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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)?

Yes

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):

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

Under Polish law, the terms “child” and “minor” are defined in several Acts. These definitions consistently recognise individuals under the age of 18 as minors and/or children. The relevant legal instruments include:

- the Civil Code (Polish: *Kodeks Cywilny*), pursuant to Article 10 of which a minor is defined as a person who has not reached the age of 18
Article 10. § 1. A person shall attain majority upon reaching eighteen years of age
- the Act on the Ombudsman for Children (Polish: *Ustawa o Rzeczniku Praw Dziecka*) defines a child as any human being from conception until reaching the age of majority, according to Article 2 of the Act.
Article 2. (1). For the purposes of this Act, a child is defined as any human being from the moment of conception until they reach the age of majority.

Polish criminal law provides a separate definition of a juvenile (Polish: *osoba nieletnia*), which is relevant in the context of criminal liability. According to Article 10 of the Criminal Code, a juvenile is someone who, at the time of committing a prohibited act, has not reached the age of 17. This age threshold generally determines the applicability of criminal responsibility under the provisions of the Criminal Code.

Article 10. § 1. The principles of liability provided for in this Code apply to a person who commits a prohibited act after having attained 17 years of age.

References:

- Civil Code (Polish: [Kodeks cywilny](#))
- the Act on the Ombudsman for Children (Polish: [Ustawa o Rzeczniku Praw Dziecka](#))



- Criminal Code (Polish: [Kodeks karny](#))

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>)

According to Polish law, the age of consent for sexual activity is 15. Anyone under this age cannot legally consent to sexual activity, and any such contact is considered a crime, regardless of the circumstances.

Child sexual abuse involves engaging persons under the age of 15 in sexual activity that they are unable to fully understand, accept, or consent to. This includes both physical acts and non-physical abuse, such as exposing a child to pornographic content or forcing them into prostitution or the production of sexually explicit material. Those aged 15 to 17 may lawfully engage in sexual activity but are protected from exploitation, particularly in contexts involving pornography, commercial sex or abuse of power or trust.

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

There is no precise legal definition in Polish law.

However, in practice this will include sexually explicit conduct encompassing all forms of sexual behaviour intended to stimulate sexual arousal. This includes sexual intercourse, other sexual acts, exposing one's genitals, simulating sexual activities, and taking part in the production of pornographic material.

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

There is no precise legal definition of this concept in Polish law.

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

Articles 202 § 4, 4a, 4b and 4c of the Polish Penal Code relate to child pornography.

These provisions were introduced into Polish law in response to 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 Polish Supreme Court has clarified the definition of “child pornography”, stating that:

“Child pornography” means any material that visually depicts a child engaged in a real or simulated sexually explicit act, or any depiction of a child’s genitals primarily for sexual purposes.

Relevant court ruling:

<https://www.sn.pl/sites/orzecznictwo/OrzeczeniaHTML/v%20kk%20655-19.docx.html>

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>)

While Polish law does not provide a specific definition of computer-generated child sexual exploitation material (CSEM), such activity is prohibited under provisions related to child pornography. According to Article 202 §4b of the Criminal Code, anyone who produces, distributes, presents, stores or possesses pornographic material depicting a fabricated or altered image of a child engaged in a sexual act may face up to three years' imprisonment. It is generally understood that this provision applies to digitally generated images of children, even if they do not exist in reality:

Article 202. § 4b. Whoever produces, disseminates, displays, stores or possesses pornographic contents involving a produced or processed image of a minor engaged in a sexual activity, is subject to the penalty of deprivation of liberty for up to 3 years.

- 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>)**

There is no precise definition in Polish law.

The criminal provisions addressing grooming only protect individuals under the age of 15, raising significant legal and social concerns. Although the 2010 amendment to the Polish Criminal Code was introduced in response to Poland's international obligations, particularly under the Lanzarote Convention, to protect children from online sexual exploitation, Article 200a of the Criminal Code does not cover individuals aged 15 or over.

Consequently, individuals aged 15 to 17 are not covered by grooming-related criminalisation, which could create gaps in legal protection. This is particularly problematic given that teenagers in this age group may also be vulnerable to manipulation, coercion and other criminal behaviour by offenders.

Under Article 200a:

Grooming is defined as initiating contact with a minor under 15 via electronic communication systems or telecommunications networks with intent to commit a sexual offence or produce pornographic content.

The law prohibits both deceptive and direct sexual propositions, but only when the victim is under 15 years old.

Art. 200a.

§ 1. Whoever, with the purpose of committing a crime provided for in art. 197 § 3 section 2 or art. 200, as well as producing or recording pornographic contents, establishes a contact with a minor under 15 years of age via a telecomputer system or a telecommunications network, aimed at inducing him into a meeting by misleading him, exploiting his error or incapability to duly understand the situation, or by using unlawful threat, is subject to the penalty of deprivation of liberty for up to 3 years.



§ 2. Whoever proposes to a minor under 15 years of age, via a telecomputer system or a telecommunications network, engaging in sexual intercourse, submitting to or performing of a sexual activity, or participating in production or recoding of pornographic contents, and pursues completion of such proposal, is subject to a fine, the penalty of limitation of liberty or the penalty of deprivation of liberty for up to 2 years.

References:

- Criminal Code (Polish: [Kodeks karny](#))

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

The age of consent for sexual relations is 15 years under the Polish Criminal Code.

Art. 200. § 1.

Whoever engages in a sexual intercourse or another sexual activity with a minor under 15 years of age or induces such minor to submit himself to such activity, or to perform it, is subject to the penalty of deprivation of liberty for between 2 years and 12 years.

References:

- Criminal Code (Polish: [Kodeks karny](#))

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>)

There is no specific definition of sextortion in Polish law.

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:

In Poland, the protection of children from online sexual exploitation is primarily based on the provisions of the Criminal Code. These provisions prohibit the possession and distribution of child sexual abuse material (CSAM), as well as online grooming.

There is no legal obligation for platforms to proactively monitor content or use specific technologies, such as hashing or artificial intelligence, to detect CSAM. However, many major services voluntarily implement such tools. Reports of illegal content can be submitted to [Dyżurnet.pl](https://en.dyzurnet.pl/), the national contact point operated by NASK and cooperating with law enforcement authorities – please see: <https://en.dyzurnet.pl/>

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

There is no legal obligation for platforms to automatically detect CSAM content.

b. review, screen, moderate, or detect content to identify enticement, grooming, or



sextortion of a child

There are no regulations requiring active monitoring of content for grooming or sextortion.

- 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**

Platforms are not legally required to report such cases to law enforcement authorities.

In practice, they generally cooperate with the Dyżurnet.pl (NASK) team, which receives reports and forwards them to the relevant services. There is a 24-hour helpline 116 111 is operated by the *Dajemy Dzieciom Siłę* Foundation in collaboration with the Ministry of Health. The Children's Ombudsman also runs a helpline on 800 12 12 12.

Please see: [Ochrona małoletnich w internecie - Ministerstwo Cyfryzacji - Portal Gov.pl](#)

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

Although platforms are not obliged to automatically remove such content, if they are notified of it and fail to take action, they may be held civilly or criminally liable.

Under the 'notice and takedown' principle, after notification content should be removed.

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

There is no obligation to hire moderators to manually review content.

- 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**

Although there is no legal obligation, platforms should respond to reports, particularly if they are large and have mechanisms in place for reporting content. Failure to do so may result in civil or reputational liability.

- 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.**

There is no obligation to use technologies such as hashing or AI to detect CSAM.

- 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.?

There is no obligation under Polish law. However, obligations exist at EU level (DSA) and are directly applicable in Poland.

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?

Poland has no regulations requiring website owners to verify the age of users, including children, before granting them access to adult content such as pornography, alcohol or gambling.

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?

There is no requirement.

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:

Yes

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

There are no direct provisions in Polish law. However, a child or their legal representative can seek protection of their personal rights under Articles 23 and 24 of the Civil Code. Personal rights, such as dignity, privacy, image and mental integrity, are protected regardless of age.

If materials depicting the sexual abuse of a child are published, the court may:

- order the immediate removal of the content from the platform;
- prohibit its further dissemination;
- award monetary compensation for the violation of personal rights.

Proceedings may be initiated by parents, legal guardians, or non-governmental organisations working to protect children.

The relevant provisions are:

Article 23.

Personal interests of a human being, such as in particular health, freedom, dignity, freedom of conscience, surname or pseudonym, image, confidentiality of correspondence, inviolability of home as well as scientific, artistic, inventive and reasoning activities shall be protected by the civil law regardless of the protection provided for by other provisions.



Article 24.

- §1. A person whose personal interests are jeopardized by another person's action may demand that the action be abandoned, unless it is not illegal. In the case of actual violation, he may also demand that the person who committed the violation perform acts necessary to remove its consequences, in particular that the latter make a statement of a relevant content and in a relevant form. On the basis of the principles provided for by the Code he may also demand pecuniary compensation or a payment of an adequate amount of money for a specified community purpose.*
- §2. If, as a result of a of personal interests damage to the property was inflicted, the injured party may demand it to be redressed on the basis of general principles.*
- §3. The above provisions shall not prejudice the entitlements provided for by other provisions, in particular by copyright law and by patent law.*

References:

- Civil Code (Polish: [Kodeks cywilny](#))

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

Although there is no express statutory obligation under Polish law, online platforms are required to respond to reports of illegal content, including CSAM, in accordance with the 'notice and takedown' principle.

If an online platform:

- is informed of the presence of such content, and
- fails to take action within a reasonable time,

it may be held liable:

- civilly, for violation of personal rights;
- criminal liability may also arise if it aids or abets the dissemination of prohibited content.
-

In practice, most large platforms cooperate with Dyzurnet.pl, which forwards reports to administrators and law enforcement authorities.

The relevant provisions are:

Article 14 of Act on Electronically Supplied Services.

- 1. Liability for stored data is not borne by someone who, making the resources of an information and communication technology system available for the purpose of storing data by the customer, is not aware of the unlawful character of the data or related activities, and having received an official notification or reliable information about unlawful character of said data or related activities, denies access to said data.*
- 2. The service provider, who has received an official notification of the unlawful character of stored data delivered by the customer and has denied access to said data, is not held liable to said customer for the damage inflicted as a result of denying access to the data.*
- 3. The service provider, who has received reliable information about the unlawful*



character of stored data delivered by the customer and who has denied access to the data, is not liable to the customer for damage inflicted as a result of denying access to said data if he has notified the customer promptly of his intention to deny access to the data.

References:

- Act on Electronically Supplied Services (Polish: [Ustawa o świadczeniu usług drogą elektroniczną](#))

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

Yes, civil courts can issue an injunction to temporarily ban the publication of content that violates children's rights.

Article 730 of Code of Civil Procedure

- §1. Security may be requested in each civil case heard by the court or arbitration court.*
- §2. The court may award security before instituting proceedings or in the course of proceedings. After an authorised person has obtained an enforceable title, it shall only be possible to award security if the purpose is to secure a claim for performances which are not yet due.*

References:

- Code of Civil Procedure (Polish: [Kodeks postępowania cywilnego](#))

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?

Yes, although this is not expressly stated in Polish law. According to Article 41a of the Criminal Code, the court has the power to impose the following restrictions on the defendant:

- (i) a ban on contacting specific individuals; and
- (ii) a ban on approaching them.

While the provision does not explicitly mention a ban on publishing content, in practice this may also include a prohibition on electronic communication, such as publishing content online, if it constitutes contact with, harassment of, or further violation of the victim's personal rights.

Article 41a.

- §1. The court may impose the prohibition from associating with specific social groups or appearing in specific locations, contacting certain individuals, approaching to certain individuals or leaving a specific place of stay without the court's consent, or the order to leave, for a determined period of time, the premises occupied together with a harmed party, while sentencing for a crime against sexual liberty or decency committed against a minor or for other crime against liberty, or while sentencing for an intentional crime involving the use of force, especially the force towards an immediate family member. The prohibition or the order may be coupled with an obligation to report at a Police station or other designated authority with a pre-defined frequency, and the prohibition*



from approaching to certain individuals may be also monitored under electronic supervision.

- §1a. The court upon the motion of the harmed party, imposes the prohibition from associating with specific social groups or appearing in specific locations, contacting certain individuals, approaching to certain individuals or leaving a specific place of stay without the court's consent, or the order to leave, for a determined period of time, the premises occupied together with a harmed party, while sentencing for a crime against sexual liberty or decency. The prohibition or the order may be coupled with an obligation to report at a Police station or other designated authority with a pre-defined frequency, and the prohibition from approaching to certain individuals may be also monitored under electronic supervision.*
- §2. The court imposes the prohibition from associating with specific social groups or appearing in specific locations, contacting certain individuals, approaching to certain individuals or leaving a specific place of stay without the court's consent, or the order to leave, for a determined period of time, the premises occupied together with a harmed party, while sentencing to the penalty of deprivation of liberty without the conditional suspension of its enforcement for a crime against sexual liberty or decency. The prohibition or the order may be coupled with an obligation to report at a Police station or other designated authority with a pre-defined frequency, and the prohibition from approaching to certain individuals may be also monitored under electronic supervision.*
- §3. The court may impose the prohibition from associating with specific social groups or appearing in specific locations, contacting certain individuals, approaching to certain individuals or leaving a specific place of stay without the court's consent for life while sentencing the perpetrator again under the conditions prescribed by § 2.*
- §3a. While imposing the order to leave, for a determined period of time, the premises occupied together with a harmed party, for the crimes provided for in chapters XXV and XXVI, the court imposes the prohibition from approaching to the harmed party for the same period of time.*
- §4. While imposing the prohibition from approaching to certain individuals, the court determines the distance to the protected individuals that the sentenced person is obliged to maintain.*
- §5. While imposing the order to leave, for a determined period of time, the premises occupied together with a harmed party, the court determines a deadline for carrying out the order.*
- §6. The prohibition on contacting a specified person includes any action relating to an attempt to contact a protected person, including actions taken by the sentenced person through another person or by means of a telecomputer network.*

References:

- Criminal Code (Polish: [Kodeks karny](#))
- There is a separate legal remedy in civil proceedings, as described above in 5c.

- 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?**



A child who is a victim of a sexual offence (e.g. the dissemination of CSAM, grooming, seduction or molestation) may claim compensation for:

- compensation for psychological harm, i.e. suffering, trauma, stress, anxiety, depression and reduced quality of life;
- compensation for material losses, e.g. costs of treatment, therapy, purchase of medicines and lost income of carers;
- they may also claim reimbursement of legal aid costs if it was necessary to use the services of a lawyer or legal advisor.

In Poland, a child who has been a victim (or his/her legal guardians) can seek compensation in two ways:

- civil proceedings, which are independent of criminal proceedings and can be initiated before, during or after the conclusion of criminal proceedings.
- criminal proceedings, where a child (represented by a guardian or attorney) can act as an auxiliary prosecutor and file a property claim directly during criminal proceedings.

Civil Code

- Art. 445, §§ 1 and 2 of the Civil Code – monetary compensation for harm resulting from bodily injury or impairment of health, including mental health impairment.

This provision also covers situations where a child is induced to commit an indecent act through deception, violence, or an abuse of their dependence.

Article 445.

§1. In the case provided for in the preceding article, a court of law may grant to the injured party a relevant amount on account of pecuniary compensation for the wrong suffered.

§2. The above provision shall also apply in the case of false imprisonment or in the case of inducing somebody by deceit, violence or abuse of a dependency relation to submit to an indecent act.

- Art. 444 of the Civil Code covers compensation for financial loss, including the costs of treatment, rehabilitation, care, and lost income.

Article 444.

§1. In the case of a bodily harm or a health disorder the redress of the damage shall include all expenditures resulting from it. At the request of the injured party, the person obliged to redress the damage shall lay out in advance an amount required to cover the treatment costs and where the injured party has become a disabled person, an amount required to cover the costs of training for another profession as well.

§2. Where the injured party has lost ability to carry out gainful work entirely or in part or where his needs have increased or his prospects for the future success have been reduced, he may demand a relevant pension from the party obliged to redress injury.

§3. If at the moment of issuing the ruling the extent of injury is impossible to be assessed precisely, a temporary pension may be granted to the injured party.

- Art. 24 of the Civil Code provides for the protection of personal rights, such as dignity,



privacy and image. Violation of these rights may be the basis for a claim for compensation.

Article 24.

- §1. A person whose personal interests are jeopardized by another person's action may demand that the action be abandoned, unless it is not illegal. In the case of actual violation, he may also demand that the person who committed the violation perform acts necessary to remove its consequences, in particular that the latter make a statement of a relevant content and in a relevant form. On the basis of the principles provided for by the Code he may also demand pecuniary compensation or a payment of an adequate amount of money for a specified community purpose.*
- §2. If, as a result of personal interests damage to the property was inflicted, the injured party may demand it to be redressed on the basis of general principles.*
- §3. The above provisions shall not prejudice the entitlements provided for by other provisions, in particular by copyright law and by patent law.*

Criminal Code

- Art. 46, §§ 1 and 2 – A criminal court may order compensation for damage or redress for harm suffered in a conviction.

If it is difficult to determine the amount of damage, the court may award the injured party up to PLN 200,000 in monetary compensation.

- Art. 46 § 3 of the Criminal Code states that a criminal court ruling does not preclude the possibility of pursuing further claims in civil proceedings.

Article 46.

- §1. While sentencing, the court may impose, and upon the motion of the harmed party or another entitled person is obliged to impose, the obligation to redress the full damage inflicted by a crime, or to redress part of it, or to compensate for the suffered harm, pursuant to the provisions of the civil law; the provisions of the civil law providing for the possibility of awarding pension do not apply.*
- §2. If the imposition of the obligation prescribed by § 1 meets substantial difficulties, the court may impose punitive damages in the amount of up to PLN 200,000 for the benefit of the harmed party instead of such obligation, and if the harmed party has died as a result of the crime committed by the sentenced person, punitive damages may be imposed for the benefit of an immediate family member, whose life situation has substantially deteriorated due to the death of the harmed party. If more than one such person has been identified, punitive damages are imposed for the benefit of each such person.*
- §3. The imposition of redress or compensation pursuant to § 1, or punitive damages pursuant to § 2, does not impede pursuing unsatisfied part of the claim in civil proceedings.*

Civil proceedings are independent of criminal proceedings and can be initiated before, during



or after criminal proceedings conclude.

In criminal proceedings, an auxiliary prosecutor representing a child (through a guardian or attorney) may file a property claim directly.

The court determines the amount of compensation and damages on a case-by-case basis, taking the following into account:

- the extent of mental suffering;
- the permanence of the effects (e.g. PTSD or depression);
- the age of the child; and
- the circumstances of the crime.

References:

- Civil Code (Polish: [Kodeks cywilny](#))
- Criminal Code (Polish: [Kodeks karny](#))

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?

Children who are victims of crime, including sexual offences, can access publicly funded support through the Justice Fund, administered by the Ministry of Justice. The fund operates on the following basis: Article 43 of the Executive Penal Code and the Minister of Justice's Regulation of 13 September 2017 on the Victim Support and Post-Penitentiary Assistance Fund.

The support available includes:

- Psychological support, including access to a psychologist, psychotherapist or psychiatrist, and individual and family therapy.
- Legal assistance includes legal advice, help with drafting letters and representation in court.
- Material assistance includes the purchase of medicines, medical equipment, clothing, food and hygiene products, as well as subsidies for rent, fees and education costs.
- Educational assistance includes support with learning, the purchase of textbooks and assistance with obtaining professional qualifications.
- Help with finding shelter, including temporary accommodation and assistance with changing place of residence.

All assistance is provided by non-governmental organisations that receive grants from the Fund. To receive assistance, please contact the organisation of your choice (a list is available on the Ministry of Justice website) – please see the relevant link: [Lista organizacji pozarządowych oraz innych podmiotów współpracujących z Ministerstwem Sprawiedliwości 2021-2025 - Ministerstwo Sprawiedliwości - Portal Gov.pl](#)

The assistance is free of charge and available to anyone who has been a victim of crime, regardless of the type of crime.

Article 43.

§1. A Victim Support and Post-Penitentiary Assistance Fund (hereafter referred to as the 'Fund') shall be established.



§1a. The Fund may use the abbreviated name 'Justice Fund'.

§2. The Fund is a special-purpose state fund aimed at assisting victims and witnesses, preventing crime, and providing post-penitentiary assistance. It is administered by the Minister of Justice, who is referred to hereinafter as the 'Fund administrator'.

[...]

§8. The Fund's resources shall be allocated to:

- (1) Assistance to victims of crime and their closest relatives, including medical, psychological, rehabilitation, legal and material assistance, provided by entities not operating for profit and not included in the public finance sector, such as associations, foundations, organisations and institutions.*
- (1a) Assistance referred to in point 1, provided by entities included in the public finance sector;*
- (1b) Training for criminal investigation authorities and their employees to improve their skills in dealing with victims of crime and witnesses, and to promote alternative methods of conflict resolution (in particular, mediation in family, juvenile and criminal matters).*
- (1c) The performance by public finance sector entities of statutory tasks related to protecting the interests of victims of crime and witnesses, as well as detecting and preventing crime and eliminating its effects.*
- (1d) Financing alternative methods of conflict resolution, particularly mediation in family, juvenile and criminal matters.*
- (1e) Education in counteracting violence and crime, particularly for police officers and employees of educational and healthcare institutions.*
- (2) Post-penitentiary assistance for individuals released from prisons and detention centres, and their closest relatives, provided by professional probation officers and the Prison Service.*
- (2a) Psychological assistance for witnesses and their closest relatives.*
- (3) Post-penitentiary assistance for individuals referred to in point 2, provided by entities listed in Article 38 § 1, except for trustworthy persons;*
- (4) Activities undertaken or entrusted by the Fund administrator aimed at supporting and developing the system of assistance for victims of crime and witnesses, as well as post-penitentiary assistance, and at counteracting the causes of crime, particularly through:
 - (a) Promoting and supporting initiatives and projects that aim to improve the situation of victims of crime and facilitate the effective rehabilitation of offenders.*
 - (b) undertaking educational and informational projects, including those concerning the causes and prevention of crime;*
 - (c) covering the costs associated with organising and conducting education, postgraduate studies, further training courses and training;*
 - (d) undertaking, organising and commissioning scientific research and development work, and cooperating with other entities in this area concerning the situation and needs of victims of crime, witnesses and convicted persons, as well as the causes and conditions of crime and its prevention;**



- (e) *Promoting a system of assistance for victims of crime and witnesses, as well as post-penitentiary assistance;*
- (f) *Disseminating knowledge about the rights of victims of crime and alternative methods of conflict resolution, particularly mediation in family, juvenile and criminal matters.*
- (g) *Activities supporting families at risk of dysfunction, particularly in the areas of addiction and co-addiction prevention and treatment, and family conflict resolution.*

References:

- Executive Penal Code (Polish: [Kodeks karny wykonawczy](#))

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

According to the Code of Criminal Procedure, the prosecutor must:

- inform the victim of the relevant stages of the proceedings,
- This includes the detention, arrest or conviction of the perpetrator.

This condition is:

- provide a correspondence address,
- Alternatively, they may appoint a representative.

Victims may also access the case file and participate in the proceedings as a party. In the case of children, they are represented by their legal guardians.

Article 337a.

- §1. At the request of the injured, they shall be advised of the charges of the prosecution and their legal classification.*
- §2. Where the motions referred to in § 1 have been submitted by so many injured persons that providing information individually to each of those persons could seriously hinder the conduct of the proceedings, such information shall be published on the website of the court. The information shall indicate the case file reference number and shall not contain the personal details included in the charges.*

References:

- Code of Criminal Procedure (Polish: [Kodeks postępowania karnego](#))

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?

No, online platforms are not legally required to incorporate “Safety by Design” into their systems. Safety by design is not actually implemented in Polish legislation in any way.

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

N/A



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

N/A

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

N/A

- 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”?**

N/A