

Legal questionnaire completed by Ketler & Partners, I.f. LLC • September 2025

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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>)

According to the Slovenian Family Code (<https://pisrs.si/pregledPredpisa?id=ZAKO7556>), a child is considered to be a person who has not yet reached the age of 18 (Article 5 of Family Code). However, if a person under the age of 18 acquires full legal capacity earlier, they are no longer regarded as a child for legal purposes. In special cases, a minor may acquire full legal capacity before the age of 18, particularly by entering into marriage or with court approval (Article 152 Family Code).

- *Article 5 of Family Code: According to this code, a child is a person who has not yet reached the age of 18, unless they have already acquired full legal capacity.*
- *Article 152 of Family Code:*
 - (1) *Parental care ceases when the child reaches the age of 18 or if the child acquires full legal capacity before reaching the age of majority.*
 - (2) *A child acquires full legal capacity by entering into marriage.*
 - (3) *The court may recognize full legal capacity in a child who has become a parent and has attained such physical and mental maturity that he or she is capable of independent living.*

Children under the age of 15 are generally deemed to lack legal capacity and must be represented by their parents or legal guardians in all legal matters. Minors between the ages of 15 and 18 are considered to have limited legal capacity. They may perform certain legal acts, especially those appropriate to their age and maturity (e.g. entering into employment or handling earnings), but often still require the consent or approval of a legal guardian for other actions.



- *Article 145 of Family Code:*
 - (1) *Children are represented by their parents, unless otherwise provided by law.*
 - (2) *If something needs to be served or communicated to a child, it may be validly served or communicated to one or the other parent, if the parents do not live together, to the parent with whom the child lives or to the parent specified in the court settlement or court decision on joint custody and upbringing of the child under Article 139 of this Code.*

- *Article 146 of Family Code:*
 - (1) *A child who reaches the age of 15 may conclude legal transactions independently, unless otherwise provided by law.*
 - (2) *The consent of the parents is required for the conclusion of transactions that significantly affect the child's life before or after reaching the age of majority.*
 - (3) *The validity of a legal transaction concluded by a child without the consent of the parents shall be assessed in accordance with the rules of the law of obligations.*

The Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) defines a child as a person under the age of 14 who cannot be held criminally liable under the Criminal Code.

- *Article 21 of Criminal Code: Anyone who committed an unlawful act before reaching the age of fourteen (a child) cannot be considered the perpetrator of a criminal offense.*

The Civil Code (<https://pisrs.si/pregledPredpisa?id=ZAKO1263>) distinguishes between different age groups of minors in determining liability for damage. A minor under the age of seven is not liable for any damage it causes. A minor between the ages of seven and fourteen is generally not liable, unless it is proven that it had the capacity for judgment at the time the damage occurred. Once a minor reaches the age of fourteen, it is held liable according to the general rules of liability (Article 137 of Civil Code).

- *Article 137 of Civil Code:*
 - (1) *A minor under the age of seven shall not be liable for damage caused by him or her.*
 - (2) *A minor between the ages of seven and fourteen shall not be liable for damage, unless it is proven that he or she was capable of discernment at the time the damage was caused.*
 - (3) *Minors who have reached the age of fourteen are liable in accordance with the general rules on liability for damage.*

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>)

Although Slovenian legislation does not contain a definition of “child sexual exploitation”, the Criminal Code includes several provisions that criminalize acts which constitute sexual exploitation of children. These include:

- Article 173 of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) strictly prohibits any sexual intercourse or other sexual acts involving a person under the age



of fifteen. This prohibition applies regardless of whether the child appears to consent (except if it was committed with a person of comparable age), as the law presumes that individuals under fifteen are not capable of giving valid consent to sexual activity. Such acts are classified as criminal offences and are punishable by imprisonment ranging from three to eight years.

- *Article 173 of Criminal Code (Sexual assault on a person under the age of fifteen):*
 - (1) *Anyone who has sexual intercourse or performs any other sexual act with a person of the opposite or same sex who is under the age of fifteen shall be punished with imprisonment of three to eight years.*
 - (2) *Anyone who commits the act referred to in the previous paragraph with a vulnerable person under the age of fifteen, or by using force or threatening direct assault on life or limb, or by obtaining the act from another person in this manner, shall be punished with imprisonment of between five and fifteen years.*
 - (3) *A teacher, educator, guardian, adopter, parent, priest, doctor, or other person who, by abusing their position, has sexual intercourse or performs any other sexual act with a person under the age of fifteen who is entrusted to them for education, upbringing, treatment, care, or supervision shall be punished with imprisonment of three to ten years.*
 - (4) *Anyone who, in the circumstances referred to in the first, second, and third paragraphs of this article, otherwise violates the sexual integrity of a person under the age of fifteen shall be punished with imprisonment of up to five years.*
 - (5) *The act referred to in the first paragraph of this Article shall not be unlawful if it was committed with a person of comparable age and if it corresponds to the degree of their mental and physical maturity.*

- Criminal Code in Article 173.a (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) also addresses grooming, particularly the use of communication or information technologies to contact a child under fifteen with the intent of meeting for sexual purposes or for the production of images, audiovisual or other materials of a pornographic or other sexual nature. A criminal offence occurs when such communication is followed by concrete actions toward arranging a meeting. This offence is punishable by up to one year of imprisonment.

- *Article 173.a of Criminal Code (Soliciting persons under the age of fifteen for sexual purposes):*
 - (1) *Anyone who, through information or communication technologies, solicits a person under the age of fifteen to meet with the intention of committing a criminal offense under the first paragraph of Article 173 of this Code or for the purpose of producing images, audiovisual or other objects of a pornographic or other sexual content, and the solicitation is followed by concrete actions to bring about the meeting, shall be punished with imprisonment of up to one year.*
 - (2) *The act referred to in the previous paragraph shall not be unlawful if it was committed for the purpose of carrying out the act referred to in the*



first paragraph of Article 173 and under the conditions referred to in the fifth paragraph of Article 173 of this Code.

- Article 174 of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) criminalizes the violation of sexual integrity through abuse of position. It applies to anyone who abuses their position of authority to coerce a subordinate or dependent person into sexual intercourse or any other sexual act. If the perpetrator is a teacher, educator, guardian, adoptive parent, biological parent, or any other person entrusted with the education, care, or protection of someone over the age of fifteen, and uses this position to engage in sexual acts, the penalties are more severe.
 - *Article 174 of Criminal Code (Violation of sexual integrity through abuse of position):*
 - (1) *Anyone who abuses their position and thereby causes a person of the opposite or same sex who is subordinate or dependent on them to engage in sexual intercourse or to perform or suffer any other sexual act shall be punished with imprisonment of up to five years.*
 - (2) *A teacher, educator, guardian, adopter, parent, or other person who abuses their position to engage in sexual intercourse or perform any other sexual act with a person over the age of fifteen who is entrusted to them for education, upbringing, care, and support shall be punished with imprisonment of one to eight years.*
- Article 175 of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) addresses the exploitation of prostitution. It penalizes individuals who, for the purpose of exploitation, participate in or facilitate the prostitution of another person, especially when force, threats, or deception are involved. The law imposes stricter penalties when the offence involves a child, or when recruitment or coercion is used to involve them in prostitution.
 - *Article 175 of Criminal Code (Abuse of prostitution):*
 - (1) *Anyone who participates in the prostitution of another person for the purpose of exploitation, or who uses force, threats, or deception to induce, obtain, or encourage another person to engage in prostitution, shall be punished with imprisonment of three months to five years.*
 - (2) *Anyone who participates in the prostitution of a minor for the purpose of exploitation, or who interferes with the prostitution of a minor, or who, by force, threat, deception, recruitment, or persuasion, induces, obtains, or encourages a minor to engage in prostitution shall be punished with imprisonment of between one and ten years.*
 - (3) *If the acts referred to in the first or second paragraph of this article were committed against several persons or within the framework of a criminal organization, the perpetrator shall be punished with imprisonment of between one and twelve years.*
- Article 176 of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) prohibits exposing children under fifteen to pornographic material in any form, including visual, written, or live performances. Individuals who sell, show, or otherwise provide access to such content to minors face fines or imprisonment of up to two years. More serious



offences involve the production or facilitation of pornographic content involving minors. This includes inducing, coercing, or manipulating a child to participate in the creation of sexually explicit material or performances. Knowingly attending a sexual performance involving a child is also punishable. These acts are considered severe crimes and carry sentences ranging from six months to eight years of imprisonment.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
 - (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

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

The term “sexually explicit conduct” is not specifically defined in the Slovenian legislation. However, the behaviours that fall under the concept of sexually explicit conduct are covered and criminalized under several provisions of the Criminal Code.



The most direct regulation of sexually explicit content appears in Article 176 of the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), which criminalizes a wide range of activities related to pornographic material. Criminal Code prohibits selling, displaying, or otherwise making such material accessible to persons under the age of fifteen. This includes documents, pictures, audiovisual recordings, and other items of a pornographic nature, as well as live sexual performances. The offence is punishable by a fine or imprisonment of up to two years.

Article 176 of the Criminal code further addresses the production of sexually explicit content involving minors. It criminalizes the act of inducing or coercing a minor to participate in the creation of pornographic or other sexually explicit material. The law also penalizes those who use minors in such performances or who knowingly attend them. Where force, deception, abuse of power, recruitment, or exploitative intent is involved, penalties range from six months to eight years of imprisonment.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
 - (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

Article 173.a of the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>)



criminalizes the act of soliciting a child under fifteen years of age for sexual purposes through electronic communication. This includes proposals to meet with a minor for the purpose of committing sexual offences or producing pornographic content. According to this Article sexual content includes producing images and audiovisual or other objects of a pornographic or other sexual content.

- *Article 173.a of Criminal Code (Soliciting persons under the age of fifteen for sexual purposes):*
 - (1) *Anyone who, through information or communication technologies, solicits a person under the age of fifteen to meet with the intention of committing a criminal offense under the first paragraph of Article 173 of this Code or for the purpose of producing images, audiovisual or other objects of a pornographic or other sexual content, and the solicitation is followed by concrete actions to bring about the meeting, shall be punished with imprisonment of up to one year.*
 - (2) *The act referred to in the previous paragraph shall not be unlawful if it was committed for the purpose of carrying out the act referred to in the first paragraph of Article 173 and under the conditions referred to in the fifth paragraph of Article 173 of this Code.*

Article 175 of the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) prohibits the exploitation of individuals, including minors, through prostitution. While not limited to explicit content, this article is relevant when such exploitation involves the creation or dissemination of pornographic material for profit or manipulation.

- *Article 175 of Criminal Code (Abuse of prostitution):*
 - (1) *Anyone who participates in the prostitution of another person for the purpose of exploitation, or who uses force, threats, or deception to induce, obtain, or encourage another person to engage in prostitution, shall be punished with imprisonment of three months to five years.*
 - (2) *Anyone who participates in the prostitution of a minor for the purpose of exploitation, or who interferes with the prostitution of a minor, or who, by force, threat, deception, recruitment, or persuasion, induces, obtains, or encourages a minor to engage in prostitution shall be punished with imprisonment of between one and ten years.*
 - (3) *If the acts referred to in the first or second paragraph of this article were committed against several persons or within the framework of a criminal organization, the perpetrator shall be punished with imprisonment of between one and twelve years.*

Through these legal provisions, Slovenian criminal law addresses sexually explicit content as both a form of exploitation and a means of abuse, especially when minors are involved.

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

In Slovenian legislation “child sexual abuse” is not specifically defined, however Article 173 of the Slovenian Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) regulates “sexual assault on a person under the age of fifteen”. Mentioned term is defined as engaging in sexual intercourse or performing any other sexual act with a person of the same or



opposite sex who is under the age of 15. This is a strict liability offense - consent is not a valid defence, as the law presumes that a person under the age of 15 does not have the legal capacity to consent to sexual activity.

- *Article 173 of Criminal Code (Sexual assault on a person under the age of fifteen):*
 - (1) *Anyone who has sexual intercourse or performs any other sexual act with a person of the opposite or same sex who is under the age of fifteen shall be punished with imprisonment of three to eight years.*
 - (2) *Anyone who commits the act referred to in the previous paragraph with a vulnerable person under the age of fifteen, or by using force or threatening direct assault on life or limb, or by obtaining the act from another person in this manner, shall be punished with imprisonment of between five and fifteen years.*
 - (3) *A teacher, educator, guardian, adopter, parent, priest, doctor, or other person who, by abusing their position, has sexual intercourse or performs any other sexual act with a person under the age of fifteen who is entrusted to them for education, upbringing, treatment, care, or supervision shall be punished with imprisonment of three to ten years.*
 - (4) *Anyone who, in the circumstances referred to in the first, second, and third paragraphs of this article, otherwise violates the sexual integrity of a person under the age of fifteen shall be punished with imprisonment of up to five years.*
 - (5) *The act referred to in the first paragraph of this Article shall not be unlawful if it was committed with a person of comparable age and if it corresponds to the degree of their mental and physical maturity.*

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

Slovenian legislation does not use a singular legal term such as “child pornography” or “child sexual abuse material”. However, these concepts are covered through several provisions of the Criminal Code, which criminalize a broad range of exploitative activities involving minors in connection with sexually explicit content or prostitution. Criminal Code consistently uses the terms “pornographic material” and “sexual content” to describe what is understood as (child) sexual abuse material.

The clearest expression of this appears in Article 176 of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), which prohibits not only the production of pornographic or sexually explicit content involving minors, but also its distribution, possession, presentation, and access via digital technologies. Specifically, it is a criminal offence to sell, show, distribute, or otherwise make pornographic material accessible to children under the age of fifteen. This includes documents, images, audiovisual items, or live sexual performances.

Furthermore, it criminalizes acts where a minor is recruited, persuaded, coerced, or exploited, whether by force, threats, deception, abuse of power, or manipulation, for the purpose of producing sexually explicit content. This includes both static content (such as images or videos) and participation in live sexual performances. Even knowingly attending such a performance involving a minor constitutes a criminal offence. Penalties for such offences range from six months to eight years of imprisonment, depending on the severity



and means used.

Importantly, Article 176(3) of Criminal Code expands the scope of criminal liability to include possession, creation, distribution, sale, import, export, or any form of offering of sexually explicit material involving minors or realistic depictions of minors. It also criminalizes intentional access to such material through digital communication technologies, as well as disclosure of the identity of a minor involved in such content.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
 - (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

Complementing this provision, Article 175(2) of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) addresses situations in which a minor is involved in prostitution. The law criminalizes any form of participation or interference in the prostitution of a minor, especially when it involves force, threat, deception, recruitment, or solicitation. Such acts are punishable by one to ten years of imprisonment. While this provision is not limited to recorded content, it intersects with the concept of child sexual abuse material when prostitution is exploited for production or dissemination purposes.



- *Article 175 of Criminal Code (Abuse of prostitution):*
 - (1) *Anyone who participates in the prostitution of another person for the purpose of exploitation, or who uses force, threats, or deception to induce, obtain, or encourage another person to engage in prostitution, shall be punished with imprisonment of three months to five years.*
 - (2) *Anyone who participates in the prostitution of a minor for the purpose of exploitation, or who interferes with the prostitution of a minor, or who, by force, threat, deception, recruitment, or persuasion, induces, obtains, or encourages a minor to engage in prostitution shall be punished with imprisonment of between one and ten years.*
 - (3) *If the acts referred to in the first or second paragraph of this article were committed against several persons or within the framework of a criminal organization, the perpetrator shall be punished with imprisonment of between one and twelve years.*

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>)

Slovenian legislation does not explicitly define “computer-generated images” or “videos of child pornography” or “CSAM”. However, such content is partially addressed in Article 176 of the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), which regulates the production, possession, distribution, and presentation of pornographic material.

Article 176(3) of Criminal Code regulates acquiring, production, distribution, sale, import, export, or other offering of pornographic or other sexually explicit material that involves minors or their realistic depictions. Although the law does not specifically mention terms like “CSAM” or “computer-generated”, the reference to “realistic depictions of minors” provides a legal basis for the criminal prosecution of synthetic or artificially created images and videos that realistically portray minors in sexually explicit situations.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or*



- communication technologies, or reveals the identity of a minor in such material.*
- (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
- (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
- (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

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>)

In Slovenian law, there is no specific legal definition of the terms “enticement” or “grooming”. However, Slovenian Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) addresses similar conduct under provisions that prohibit approaching or communicating with children under the age of fifteen through information and communication technologies with the intent to arrange a meeting for the purpose of committing a sexual offense or producing pornographic material involving the child.

If such communication leads to concrete actions toward arranging a meeting, the offender may face imprisonment. This legal framework essentially covers behaviours commonly described as grooming or enticement - encouraging, persuading, or coercing a child into sexual activity or the creation of child pornography or CSAM.

- *Article 173.a of Criminal Code (Soliciting persons under the age of fifteen for sexual purposes):*
 - (1) *Anyone who, through information or communication technologies, solicits a person under the age of fifteen to meet with the intention of committing a criminal offense under the first paragraph of Article 173 of this Code or for the purpose of producing images, audiovisual or other objects of a pornographic or other sexual content, and the solicitation is followed by concrete actions to bring about the meeting, shall be punished with imprisonment of up to one year.*
 - (2) *The act referred to in the previous paragraph shall not be unlawful if it was committed for the purpose of carrying out the act referred to in the first paragraph of Article 173 and under the conditions referred to in the fifth paragraph of Article 173 of this Code.*

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 in Slovenia is 15 years. According to Article 173 of



the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), sexual acts with a person under the age of 15 are prohibited and punishable. This legal framework reflects the recognition that individuals below this age are considered unable to give valid consent to sexual activities. However, it should be noted that an exception exists under Article 173(5) of Criminal Code, which states that such an act is not unlawful if it was committed with a person of comparable age and if it corresponds to the level of their mental and physical maturity.

- *Article 173 of Criminal Code (Sexual assault on a person under the age of fifteen):*
 - (1) *Anyone who has sexual intercourse or performs any other sexual act with a person of the opposite or same sex who is under the age of fifteen shall be punished with imprisonment of three to eight years.*
 - (2) *Anyone who commits the act referred to in the previous paragraph with a vulnerable person under the age of fifteen, or by using force or threatening direct assault on life or limb, or by obtaining the act from another person in this manner, shall be punished with imprisonment of between five and fifteen years.*
 - (3) *A teacher, educator, guardian, adopter, parent, priest, doctor, or other person who, by abusing their position, has sexual intercourse or performs any other sexual act with a person under the age of fifteen who is entrusted to them for education, upbringing, treatment, care, or supervision shall be punished with imprisonment of three to ten years.*
 - (4) *Anyone who, in the circumstances referred to in the first, second, and third paragraphs of this article, otherwise violates the sexual integrity of a person under the age of fifteen shall be punished with imprisonment of up to five years.*
 - (5) *The act referred to in the first paragraph of this Article shall not be unlawful if it was committed with a person of comparable age and if it corresponds to the degree of their mental and physical maturity.*

- 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>)**

In Slovenia, sextortion is addressed through a combination of provisions in the Criminal Code, depending on the means used and the nature of the material involved.

When sextortion involves coercing a minor into creating sexually explicit material, Article 176 (Display, production, possession and distribution of pornographic material) of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) applies. This provision criminalizes acts where a person, by force, threat, deception, abuse of authority, recruitment, solicitation, or for the purpose of exploitation, induces a minor to produce images, audiovisual or other objects of pornographic or other sexual content, or to participate in a pornographic or sexual performance. The prescribed penalty for such acts is imprisonment from six months to eight years.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures,*



- audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
- (2) Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
 - (6) Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

If sextortion is carried out to obtain an unlawful financial benefit, by using threats or coercion to make the victim do or refrain from something to their detriment, Article 213 (Extortion) of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) applies. This provision covers both the use of force or serious threats and threats to reveal information that could harm the victim's reputation, punishable by imprisonment of up to five years, or up to eight years in aggravated circumstances.

– *Article 213 of Criminal Code (Extortion):*

- (1) Anyone who, in order to obtain unlawful financial gain for themselves or another person, uses force or serious threats to compel someone to do or refrain from doing something to the detriment of their own or another person's property shall be punished with imprisonment of up to five years.*
- (2) The same punishment shall be imposed on anyone who, in order to obtain unlawful financial gain for themselves or another person, threatens to reveal something about them or their relatives that would damage their honor or reputation, thereby forcing them to do or refrain from doing something to the detriment of their own or another person's property.*
- (3) If the act referred to in the first or second paragraph of this article is committed by two or more persons, or if it is committed with the use of weapons or dangerous tools, or in a particularly cruel and humiliating manner, the*



- perpetrator shall be punished with imprisonment of one to eight years.*
- (4) If the act referred to in the preceding paragraphs was committed by a criminal organization, the perpetrator shall be punished with imprisonment of between one and ten years.*

In cases where sextortion involves the disclosure or threatened disclosure of personal data or identifying information about the victim, especially when publishing or enabling the publication of such data online, Article 143 (Misuse of personal data) of Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) may also apply. This provision criminalizes the unlawful public disclosure of personal data without legal basis or consent, with penalties ranging from fines to imprisonment, depending on the seriousness of the offence and the status of the perpetrator.

- *Article 143 of Criminal Code (Misuse of personal data):*
 - (1) Anyone who, without legal basis or the personal consent of the individual to whom the personal data relates, discloses or publicly publishes personal data that is processed on the basis of the law or the personal consent of the individual shall be punished with a fine or imprisonment of up to one year.*
 - (2) The same penalty shall apply to anyone who breaks into or enters a computerized database without authorization with the intention of obtaining personal data for themselves or someone else.*
 - (3) Anyone who publishes or enables another person to publish on the World Wide Web or otherwise personal data of victims of criminal offences, victims of violations of rights or freedoms, protected witnesses, which are contained in court files of court proceedings, where, by law or by court decision, the presence of the public or the identification of victims or protected witnesses and personal records relating to them in connection with court proceedings, on the basis of which these persons can be identified or are identifiable, is not permitted, shall be punished with imprisonment of up to three years.*
 - (4) Anyone who assumes the identity of another person or exploits their rights by processing their personal data, obtains financial or non-financial gain at their expense, or damages their personal dignity shall be punished with imprisonment of between three months and three years.*
 - (5) Anyone who commits the act referred to in the first paragraph of this article by transmitting sensitive personal data for public disclosure or by publicly disclosing such data shall be punished with imprisonment of up to two years.*
 - (6) If an official commits an act referred to in the preceding paragraphs of this Article by abusing his official position or official rights, he shall be punished with imprisonment of up to five years.*
 - (7) Prosecution under the fourth paragraph of this Article shall be initiated upon proposal.*

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:

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



In Slovenia, there are no explicit legal obligations requiring all online platforms to proactively review, screen, moderate, or detect content for the purpose of identifying child pornography or CSAM content. However, certain platforms and content types are subject to specific legal responsibilities, particularly when pornography or CSAM is reported or when the platform qualifies as a video-sharing platform.

Under the Audiovisual media services act (<https://pisrs.si/pregledPredpisa?id=ZAKO6225>), Article 38.b imposes obligations on video-sharing platforms operating in Slovenia to protect both children and the general public from harmful and illegal content. Platforms must adopt appropriate measures to protect children from audiovisual content that may harm their physical, mental, or moral development, and the general public from content, including videos and audiovisual messages, whose dissemination constitutes a criminal offence, specifically including the offence of production, possession, and distribution of pornographic material, as well as offences related to terrorism, incitement to violence, and hate speech.

To fulfil this obligation, platforms are required to:

- Establish clear content rules that prohibit the uploading of illegal material,
- Implement transparent mechanisms for reporting and reviewing such content,
- Take appropriate measures to remove or restrict access to the content once identified,
- Provide a user-friendly complaints system, and
- Notify users about content removal actions and allow for appeals.

The law therefore explicitly requires that platforms have some preventive mechanisms to ensure that such criminal content is not distributed through their services. While the legislation does not mandate specific technologies (e.g., automated scanning or AI tools), it requires platforms to operate systems that minimize the risk of publishing illegal content, including child pornography and CSAM.

– *Article 38.b of Audiovisual media services act (Protective measures for video-sharing platform providers):*

(1) Video-sharing platform providers within the jurisdiction of the Republic of Slovenia shall take appropriate measures to protect:

- *children from programs, videos, and audiovisual commercial communications that could harm their physical, mental, or moral development;*
- *the general public from programs, videos, and audiovisual commercial communications that promote violence or hatred toward a group of persons or a member of such a group on the basis of sex, race, skin color, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, nationality, membership of a national minority, property, birth, disability, age, or sexual orientation;*
- *the general public from programmes, videos and audiovisual messages whose dissemination constitutes a criminal offence of incitement and public glorification of terrorist acts, the criminal offense of displaying, producing, possessing, and distributing pornographic material or the criminal offense of publicly inciting hatred, violence, and intolerance.*

(2) Video-sharing platform providers shall establish and publicly publish rules specifying:



- *the prohibition of publishing videos that are contrary to the provisions of the previous paragraph;*
 - *the possibility of reporting violations of the aforementioned rules;*
 - *the procedure for handling reports of violations of the rules;*
 - *measures for removing illegal content or stopping its distribution;*
 - *the procedure for handling complaints against the measures referred to in the previous indent.*
- (3) *The system for filing reports referred to in the previous paragraph must be transparent and user-friendly. The reporter must be notified in writing of the outcome of their report within 15 days of filing it.*
- (4) *In the event of measures being taken as referred to in the fourth indent of the second paragraph of this Article, the video-sharing platform provider shall inform the user who uploaded the video to the platform of the reasons for the termination of the distribution of the illegal content. The user may lodge a complaint against the measures taken with the video-sharing platform provider. The video-sharing platform provider shall store the disputed video in case of a complaint.*
- (5) *The video-sharing platform provider shall, as soon as possible, but no later than within 15 days, review the user's complaint and, if the complaint is upheld, restore the video to its state prior to the measures being taken, or, if the complaint is rejected, provide the user with a written explanation of the reasons for the measures taken and respond to the complaint.*
- (6) *If the video-sharing platform provider does not grant the complaint within the time limit specified in the previous paragraph, the user may lodge a complaint with the Agency in accordance with Article 38.c of this Act.*
- (7) *Measures to ensure the implementation of the provisions of the first indent of the first paragraph of this Article shall include, in particular:*
- *establishing and operating a system for verifying the age of users of video-sharing platforms;*
 - *providing a parental control system operated by the end user.*
- (8) *Data collected or otherwise generated by video-sharing platform providers on the basis of the measures referred to in this Article may only be processed for the purpose of verifying the age of users.*
- (9) *The measures referred to in this Article shall not lead to measures of prior control or filtering of content when uploading to the platform that are not in accordance with the law governing electronic commerce in the market.*

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

In Slovenia, there are no explicit legal obligations requiring all online platforms to proactively review, screen, moderate, or detect content to identify enticement, grooming or sextortion of a child.

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

In Slovenia, online platforms are not explicitly required by law to report child pornography,



CSAM, enticement, grooming, or sextortion to law enforcement or a government agency. However, they are expected to act once they become aware of illegal content. While the Criminal Code does not impose a direct reporting duty on online platforms, it criminalizes knowingly enabling or failing to prevent the distribution of CSAM and child pornography, especially after becoming aware of its presence. This creates a legal expectation that platforms will take action, such as removing the content and alerting relevant authorities, once such content is identified or reported.

Slovenia has an official CSAM reporting hotline, “Spletno oko” (<https://www.spletno-oko.si/>), operated by the Faculty of Social Sciences in cooperation with the police and international networks (INHOPE). While reporting is not mandatory, platforms and individuals are encouraged to report suspected CSAM and related content directly to Spletno oko, which passes verified reports to the Slovenian police.

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

In Slovenia, online platforms are required to remove or disable access to child pornography, CSAM, and related illegal content once they identify it, become aware of it, or are notified about it. This obligation is grounded in both criminal legislation and regulatory requirements, particularly for platforms that qualify as video-sharing services.

Under the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), the production, possession, and distribution of child pornography and CSAM is a criminal offence. The law further provides that pornographic or other sexual material described in the relevant provisions must be seized or its use appropriately disabled, reinforcing the expectation that illegal content must not remain accessible once discovered (Article 176(6) of Criminal Code).

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such*



criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.

- (5) The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
- (6) Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

The Audiovisual media services act (<https://pisrs.si/pregledPredpisa?id=ZAKO6225>) imposes duties on video-sharing platforms to implement reporting and moderation systems that enable users to flag illegal content. Platforms must act promptly to review such reports and take appropriate measures to remove or restrict access to harmful material. They are also required to inform users of the actions taken and allow for an appeal process.

- *Article 38.b of Audiovisual media services act (Protective measures for video-sharing platform providers):*
- (1) Video-sharing platform providers within the jurisdiction of the Republic of Slovenia shall take appropriate measures to protect:*
- children from programs, videos, and audiovisual commercial communications that could harm their physical, mental, or moral development;*
 - the general public from programs, videos, and audiovisual commercial communications that promote violence or hatred toward a group of persons or a member of such a group on the basis of sex, race, skin color, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, nationality, membership of a national minority, property, birth, disability, age, or sexual orientation;*
 - the general public from programmes, videos and audiovisual messages whose dissemination constitutes a criminal offence of incitement and public glorification of terrorist acts, the criminal offense of displaying, producing, possessing, and distributing pornographic material or the criminal offense of publicly inciting hatred, violence, and intolerance.*
- (2) Video-sharing platform providers shall establish and publicly publish rules specifying:*
- the prohibition of publishing videos that are contrary to the provisions of the previous paragraph;*
 - the possibility of reporting violations of the aforementioned rules;*
 - the procedure for handling reports of violations of the rules;*
 - measures for removing illegal content or stopping its distribution;*
 - the procedure for handling complaints against the measures referred to in the previous indent.*
- (3) The system for filing reports referred to in the previous paragraph must be transparent and user-friendly. The reporter must be notified in writing of the outcome of their report within 15 days of filing it.*
- (4) In the event of measures being taken as referred to in the fourth indent of the*



second paragraph of this Article, the video-sharing platform provider shall inform the user who uploaded the video to the platform of the reasons for the termination of the distribution of the illegal content. The user may lodge a complaint against the measures taken with the video-sharing platform provider. The video-sharing platform provider shall store the disputed video in case of a complaint.

- (5) The video-sharing platform provider shall, as soon as possible, but no later than within 15 days, review the user's complaint and, if the complaint is upheld, restore the video to its state prior to the measures being taken, or, if the complaint is rejected, provide the user with a written explanation of the reasons for the measures taken and respond to the complaint.*
- (6) If the video-sharing platform provider does not grant the complaint within the time limit specified in the previous paragraph, the user may lodge a complaint with the Agency in accordance with Article 38.c of this Act.*
- (7) Measures to ensure the implementation of the provisions of the first indent of the first paragraph of this Article shall include, in particular:*
 - establishing and operating a system for verifying the age of users of video-sharing platforms;*
 - providing a parental control system operated by the end user.*
- (8) Data collected or otherwise generated by video-sharing platform providers on the basis of the measures referred to in this Article may only be processed for the purpose of verifying the age of users.*
- (9) The measures referred to in this Article shall not lead to measures of prior control or filtering of content when uploading to the platform that are not in accordance with the law governing electronic commerce in the market.*

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

In Slovenia, there is no explicit legal obligation requiring online platforms to use human moderators to screen or review content for child pornography or CSAM.

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

In Slovenia, online platforms are required to remove or disable access to child pornography, CSAM, enticement, grooming, or sextortion once they are notified of its presence by a victim, nongovernmental organization, law enforcement authority, or government agency. This obligation is grounded in both criminal legislation and regulatory provisions for video-sharing platforms.

Under the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), the possession, production, and distribution of child pornography or CSAM is a criminal offence (Article 176). While the law does not impose a direct, proactive monitoring obligation on platforms, it reinforces the duty to act once illegal content is identified or reported. Specifically, Article 176(6) provides that such material must be seized or its use appropriately disabled, which establishes a legal expectation that child pornography or CSAM must be removed without delay once a platform is made aware of its existence.



Further, for video-sharing platforms, the Audiovisual Media Services Act (<https://pisrs.si/pregledPredpisa?id=ZAKO6225>), specifically Article 38.b, imposes explicit duties to maintain systems for receiving user reports of illegal content; act promptly to review and address such reports; and remove or disable access to material that constitutes a criminal offence, including CSAM and related exploitation material.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
 - (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*
- *Article 38.b of Audiovisual media services act (Protective measures for video-sharing platform providers):*
 - (1) *Video-sharing platform providers within the jurisdiction of the Republic of Slovenia shall take appropriate measures to protect:*
 - *children from programs, videos, and audiovisual commercial communications that could harm their physical, mental, or moral development;*
 - *the general public from programs, videos, and audiovisual commercial communications that promote violence or hatred toward a group of*



- persons or a member of such a group on the basis of sex, race, skin color, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, nationality, membership of a national minority, property, birth, disability, age, or sexual orientation;*
- *the general public from programmes, videos and audiovisual messages whose dissemination constitutes a criminal offence of incitement and public glorification of terrorist acts, the criminal offense of displaying, producing, possessing, and distributing pornographic material or the criminal offense of publicly inciting hatred, violence, and intolerance.*
- (2) *Video-sharing platform providers shall establish and publicly publish rules specifying:*
- *the prohibition of publishing videos that are contrary to the provisions of the previous paragraph;*
 - *the possibility of reporting violations of the aforementioned rules;*
 - *the procedure for handling reports of violations of the rules;*
 - *measures for removing illegal content or stopping its distribution;*
 - *the procedure for handling complaints against the measures referred to in the previous indent.*
- (3) *The system for filing reports referred to in the previous paragraph must be transparent and user-friendly. The reporter must be notified in writing of the outcome of their report within 15 days of filing it.*
- (4) *In the event of measures being taken as referred to in the fourth indent of the second paragraph of this Article, the video-sharing platform provider shall inform the user who uploaded the video to the platform of the reasons for the termination of the distribution of the illegal content. The user may lodge a complaint against the measures taken with the video-sharing platform provider. The video-sharing platform provider shall store the disputed video in case of a complaint.*
- (5) *The video-sharing platform provider shall, as soon as possible, but no later than within 15 days, review the user's complaint and, if the complaint is upheld, restore the video to its state prior to the measures being taken, or, if the complaint is rejected, provide the user with a written explanation of the reasons for the measures taken and respond to the complaint.*
- (6) *If the video-sharing platform provider does not grant the complaint within the time limit specified in the previous paragraph, the user may lodge a complaint with the Agency in accordance with Article 38.c of this Act.*
- (7) *Measures to ensure the implementation of the provisions of the first indent of the first paragraph of this Article shall include, in particular:*
- *establishing and operating a system for verifying the age of users of video-sharing platforms;*
 - *providing a parental control system operated by the end user.*
- (8) *Data collected or otherwise generated by video-sharing platform providers on the basis of the measures referred to in this Article may only be processed for the purpose of verifying the age of users.*
- (9) *The measures referred to in this Article shall not lead to measures of prior control or filtering of content when uploading to the platform that are not in accordance with the law governing electronic commerce in the market.*

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.

In Slovenia, there is currently no explicit legal requirement for online platforms to use specific technologies, such as hashing, artificial intelligence (AI), or machine learning, to detect, block, or remove child pornography, CSAM, enticement, grooming, or sextortion.

- 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.?

In Slovenia, legal obligations to prevent and respond to child sexual exploitation content vary depending on the type of online platform. Video-sharing platforms are specifically regulated under Article 38.b of the Audiovisual media services act (<https://pisrs.si/pregledPredpisa?id=ZAKO6225>) and are required to implement measures such as user reporting systems, content moderation, and prompt removal of illegal content like CSAM.

- *Article 38.b of Audiovisual media services act (Protective measures for video-sharing platform providers):*

(1) Video-sharing platform providers within the jurisdiction of the Republic of Slovenia shall take appropriate measures to protect:

- *children from programs, videos, and audiovisual commercial communications that could harm their physical, mental, or moral development;*
- *the general public from programs, videos, and audiovisual commercial communications that promote violence or hatred toward a group of persons or a member of such a group on the basis of sex, race, skin color, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, nationality, membership of a national minority, property, birth, disability, age, or sexual orientation;*
- *the general public from programmes, videos and audiovisual messages whose dissemination constitutes a criminal offence of incitement and public glorification of terrorist acts, the criminal offense of displaying, producing, possessing, and distributing pornographic material or the criminal offense of publicly inciting hatred, violence, and intolerance.*

(2) Video-sharing platform providers shall establish and publicly publish rules specifying:

- *the prohibition of publishing videos that are contrary to the provisions of the previous paragraph;*
- *the possibility of reporting violations of the aforementioned rules;*
- *the procedure for handling reports of violations of the rules;*
- *measures for removing illegal content or stopping its distribution;*
- *the procedure for handling complaints against the measures referred to*

in the previous indent.

- (3) The system for filing reports referred to in the previous paragraph must be transparent and user-friendly. The reporter must be notified in writing of the outcome of their report within 15 days of filing it.*
- (4) In the event of measures being taken as referred to in the fourth indent of the second paragraph of this Article, the video-sharing platform provider shall inform the user who uploaded the video to the platform of the reasons for the termination of the distribution of the illegal content. The user may lodge a complaint against the measures taken with the video-sharing platform provider. The video-sharing platform provider shall store the disputed video in case of a complaint.*
- (5) The video-sharing platform provider shall, as soon as possible, but no later than within 15 days, review the user's complaint and, if the complaint is upheld, restore the video to its state prior to the measures being taken, or, if the complaint is rejected, provide the user with a written explanation of the reasons for the measures taken and respond to the complaint.*
- (6) If the video-sharing platform provider does not grant the complaint within the time limit specified in the previous paragraph, the user may lodge a complaint with the Agency in accordance with Article 38.c of this Act.*
- (7) Measures to ensure the implementation of the provisions of the first indent of the first paragraph of this Article shall include, in particular:*
 - establishing and operating a system for verifying the age of users of video-sharing platforms;*
 - providing a parental control system operated by the end user.*
- (8) Data collected or otherwise generated by video-sharing platform providers on the basis of the measures referred to in this Article may only be processed for the purpose of verifying the age of users.*
- (9) The measures referred to in this Article shall not lead to measures of prior control or filtering of content when uploading to the platform that are not in accordance with the law governing electronic commerce in the market.*

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?

Not all online platforms operating in Slovenia are legally required to implement age verification mechanisms before granting users access to their services. However, certain types of platforms, specifically video-sharing platforms, are subject to explicit legal obligations under national law.

The Audiovisual media services act (<https://pisrs.si/pregledPredpisa?id=ZAKO6225>) imposes specific obligations on video-sharing platform providers operating within Slovenia's jurisdiction. According to Article 38.b(7) of Audiovisual media services act, these providers are required to adopt protective measures to safeguard children (under the age of 18) from content that may harm their physical, mental, or moral development. One of the listed measures is the establishment and operation of an age verification system, along with a parental control system managed by the end user.

The Audiovisual media services act does not prescribe a specific technological method for age verification but mandates that such systems be implemented in a way that aligns with the purpose of protecting minors. Furthermore, Article 38.b(8) stipulates that any data collected or generated in connection with these age verification measures may be processed only for the purpose of verifying

users' age. Additionally, Article 38.b(9) states that these measures must not result in unlawful prior content filtering or monitoring, in accordance with Slovenia's laws on electronic commerce.

- *Article 38.b of Audiovisual media services act (Protective measures for video-sharing platform providers):*
 - (1) *Video-sharing platform providers within the jurisdiction of the Republic of Slovenia shall take appropriate measures to protect:*
 - *children from programs, videos, and audiovisual commercial communications that could harm their physical, mental, or moral development;*
 - *the general public from programs, videos, and audiovisual commercial communications that promote violence or hatred toward a group of persons or a member of such a group on the basis of sex, race, skin color, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, nationality, membership of a national minority, property, birth, disability, age, or sexual orientation;*
 - *the general public from programmes, videos and audiovisual messages whose dissemination constitutes a criminal offence of incitement and public glorification of terrorist acts, the criminal offense of displaying, producing, possessing, and distributing pornographic material or the criminal offense of publicly inciting hatred, violence, and intolerance.*
 - (2) *Video-sharing platform providers shall establish and publicly publish rules specifying:*
 - *the prohibition of publishing videos that are contrary to the provisions of the previous paragraph;*
 - *the possibility of reporting violations of the aforementioned rules;*
 - *the procedure for handling reports of violations of the rules;*
 - *measures for removing illegal content or stopping its distribution;*
 - *the procedure for handling complaints against the measures referred to in the previous indent.*
 - (3) *The system for filing reports referred to in the previous paragraph must be transparent and user-friendly. The reporter must be notified in writing of the outcome of their report within 15 days of filing it.*
 - (4) *In the event of measures being taken as referred to in the fourth indent of the second paragraph of this Article, the video-sharing platform provider shall inform the user who uploaded the video to the platform of the reasons for the termination of the distribution of the illegal content. The user may lodge a complaint against the measures taken with the video-sharing platform provider. The video-sharing platform provider shall store the disputed video in case of a complaint.*
 - (5) *The video-sharing platform provider shall, as soon as possible, but no later than within 15 days, review the user's complaint and, if the complaint is upheld, restore the video to its state prior to the measures being taken, or, if the complaint is rejected, provide the user with a written explanation of the reasons for the measures taken and respond to the complaint.*
 - (6) *If the video-sharing platform provider does not grant the complaint within the time limit specified in the previous paragraph, the user may lodge a complaint with the Agency in accordance with Article 38.c of this Act.*
 - (7) *Measures to ensure the implementation of the provisions of the first indent of the first paragraph of this Article shall include, in particular:*
 - *establishing and operating a system for verifying the age of users of video-sharing platforms;*



- *providing a parental control system operated by the end user.*
- (8) *Data collected or otherwise generated by video-sharing platform providers on the basis of the measures referred to in this Article may only be processed for the purpose of verifying the age of users.*
- (9) *The measures referred to in this Article shall not lead to measures of prior control or filtering of content when uploading to the platform that are not in accordance with the law governing electronic commerce in the market.*

Article 176 of the Slovenian Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>) prohibits the sale, display, or otherwise making accessible of pornographic material to persons under the age of 15. Although the article does not prescribe a specific mechanism for enforcing this restriction, it implies that platforms offering such content must take appropriate measures, such as age verification, to prevent minors from accessing illegal or harmful material.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
 - (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

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?

In Slovenia, online platforms are legally required to obtain parental consent before a child under the age of 15 uses their services, if the service involves the processing of the child's personal data. This

requirement is established in Article 8 of the Personal data protection act (<https://pisrs.si/pregledPredpisa?id=ZAKO7959>).

According to Article 8, a child who has not yet reached the age of 15 may only consent to the processing of their personal data in connection with the use of online services if their parent or legal guardian gives or authorizes the consent. This means that platforms must ensure that they have obtained verifiable parental permission before allowing children under 15 to use their services in a way that involves data collection or profiling.

The law does not specify the exact technical method for obtaining or verifying parental consent.

The obligation does not apply to all platforms equally; it depends on whether the service processes personal data. Platforms that collect user data must obtain parental consent for users under 15, while those that do not are exempt.

- *Article 8 of Personal data protection act (Consent of a child to use information society services):*

(1) The consent of a child to use information society services offered directly to children or which can be reasonably expected to be used by children shall be valid if the child is 15 years of age or older. If the child is younger than 15 years of age, consent is valid only if given or approved by one of the child's parents, his or her guardian, or a person who has been granted parental care. Where the information society service is provided free of charge, consent may also be given by the foster parent or representative of the institution in which the child is placed. In cases where the terms and conditions of the information society service provider stipulate a higher age for the use of these services, the age specified in the terms and conditions of the service provider shall apply.

(2) The consent of the child referred to in the previous paragraph may not be subject to excessive conditions on the part of the controller, such that the child would have to provide more personal data than is necessary for the purpose of performing such activities.

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, Slovenian legislation provides legal remedies for children who have been victimized by online child sexual exploitation, including cases involving the distribution of child pornography or CSAM, grooming, enticement, or sextortion.

Victimized children have access to criminal, civil, and administrative remedies. Under the Criminal Code, offences such as sexual assault of a child (Article 173), grooming (Article 173a), exploitation through prostitution (Article 175), and production or distribution of child pornography or CSAM (Article 176) are prosecutable crimes. Children can be involved in criminal proceedings through their legal representatives, and their participation is subject to child-sensitive procedures, such as being interviewed by trained professionals in appropriate environments.

In addition to criminal prosecution, victims may pursue civil compensation for emotional and material

damages caused by the abuse.

Children are also entitled to support services, including social, psychological, and legal assistance, typically coordinated by Centres for Social Work. If sexually explicit content involving a child has been distributed online, victims (or their guardians) can request the removal of such content and report incidents via Slovenia's national hotline for CSAM and illegal online content.

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

Yes, Slovenian law does provide remedies that allow victims or their legal guardians to request the removal and cessation of publication of child pornography or CSAM imagery by an online platform.

1. Criminal Code – Under Article 176, the production, possession, and distribution of child pornography or CSAM is a criminal offence. Once reported, law enforcement has the authority to initiate investigations, seize content, and request its removal.
 - *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) *Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) *Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) *The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material, obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
 - (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
 - (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*



(6) Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.

2. Obligations Code – Victims can pursue civil claims to prohibit the further distribution of the material and claim damages for the harm caused. Courts may issue injunctions or cease-and-desist orders.

- *Article 134 of Obligations Code (Request for cessation of violations of personal rights)*
 - (1) Everyone has the right to request a court or other competent authority to order the cessation of an act that violates the inviolability of human personality, personal and family life, or any other personal right, to prevent such an act, or to remove its consequences.*
 - (2) The court or other competent authority may order the violator to cease the act, failing which he shall be required to pay the injured party a specified amount of money, calculated as a lump sum or per unit of time.*

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

In Slovenian, there is no explicit general obligation requiring all online platforms to proactively detect or remove child pornography or other illegal imagery from their servers. However, once such content is reported or brought to the platform's attention, certain legal responsibilities to act do apply, particularly for video-sharing platforms.

Under Article 176 of the Criminal Code (<https://pisrs.si/pregledPredpisa?id=ZAKO5050>), the production, possession, and distribution of child pornography or CSAM is criminalised. While this provision is directed primarily at individuals, a platform that knowingly hosts or fails to remove such content after being notified may become legally liable, especially if it facilitates the ongoing distribution of illegal material.

- *Article 176 of Criminal Code (Displaying, producing, possessing, and distributing pornographic material):*
 - (1) Anyone who sells, displays, or otherwise makes available to a person under the age of fifteen, through public exhibition or otherwise, documents, pictures, audiovisual or other objects of pornographic content, or shows them a pornographic or other sexual performance, shall be punished with a fine or imprisonment of up to two years.*
 - (2) Anyone who, by force, threat, deception, abuse of authority, recruitment, persuasion, or exploitation, induces, obtains, or encourages a minor to produce images, audiovisual or other objects of a pornographic or other sexual nature, to participate in a pornographic or other sexual performance, or who knowingly attends such a performance, shall be punished with imprisonment of between six months and eight years.*
 - (3) The same as in the previous paragraph shall apply to anyone who, for themselves or for another person, obtains, produces, distributes, sells, imports, exports, or otherwise offers pornographic or other sexual material involving minors or realistic images of minors, or anyone who possesses such material,*



- obtains access or intentionally accesses such material using information or communication technologies, or reveals the identity of a minor in such material.*
- (4) *If the act referred to in the second or third paragraph of this article was committed in a criminal organization for the purpose of committing such criminal offenses, the perpetrator shall be punished with imprisonment of one to eight years.*
- (5) *The act referred to in the third paragraph of this article, insofar as it involves the acquisition, producing, possessing, or obtaining access to pornographic or other sexual material by means of information or communication technologies, shall not be unlawful if it was committed between minors of comparable age who consented to the act, corresponds to their level of mental and physical maturity, and depicts such persons.*
- (6) *Pornographic or other sexual material referred to in the second, third, and fourth paragraphs of this article shall be seized or its use shall be prevented accordingly.*

The Audiovisual Media Services Act (<https://pisrs.si/pregledPredpisa?id=ZAKO6225>) further regulates video-sharing platforms. Article 38.b requires these platforms to implement mechanisms that allow users to report harmful or illegal content and obliges the platform to respond promptly by removing or disabling access to such content. This creates a reactive responsibility to remove child pornography or CSAM once it is reported, but the law does not impose a proactive duty to monitor or filter all uploaded content.

- *Article 38.b of Audiovisual media services act (Protective measures for video-sharing platform providers):*
- (1) *Video-sharing platform providers within the jurisdiction of the Republic of Slovenia shall take appropriate measures to protect:*
- *children from programs, videos, and audiovisual commercial communications that could harm their physical, mental, or moral development;*
 - *the general public from programs, videos, and audiovisual commercial communications that promote violence or hatred toward a group of persons or a member of such a group on the basis of sex, race, skin color, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinion, nationality, membership of a national minority, property, birth, disability, age, or sexual orientation;*
 - *the general public from programmes, videos and audiovisual messages whose dissemination constitutes a criminal offence of incitement and public glorification of terrorist acts, the criminal offense of displaying, producing, possessing, and distributing pornographic material or the criminal offense of publicly inciting hatred, violence, and intolerance.*
- (2) *Video-sharing platform providers shall establish and publicly publish rules specifying:*
- *the prohibition of publishing videos that are contrary to the provisions of the previous paragraph;*
 - *the possibility of reporting violations of the aforementioned rules;*
 - *the procedure for handling reports of violations of the rules;*
 - *measures for removing illegal content or stopping its distribution;*
 - *the procedure for handling complaints against the measures referred to*



in the previous indent.

- (3) The system for filing reports referred to in the previous paragraph must be transparent and user-friendly. The reporter must be notified in writing of the outcome of their report within 15 days of filing it.*
- (4) In the event of measures being taken as referred to in the fourth indent of the second paragraph of this Article, the video-sharing platform provider shall inform the user who uploaded the video to the platform of the reasons for the termination of the distribution of the illegal content. The user may lodge a complaint against the measures taken with the video-sharing platform provider. The video-sharing platform provider shall store the disputed video in case of a complaint.*
- (5) The video-sharing platform provider shall, as soon as possible, but no later than within 15 days, review the user's complaint and, if the complaint is upheld, restore the video to its state prior to the measures being taken, or, if the complaint is rejected, provide the user with a written explanation of the reasons for the measures taken and respond to the complaint.*
- (6) If the video-sharing platform provider does not grant the complaint within the time limit specified in the previous paragraph, the user may lodge a complaint with the Agency in accordance with Article 38.c of this Act.*
- (7) Measures to ensure the implementation of the provisions of the first indent of the first paragraph of this Article shall include, in particular:*
 - establishing and operating a system for verifying the age of users of video-sharing platforms;*
 - providing a parental control system operated by the end user.*
- (8) Data collected or otherwise generated by video-sharing platform providers on the basis of the measures referred to in this Article may only be processed for the purpose of verifying the age of users.*
- (9) The measures referred to in this Article shall not lead to measures of prior control or filtering of content when uploading to the platform that are not in accordance with the law governing electronic commerce in the market.*

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, under Slovenian law, a victim has the legal ability to seek an injunction or other court order against an online platform to stop the publication or continued distribution of pornography or imagery in which they are depicted.

Legal basis for this lies in Article 134 of Obligations Code (<https://pisrs.si/pregledPredpisa?id=ZAKO1263>) and the Enforcement and security act (<https://pisrs.si/pregledPredpisa?id=ZAKO1008>). The victim, or their legal representative, may file a civil lawsuit for protection of personal rights and request the court to issue a temporary injunction (sl. *začasna odredba*). This injunction can order the online platform to immediately stop publishing the content, remove it, or refrain from further distribution.

To obtain such an order, the victim must show that: its rights are being violated or seriously threatened, there is a likelihood of significant or irreparable harm if the content remains accessible and that the injunction is necessary and proportionate to prevent further harm.



In urgent cases, the court may issue the injunction even before a full lawsuit is filed, provided that the victim initiates formal legal proceedings within a short period (usually 30 days). The injunction can be used alongside or independently from criminal proceedings.

- *Article 134 of Obligations Code (Request for cessation of violations of personal rights)*
 - (1) *Everyone has the right to request a court or other competent authority to order the cessation of an act that violates the inviolability of human personality, personal and family life, or any other personal right, to prevent such an act, or to remove its consequences.*
 - (2) *The court or other competent authority may order the violator to cease the act, failing which he shall be required to pay the injured party a specified amount of money, calculated as a lump sum or per unit of time.*
- *Article 267 of Enforcement and security act (When a temporary injunction may be issued)*
 - *A temporary injunction may be issued before the commencement of court proceedings, during proceedings, and after the conclusion of proceedings, as long as the conditions for enforcement have not been met.*
- *Article 268 of Enforcement and security act (Effect of a decision on a temporary injunction)*
 - *When a decision on a temporary injunction is issued in civil or other proceedings, it has the effect of an enforcement order.*
- *Article 272 of Enforcement and security act (Conditions for a temporary injunction)*
 - *The court shall issue a temporary injunction to secure a monetary claim if the creditor proves that the claim exists or that a claim against the debtor will arise.*
 - *The creditor must also demonstrate one of the following assumptions:*
 - *the risk that the enforcement of the claim will be prevented or significantly impeded;*
 - *that the order is necessary to prevent the use of force or the occurrence of damage that is difficult to repair;*
 - *that the debtor would not suffer more serious adverse consequences than those that would arise for the creditor without the issuance of the interim order if the interim order were to prove unfounded during the proceedings.*
 - *The third and fourth paragraphs of Article 270 of this Act shall also apply to interim orders securing non-monetary claims.*
- *Article 273 of Enforcement and security act (Types of temporary injunctions)*
 - *The court may issue any order to secure a monetary claim that is necessary to achieve the purpose of the security, in particular:*
 1. *a prohibition on the disposal and encumbrance of movable property to which the claim relates, and the storage of such property, and the entry of the prohibition in the register referred to in the third paragraph of Article 81 of this Act, if such a register is kept;*
 2. *prohibiting the disposal and encumbrance of immovable property to which the claim relates by entering the prohibition in the land register;*
 3. *prohibiting the debtor from doing anything that could cause damage to*



the creditor and prohibiting the debtor from making any changes to the items to which the claim relates;

4. *a prohibition on the debtor's debtor from handing over to the debtor the items covered by the claim;*
5. *payment of compensation to the employee for the duration of the dispute over the illegality of the decision to terminate the employment relationship, if this is necessary for the maintenance of the employee and the persons whom he is legally obliged to maintain.*

- *In the case referred to in point 3 of the first paragraph of this article, the court shall also determine, by means of a temporary injunction, a financial penalty for violation of the prohibition in accordance with the second paragraph of Article 226 of this Act. In the event of a violation of the prohibition, the provision of the third paragraph of Article 226 of this Act shall apply mutatis mutandis.*
- *The prohibition referred to in point 1 of the first paragraph of this Article shall be entered by the court on the basis of a decision on a temporary injunction.*

– *Article 273.a of Enforcement and security act (Conditions for a temporary injunction)*

- *The court shall issue a temporary injunction for the protection of the child's interests if the conditions laid down by the law governing family relations are met.*

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, under Slovenian law, a victim does have the possibility of obtaining a court order that prohibits the person who posted pornography or imagery from doing so in the future, either on the same or other online platforms. This can be achieved through civil protective measures under the Obligations Code (<https://pisrs.si/pregledPredpisa?id=ZAKO1263>) and the Enforcement and security act (<https://pisrs.si/pregledPredpisa?id=ZAKO1008>).

In cases where the posting of pornography or imagery violates the victim's personality rights (such as privacy, dignity, or the right to one's image), the victim may file a civil lawsuit requesting the prohibition of further publication or dissemination of such material, and request a temporary injunction (sl. *začasna odredba*) to immediately prevent the offender from repeating the conduct, including reposting the content on the same or other platforms.

The court can issue an injunction that explicitly prohibits the offender from uploading, sharing, or otherwise distributing the material in the future. The victim must demonstrate that there is a risk of repeated violation and that the measure is necessary to prevent further harm. Relevant are the same provisions as cited in point c. of this question.

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?

Yes, a victim in Slovenia has the legal ability to seek financial damages or monetary recovery from an offender who has shared the child's image or video, either through a civil lawsuit or as part of a criminal proceeding. Under the Obligations Code (<https://pisrs.si/pregledPredpisa?id=ZAKO1263>) victims, represented by a parent or guardian in the case of minors, can file a civil claim for compensation for both non-material harm and



material harm.

Additionally, during a criminal trial, the victim may submit a financial compensation claim (adhesive procedure) within the criminal procedure itself. If the offender is convicted, the court can decide on this claim and award monetary damages as part of the criminal judgment. If the criminal court does not decide on the civil claim, the victim retains the right to pursue it separately in civil court.

- *Article 164 of Obligation Code (Material harm - Restoration of the previous state and monetary compensation):*
 - (1) *The responsible person is obliged to restore the state that existed before the damage occurred.*
 - (2) *If the damage is not completely remedied by restoring the previous state, the responsible person shall be obliged to pay monetary compensation for the remaining damage.*
 - (3) *Where it is not possible to restore the previous situation, or where the court considers that it is not necessary for the responsible person to do so, it shall decide that the responsible person must pay the injured party appropriate monetary compensation.*
 - (4) *The court shall award monetary compensation to the injured party if they so request, unless the circumstances of the case justify the restoration of the previous state.*

- *Article 179 of Obligations Code (Non-material harm - Monetary compensation):*
 - (1) *For physical pain suffered, for mental pain suffered due to reduced life activity, defamation, insult to reputation and honor, or infringement of freedom or personal rights, or death of a loved one, and for fear, the injured party is entitled to compensation if the circumstances of the case, in particular the degree of pain and fear and their duration, justify it, fair monetary compensation shall be awarded independently of compensation for property damage, even if there is no property damage.*
 - (2) *The amount of compensation for non-pecuniary damage depends on the importance of the affected asset and the purpose of this compensation, but it must not support tendencies that are incompatible with its nature and purpose.*

- *Article 181 of Obligations Code (Violation of dignity)*
 - *A person who has been tricked, coerced, or abused into criminal sexual intercourse or other sexual acts through deception, force, or abuse of a relationship of subordination or dependence, as well as a person against whom criminal sexual intercourse or other sexual acts have been committed, has the right to fair monetary compensation for the mental anguish suffered. force, or abuse of a relationship of subordination or dependence, as well as a person against whom any other criminal offense against personal dignity or morality has been committed.*

- *Article 100 of Criminal procedure act (Claim for damages)*
 - (1) *A claim for damages arising from a criminal offense shall be dealt with in criminal proceedings at the request of the entitled parties, provided that this does not unduly delay the proceedings.*



(2) A claim for damages may relate to compensation for damage, the return of property, or the annulment of a specific legal transaction.

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 are also entitled to support services, including social, psychological, and legal assistance, typically coordinated by Centres for Social Work. If sexually explicit content involving a child has been distributed online, victims (or their guardians) can request the removal of such content and report incidents via Slovenia's national hotline (Spletno oko: <https://www.spletno-oko.si/>) for CSAM and illegal online content.

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

In Slovenian legislation, there is no explicit provision that automatically guarantees notification to a child victim (or their legal representative) when an offender is arrested for distributing child pornography or CSAM in which the child is depicted. However, certain rights and protections under the criminal procedure may allow for such notification in practice, particularly if the victim is formally recognized as a victim (sl. *oškodovanec*) in the criminal proceedings.

Under the Criminal procedure act (<https://pisrs.si/pregledPredpisa?id=ZAKO362>), victims who are granted the status of a victim have specific procedural rights. These include the right to be informed of the status of the pre-trial or criminal proceedings if they request it or if it is requested by law (Article 65.a). Under Article 363(6) a victim is notified of a judgement if a conditional sentence with protective supervision and a specific prohibition on approaching the victim has been imposed or if a security measure prohibiting the offender from approaching or communicating with the victim has been imposed.

– *Article 65.a of Criminal procedure act:*

(1) The competent authority shall, at the first contact in pre-trial or criminal proceedings, inform the victim of the manner of notification regarding information on:

- *free medical, psychological, and other assistance and support;*
- *assistance and measures under the law governing the prevention of domestic violence;*
- *protective and other measures to ensure personal safety under this Act and the Act governing the protection of witnesses;*
- *the rights under Article 65 of this Act and the right to free legal aid under the Act governing free legal aid;*
- *options for compensation under this Act and under the Act governing compensation for victims of criminal offences;*
- *payment and reimbursement of the victim's costs under Article 92 of this Act;*
- *the right to interpretation and translation under this Act;*
- *the possibility of concealing information about the address or place of residence;*
- *the contact person of the competent authority with whom they can*



- communicate about their case;*
- *any other rights or benefits that may be relevant to the injured party.*
- (2) *The scope and type of information referred to in the previous paragraph shall depend on the personal characteristics and vulnerability of the victim, their specific protection needs, the nature, gravity, and circumstances of the crime, and the stage of the pre-trial or criminal proceedings.*
- (3) *The victim has the right to receive information on the status of pre-trial or criminal proceedings and final judgments if he or she requests it or if so provided by law (sixth paragraph of Article 363). The competent authority in the pre-trial or criminal proceedings shall inform them of this right and record it in such a way that the police, the competent public prosecutor, or the judge can be informed. Information on the status of pre-trial or criminal proceedings may be provided via websites.*
- (4) *In order to ensure their personal safety, the injured party may request to be informed of the release or escape of the suspect or accused person from house arrest or detention. The competent authority shall inform them of this right at the first contact in pre-trial or criminal proceedings and shall record this information accordingly. Notification may be refused if it could endanger the suspect or accused person. The police or court shall notify the injured party of the escape of a suspect or accused person from house arrest, and the court shall notify the injured party of the release of a suspect or accused person from house arrest. The institution referred to in Article 210 of this Act shall notify the injured party of the release or escape of the suspect or accused person from custody. The competent authority that received the victim's request shall notify the police, the court, or the institution referred to in Article 210 of this Act of the request and the victim's contact details. At the victim's request, the social work center shall also be notified in accordance with this paragraph.*
- (5) *Upon first contact with the competent authority, the victim who has not filed a complaint shall be asked to provide their name, date of birth, personal identification number (hereinafter: EMŠO), address or place of residence, and any other contact details. At the same time, they shall be warned of their obligation to report any change of address or residence (Article 66) and their right to take over the prosecution (Articles 60, 62, and 433), which shall be duly noted.*
- (6) *The decision to receive information from the third and fourth paragraphs of this article may be changed by the injured party at any time during the pre-trial and criminal proceedings, which shall be duly recorded by the competent authority in such a way that other competent authorities from the third and fourth paragraphs of this article may be informed thereof.*
- (7) *Persons referred to in the second sentence of the sixth indent of Article 144 of this Act shall be granted access to the assistance referred to in the first and second indents of the first paragraph of this Article even if they are not considered victims under this Act, where there is a demonstrated special need for protection and this is justified by the extent of the damage caused to the injured party; access to the measures referred to in the third indent of the first paragraph of this Article shall be granted under the conditions laid down in Article 141a or 240a of this Act.*

– Article 363 of Criminal procedure act:



- (1) The judgment must be drawn up in writing within fifteen days of its pronouncement if the defendant is in custody, and within thirty days in other cases. If the judgment is not drawn up within this time limit, the presiding judge must inform the president of the court of the reasons for this. The president of the court shall take the necessary measures to ensure that the judgment is drawn up as soon as possible.*
- (2) A judgment drawn up in physical form shall be signed by the president of the panel. A judgment drawn up in electronic form shall be signed by the president of the panel with his electronic signature.*
- (3) A judgment issued in physical or electronic form shall be served on the parties in a certified transcript, electronic (scanned) transcript, or electronic form.*
- (4) A certified copy of the judgment, an electronic (scanned) copy, or an electronic form of the judgment shall be served on the prosecutor, the defendant, and the defense counsel in accordance with Article 120 of this Act. If the defendant is in custody, certified copies of the judgment, electronic (scanned) copies, or electronic forms of the judgment shall be sent within the time limit specified in the first paragraph of this Article.*
- (5) The judgment shall be served on the defendant, the private prosecutor, and the injured party as the prosecutor, together with instructions on the right to appeal.*
- (6) A certified copy of the judgment, an electronic (scanned) copy, or an electronic form of the judgment with instructions on the right to appeal shall be served by the court on the injured party, if they have the right to appeal, the person from whom the object was taken by this judgment (second paragraph of Article 73 of the Criminal Code), and to the legal person from whom the property benefit has been confiscated. A certified copy of the judgment, an electronic (scanned) copy, or an electronic version of the judgment shall be served on the injured party who does not have the right to appeal in the cases referred to in the second paragraph of Article 61 of this Act, with instructions that they have the right to request a return to the previous state. A final judgment shall be served on the injured party if they so request, and in any case if a conditional sentence with protective supervision and a specific prohibition on approaching the victim has been imposed (point 7 of the third paragraph of Article 65 of the Criminal Code) or if a security measure prohibiting approaching or communicating with the victim has been imposed (point 4 of Article 69 of the Criminal Code).*
- (7) If the court has imposed a sentence in accordance with the provisions on the imposition of a single sentence for concurrent offences, taking into account the judgments issued by other courts, it shall send a certified copy, an electronic (scanned) copy or an electronic form of the final judgment to those courts.*
- (8) The provisions of this article on the form in which a judgment is issued and served or sent shall apply mutatis mutandis to all types of court decisions.*

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?



Slovenian legislation does not impose legal requirement on online platforms to incorporate “Safety by Design” principle into their systems.

- i. **If so, must these steps be taken before the launch of an Online Platform?**
 - ii. **If so, if an Online Platform has already been in public use, when must they have incorporated “Safety by Design” measures?**
 - iii. **For each of 6(a)(i) or (ii) above, please describe the legal requirement or recommendation.**

- 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”?**

Not applicable.