



CHILD SEXUAL EXPLOITATION

FACT SHEET 2012



EUROPEAN CYBERCRIME CENTRE





INTRODUCTION

'Child sexual exploitation' refers to the sexual abuse of a human being below the age of 18. Among other things, it includes the production of child abuse images and their online dissemination as particularly serious forms of crime committed against children.

The distribution of images depicting the sexual exploitation of children is mainly facilitated by improper use of the Internet. Furthermore, the relative anonymity offered by this means of communication makes it difficult to successfully locate and identify the offenders and to save child victims from further exploitation.

It must be emphasised that the discovery of illegal material is only the beginning of an investigation into the actual sexual exploitation of a child (e.g. rape, sexual assault).

There is a clear distinction between specific legislation on the offences related to the production, distribution/sale and possession of child sexual exploitation material and specific legislation on sexual offences committed against children.

While there is no doubt that the sexual abuse and exploitation of children is a serious problem, there is a lack of accurate and reliable statistics on the nature of the phenomenon and the numbers of children involved, mainly due to differences in national definitions of different child sexual abuse and exploitation offences.

On 15 November 2011 the Council of the European Union adopted the Directive 2011/92/EU (presented by the European Commission in 2010), aimed at combating sexual abuse and exploitation of children as well as child pornography, with the aim of replacing the Framework Decision 2004/68/JHA. The new Directive follows the Lanzarote (Spain), October 2007¹ Council of Europe "Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse" and covers actions on the following different aspects:

¹Council of Europe (CoE) – European Treaty Series – No 201: Of the 47 CoE Member States, 3 have not yet signed it and only 19 countries have ratified it. The Convention has entered into force (situation on 23/07/2012 – source: Council of Europe – Treaty Office <http://conventions.coe.int>).

- Criminal law: criminalisation of serious forms of child sexual abuse and exploitation currently not covered by EU legislation, with Articles 3 and 4 aiming at punishing the intentional conduct of recruiting or coercing a child into prostitution or into pornographic performances or profiting from or otherwise exploiting a child for such purposes, and establishing provisions that punish all the offences related to child pornography which already fall under the Europol mandate as listed in the Council Decision establishing the Europol Police Office, applicable from 1 January 2010.
- Developments in the IT environment: new forms of sexual abuse and exploitation facilitated by the use of the Internet would be criminalised (e.g. grooming children or viewing child abusive material (CAM) without downloading the files).
- Criminal investigation and initiation of proceedings: a number of provisions would be introduced to assist with investigating offences and the bringing about of charges, in the absence of reporting by the child victim.
- Offences committed abroad: rules on jurisdiction would be amended to ensure that child sexual abusers or exploiters from the EU face prosecution, including if they commit their crimes in a non-EU Member State.
- Protection of victims: new provisions would ensure that abused children have easy access to legal remedies and do not suffer as a result of participating in criminal proceedings.
- Prevention of offences: special programmes should be accessible for offenders to prevent them from committing new offences. National mechanisms to block access to websites with child pornography, which are most often located outside the EU, should be put in place under the supervision of judicial services or the police.

The Directive will have to be transposed into national law within two years from the Council adoption.

CHILD SEXUAL EXPLOITATION & THE INTERNET

The Internet as a mass medium is extensively used in connection with sexual material; it is used for the sale and purchase of adult pornographic material and sexual devices, for advertising contacts for explicit sexual purposes, and to distribute child sexual exploitation content, providing a platform for online grooming of children with the abusive material reaching the Internet, constituting a permanent re-victimisation of the depicted child.

The first international common commitment to tackle the distribution of child sexual exploitation material on the Internet was expressed at the International Conference on





"Combating Child Pornography on the Internet", held in Vienna in 1999, where it was stated that, "Child Pornography on the Internet is a growing problem, and as more of the world comes online, it will continue to grow in the future since it does not know or respect borders".

Over the last 10 years, several European and worldwide operations have resulted in the identification of thousands of suspects in relation to sexual offences committed against children. The numbers of offenders identified grows every year, confirming the development of this criminal phenomenon and improved response of law enforcement agencies. A great leap forward is now needed in order to fight the producers and the people who profit from this serious crime.

Fighting child sexual exploitation, including the proliferation of child sexual exploitation material on the Internet, is a constant challenge for law enforcement, due to technological innovations which provide easier and faster access to the material to the offenders, while strengthening their ability to remain anonymous. It is argued that this development has created a wider market and demand for such illegal material which has inevitably led to an increase in child sexual exploitation.

It is clear, though, that an effective partnership approach is required between law enforcement agencies, judicial authorities, the ICT industry, Internet Service Providers (ISPs), the banking sector and non-governmental organisations. The contribution provided by officially recognised hotlines, which receive

Internet-related child sexual exploitation information, should also be acknowledged.

In most Member States, the need to establish close cooperation between law enforcement and ISPs has been identified, both for crime prevention and investigation. ISPs can assist by providing data that can be used in the identification and prosecution of offenders and also by adopting procedures and codes of conduct that can limit the exploitation of the Internet by child sex offenders. Several Member States have built up specialised units for combating child sexual exploitation on the Internet, as dealing with this topic requires specialised knowledge and expertise.

TRENDS

The following trends, consolidating 2011 ones, are in evidence at this present time:

- After the observed decrease², since 2010 the involvement of worldwide criminal networks in offering pay-per-view websites is slightly on the rise. Commercial distribution of child abuse material on the Internet is currently executed through the use of several, in some cases less conventional, payment systems such as money remitters and electronic money;
- Criminals are now focusing on hidden channels where private access is granted only to 'selected' users. The selection is performed by the channel's owner or managers based on the amount, nature and quality of images that can be shared, and even based on respect and trust;
- Child sex offenders and their networks make more and more use of sophisticated software in order to try to protect their anonymity, to make use of online storage and hosting services, hi-jack servers and to use advanced encryption techniques to counteract digital forensic examination by police;
- Child sex offenders are travelling to specific countries where children are offered by their families or others acting as facilitators in order to be sexually exploited and to produce illegal material that is distributed through the Internet;
- Illegal material is increasingly self-produced by teenagers or children who underestimate the risks of distributing their images or movie files mainly through social media or video-enabled instant messaging;
- In some other cases, children are persuaded or coerced by child sex predators into producing the material through online grooming;
- Online grooming and the solicitation of sexual messages through mobile phones and multimedia devices ('sexting') are dangerous realities which need constant attention from a responsible society.

² European Financial Coalition (EFC) Strategic Assessment 2010.

CORE ISSUES

In order to tackle these specific forms of crime in the most effective way, serious consideration should be given to:

- Enhancing awareness and providing appropriate tools, equipment and human resources to carry out investigations;
- Reducing any duplication of efforts in activities by consulting international police cooperation agencies and spreading knowledge and proposals;
- Developing closer operational coordination of ongoing investigations at national, European and worldwide levels;
- Enhancing close cooperation with Internet Service Providers and the Internet private sector;
- Enhancing close cooperation with academia and non-governmental organisations.



EUROPOL CORE ACTIVITIES

Europol, in close cooperation with the Member States, aims to:

- Identify perpetrators and establish cross-links within the participating Member States;
- Identify cross-border modus operandi and shed light on the methods of communication of criminal networks, with a view to dismantling those networks;
- Identify the victims, with a view to stopping potentially ongoing exploitation and to make it possible to initiate care measures by the competent authorities;
- Cooperate on an operational level via the Europol Liaison Officers' (ELO) network, as well as providing strategic and operational analytical support;
- Conduct expert meetings (both operational and strategic) with the aim of exchanging information on ongoing investigations and enhancing mutual cooperation between law enforcement bodies and other competent authorities, by updating the Member States' experts about relevant cases, modus operandi, etc;
- Participate and contribute to several initiatives, e.g. awareness meetings, projects on the implementation of new legislative instruments and training sessions organised by international organisations;





- Support international projects:

CIRCAMP - COSPOL Internet Related Child Abuse Material Project - was launched in 2004 by the European Police Chiefs Task Force under the Comprehensive Operational Strategic Planning for the Police (COSPOL) mandate, to fight the use of the Internet for the distribution of child abusive material. A new action plan delivered by Belgium as country leader of CIRCAMP has proposed the execution of several operations by the participating countries through the coordination of Europol. As a result, in December 2011 the first CIRCAMP operation, called “**Icarus**”, was concluded with the identification of 286 suspects and 113 arrests. The case focused on the exchange, through an open file-sharing system, of child abusive movie files depicting the rape of infants and toddlers.

Europol has supported CIRCAMP since its launch in 2004.

The **European Financial Coalition** (EFC) aims to disrupt the commercial gain behind child sexual abuse images. The major financial, Internet and technology corporations have joined forces with international police agencies, the European Commission and specialist child protection non-governmental organisations (NGOs) to track, disrupt and confiscate commercial gains made by those who profit from the distribution of indecent images.

Europol fully supported the EFC phase one from its launch in March 2009, participating in and providing expertise to the Steering Group, the Law Enforcement Cooperation Working Group and the Legal Working Group.

Europol is now leading phase two of the project. The ISEC³ funds recently granted by the European Commission will be administered by Missing Children Europe (MCE) and will establish a fully functioning EFC secretariat in Brussels, Belgium. The EFC will be officially launched on 1 October 2012 and it will cover a period of three years until 2015.

Europol and MCE will then deliver a wider response supported by Eurojust, the Dutch National Police (KLPD), VISA Europe, MasterCard, Microsoft, Google, PayPal and INHOPE, with the participation of the

³ ISEC: Programme on Prevention of and Fight against Crime.



International Centre for Missing and Exploited Children (IC-MEC) in an advisory role.

Europol joined the **Virtual Global Taskforce** (VGT) in April 2011. The VGT is not a legal entity, but rather a “strategic alliance” between law enforcement agencies to combat the sexual exploitation of children on the Internet.

It is currently formed by law enforcement authorities (LEAs) from Australia, Canada, Italy, New Zealand, United Arab Emirates (UAE), United Kingdom (UK), United States (US), Europol and Interpol. Recently ICMEC and an NGO called “The Code of Conduct” have also joined the VGT. Members of the VGT share information and intelligence to run joint international law enforcement operations. By joining the VGT, Europol has made a commitment to cooperate with other VGT countries across international borders to tackle online child sexual exploitation crimes on a global scale.

The bi-annual plenary conference of the VGT will take place in Abu Dhabi (UAE) from 11 to 13 December 2012.

The core activity of Europol is to support the Member States in their actions to prevent and combat serious and organised crime, with the Analysis Work File (AWF) being one of the means of providing support to the Member States. AWF Twins was opened in 2001 to support the participating Member States in preventing and combating the activities of criminal networks involved in the production, sale or distribution of child sexual abuse material, and the associated forms of crime within Europol’s mandate. This activity, due to its great success, will continue in 2012 and onwards under the new definition of Europol’s operational projects which replaced the AWFs with “Focal Points” (FP).

The FP Twins is currently supporting several investigations but, due to their ongoing status, no details can be disclosed. Previously, Europol supported one of the major cases on child sexual molestation. In fact on 16 March 2011 a press conference on Operation ‘**Rescue**’ was held in The Hague. This case focused on an online forum of paedophiles with a specific preference for male children or young boys. With the leading support of Europol, **705 suspects have been identified across the world, 250 arrests made and 252 children safeguarded**. The number of victims safeguarded is the highest ever achieved in this type of investigation.



These spectacular operational results were the work of effective police cooperation across many countries. Instrumental to the success was the unique role Europol played in identifying the members of the child sex abuse network and facilitating operational action by police authorities in multiple jurisdictions. In particular, it was the work of Europol analysts in cracking the security features of a key computer server at the centre of the network which uncovered the identity and activity of the suspected child sex offenders. Europol subsequently issued intelligence reports to police authorities in more than 30 countries in Europe and further afield, which led to the arrests of suspects and the safeguarding of children. Countries involved were: Australia, Belgium, Canada, Germany, Greece, Iceland, Italy, the Netherlands, New Zealand, Poland, Romania, Spain, United Kingdom and the United States.

The website attempted to operate as a 'discussion-only' forum where people could share their sexual interest in young boys without committing any specific offences, thus operating 'below the radar' of police attention. Having made contact on the site, some members would move to more private channels, such as email, to exchange and share illegal images and films of children being abused. In January 2010, a copy of the seized site's server was received by Europol, and the Australian and UK police. Working with Zaanstreek–Waterland Police in the Netherlands, Europol rebuilt the forum offline and forensically interrogated the server to produce intelligence analysis which was disseminated globally to law enforcement authorities. So far, Europol has distributed more than 4200 operational intelligence reports to 25 EU Member States and 8 other countries. Having identified at least 705 suspected offenders, international law enforcement authorities continue to work with forces that are actively pursuing the intelligence arising from Operation Rescue.

Cooperation with non-EU Member States such as the United States has also produced significant achievements. As an example, Operation Atlantic, led by the Federal Bureau of Investigation (FBI) and coordi-

nated by Europol, was concluded on 29 February 2012 and after more than a year of investigations in EU Member States, 37 child sex offenders were identified. Among these offenders, 17 were arrested for child sexual molestation and production of illegal content. Moreover, 8 victims have been identified.

The case was launched after an operational meeting was held in The Hague between the FBI and Europol officers in November 2010. Intelligence gathered by the FBI during a long and complex investigation was distributed by Europol to France, Italy, the Netherlands, Spain and the UK in December 2010.

Analysis carried out by Europol revealed further links of several suspects to previous operations against child sex offenders. In this respect Europol produced five reports relating to nine targets. In particular, two targets were already members of the 'Boylover' network, tackled by the previous Europol-coordinated Operation Rescue. The remaining seven targets were members of other paedophile networks, still under investigation. The above investigative and reporting activities facilitated the identification process in the EU countries which led to the detection of a network of offenders that were producing and distributing images depicting the severe abuse of children, in some cases toddlers and infants. The investigative activity also led to the identification of child sex molesters and several victims who had been sexually abused by these criminals.

In order to strengthen cooperation and guarantee the effectiveness of this case, the FBI seconded an investigator to the Europol Child Sexual Exploitation Team for two months in the summer of 2011. Operation Atlantic has been the first joint operation conducted by the FBI and Europol in the crime field of child sexual exploitation.

To date, the work of AWF/FP Twins has led to the identification of around **3000 suspects** belonging to different criminal networks involved in offences related to the distribution of child sexual exploitation material on the Internet, and support has been given to **25 international operations**, as at the end of 2011.



TRAVELLING SEX OFFENDERS - PROJECT “HAVEN”

In addition to the work conducted by the Analysis Work File “Twins” (AWFo1-004), other aspects connected to the sexual exploitation of children are also being addressed. With Project **HAVEN** - “Halting Europeans Abusing Victims in Every Nation” - that was launched in November 2010, Europol aims to detect and disrupt travelling sex offenders originating from the EU that exploit children both inside and outside Europe.

In January 2012, the second Project HAVEN joint action day was organised. This European operation was planned and executed by Europol in joint cooperation with national police, customs and border authorities at the main airports in Austria, Bulgaria, Finland, France, Hungary, the Netherlands, Slovenia, Sweden and the UK. Romania, Spain and Switzerland participated with enhanced cooperation for information exchange on passengers travelling through their countries’ airports.

The authorities targeted persons primarily arriving from destinations known for ‘child sex tourism’ - countries and cities to which European paedophiles travel to engage in child sexual exploitation. The authorities checked and profiled returning passengers and conducted interviews, while several EU Member States assisted with information exchange, and prepared and carried out checks on passengers in transit from selected flights to other EU countries.

The ultimate objective of Project HAVEN is to establish a permanent and proactive notification system on travelling European sex offenders.



TRAINING

The annual Europol training course, **"Combating the Sexual Exploitation of Children on the Internet"**, for law enforcement officers and the judiciary, develops and increases knowledge and expertise to help combat and dismantle child sex offender networks, and save the children involved. This training also aims to build fundamental skills in investigating child exploitation on the Internet and to bring law enforcement investigation standards together. The latest investigation techniques, methods and experiences are also shared.

Opening the course up to members of the judiciary, such as prosecutors and judges, contributes to a better understanding of the crime area, the investigation methods used and the possible constraints that investigators are confronted with. As of today, following the 12th training course, around 550 law enforcement officers and 50 members of the judiciary from the EU and beyond have attended.

EUROPOL REPORTS

Scan Notices, for law enforcement use only, are produced on an ad-hoc basis, to raise awareness and inform Europol's partners that are engaged in combating and preventing the sexual exploitation of children, about issues that may have an impact on law enforcement agencies operating within the EU and elsewhere.

Among other things, these intelligence notices allow external authors to provide contributions that are included in the report in order to share knowledge and best practice within the law enforcement community.

A comprehensive study on international and EU Member States' legislation and substantial and procedural law-related issues was released by Europol in 2011. A second edition of this study will be released in the near future.

RELEVANT LEGISLATION

EU legislation

- Decision N° 276/1999/EC of the European Parliament and of the Council of 25 January 1999 adopting a Multiannual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks (OJ L 33 of 6.2.1999)
- Council Decision N° 2000/375/JHA of 29 May 2000 to combat child pornography on the Internet (OJ L 138 of 9.6.2000)
- Directive 2011/92/EU of the European Parliament and of the Council replacing Council Framework Decision 2004/68/JHA on combating the sexual exploitation of children and child pornography, OJ L 13 of 20.1.2004.

Council of Europe Conventions

- 2001 Budapest Convention on Cybercrime (CETS N° 185) (see Article 9, paragraph 2 (a) on child pornography). Entered into force in 2004. In force in the following EU countries: Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Netherlands, Portugal, Romania, Slovakia, Slovenia and Spain. It is also in effect in the Ukraine and in the US.
- 2007 Lanzarote Convention on the protection of children against sexual exploitation and sexual abuse (CETS N° 201). Entered into force on 1.7.2010. In force in the following EU countries: Albania, Austria, Bulgaria, Croatia, Denmark, Finland, France, Greece, Luxembourg, Malta, Moldova, Montenegro, the Netherlands, Romania, San Marino, Serbia, Spain, the former Yugoslav Republic of Macedonia and Turkey⁴.

UN Conventions

- 1989 UN Convention on the Rights of the Child, entered into force on 2 September 1990 (see Article 34c) on the exploitative use of children in pornographic performances and materials). Ratified by all EU Member States. Not ratified by the US.
- 2000 Optional Protocol to the Convention on the rights of the child on the sale of children, child prostitution and child pornography (see Article 2 c defining child pornography). Not ratified by the following EU Member States: Czech Republic, Finland, Ireland, Luxembourg and Malta.

Related legislation

- The EU legislation on trafficking also includes trafficking in relation to sexual exploitation. The currently applicable legislation is contained in Framework Decision 2002/629/JHA which is now the object of a proposal for a directive on preventing and combating trafficking in human beings and protecting victims repealing Framework Decision 2002/629/JHA (see Article 2 (3) and (5) with regard to child trafficking for sexual exploitation).
- The International Labour Organization Convention N° 182, concerning the Prohibition and immediate Action for the elimination of the Worst Forms of Child Labour, also refers to child prostitution and child pornography (Article 3 b).



⁴ Status as of: 23/07/2012