require victims to be notified when an offender is arrested for distributing child pornography or CSAM. However, Article 63 (paragraph 1.9) of the Criminal Procedure Code and Article 7(3) of the Law on Protection of the Child grant victims the right to be informed about certain important developments in their case, such as prosecution and court proceedings. Notification usually depends on the victim's involvement in the legal process.

- Criminal Procedure Code No. 08/L-032
<https://gzk.rks-gov.net/ActDetail.aspx?ActID=61759>
- Law on Child Protection No. 06/L-084

<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>

6. “Safety by Design” is defined as tools or processes that are built into an Online Platform to protect children by making it easier for the relevant Online Platform to detect or prevent the distribution of child pornography or CSAM.

a. Are Online Platforms legally required to incorporate “Safety by Design” into their systems?

Kosovo’s legal framework does not impose a legally binding requirement on Online Platforms to incorporate “Safety by Design” principles, such as built-in technical safeguards, to detect, prevent, or mitigate the distribution of child pornography or child sexual abuse material (CSAM). Article 53 of the Law on Child Protection outlines the obligation of public authorities to ensure a safe digital environment for children, and calls for the restriction of websites that contain harmful content. However, these obligations primarily apply to public authorities, ISPs, and video game providers, not Online Platforms directly.

In addition, Administrative Instruction (GRK) No. 04/2022 (Article 13) tasks the Regulatory Authority of Electronic and Postal Communications (ARKEP) with preparing a special technical manual that will detail forms of intervention for ISPs and video game providers, although they will not apply directly to Online Platforms. This manual is expected to address: (i) filtering mechanisms; (ii) parental control tools; (iii) safe search and click features; (iv) age verification systems. While these measures reflect “Safety by Design” principles, they constitute regulatory guidelines rather than legal obligations, and at the date of writing, the technical manual has not yet been issued or implemented.

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<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>
- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=60529>

i. If so, must these steps be taken before the launch of an Online Platform?

Not applicable.

ii. If so, if an Online Platform has already been in public use, when must they have incorporated “Safety by Design” measures?

Not applicable.

iii. For each of 6(a)(i) or (ii) above, please describe the legal requirement or recommendation.

Not applicable.

b. Please include information about the parameters for monitoring, management, and enforcement of any legal or regulatory requirements for the Online Platform’s incorporation of “Safety by Design”?



There are no specific enforcement mechanisms in Kosovo targeting Online Platforms for implementing “Safety by Design.” Monitoring and enforcement of online child protection primarily involve public institutions and ISPs under the Law on Child Protection and Administrative Instruction No. 04/2022. The Ministry of Internal Affairs leads coordination, while the Regulatory Authority of Electronic and Postal Communications (ARKEP) issues operational guidelines for ISPs and video game providers to restrict harmful content. The Kosovo Police handle incidents involving illegal online material.

Although these roles support overall child online safety, they do not impose enforcement obligations on Online Platforms regarding built-in safety features or content moderation policies.

- Law on Child Protection No. 06/L-084
<https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844>
- Administrative Instruction (GRK) No. 04/2022 on measures for protection of children against websites with pornographic content and those that harm the health and life of the child
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