European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse

Child sexual exploitation and sexual abuse are among the worst forms of violence against children, and constitute serious crimes that know no borders. The constant rise in child sexual exploitation and abuse, exacerbated by the COVID-19 pandemic, underscores the importance of harmonised national legislation and international cooperation to prevent these offences, protect the victims and prosecute the perpetrators. The European Day helps to raise awareness to this end.

Background
18 November marks the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse – a yearly Council of Europe initiative raising awareness and facilitating open discussion on the need to prevent child sexual exploitation and abuse, and to protect children from these crimes. The 2022 edition is dedicated to child-friendly justice – also a priority for the EU, expressed in its 2021 strategy on the rights of the child. The focus is on upholding the rights and needs of every child victim of sexual exploitation and sexual abuse and avoiding re-victimisation.

Acts of abuse are largely under-reported, which makes it difficult to measure the true scale of the phenomenon, and the known number of cases represents just the tip of the iceberg. A recent UNICEF report estimated that child sexual abuse and exploitation were prevalent in all countries of the world, and that 1 in 8 children globally have been sexually abused or exploited at some point in their life. In Europe, about 1 in 5 children are estimated to be victims of some form of sexual violence, and between 70 and 85 % of child victims know their abuser. One third of abused children never tell anyone about the abuse. Reasons include feelings of shame and guilt, fear of not being believed, not knowing whom to tell, or being unable to recognise the abuse, for example.

With the rapid digitalisation of our societies, child sexual abuse and exploitation increasingly occur online. As the European Commission reports, one United States-based non-profit organisation, the National Center for Missing and Exploited Children (NCMEC), has registered a dramatic increase in reports of online child sexual exploitation over the past decade. The number of reports worldwide rose from 1 million in 2010 to more than 21.7 million in 2020, and jumped to a record high of 29.3 million in 2021, including nearly 85 million images and videos. According to the Internet Watch Foundation, Europe – where more than 60% of such material was hosted in 2021 – remains the largest host of child sexual abuse material (CSAM) in the world. During the pandemic, Europol observed a surge in the (already huge) amount of CSAM shared on the internet, highlighting the need to promote preventive and educational initiatives across Europe.

International and EU efforts to combat child sexual abuse

International legal framework
The 1989 United Nations Convention on the Rights of the Child (CRC) formed the starting point for an international framework for combating child sexual abuse and exploitation, providing for the protection of children from all forms of (sexual) exploitation and abuse, and maltreatment. In 2007, the Council of Europe adopted a Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No 201). Known as the 'Lanzarote Convention', this was the first international instrument to establish the various forms of child sexual abuse as criminal offences. Furthermore, it requires parties to adopt appropriate legislation and measures to prevent these offences from occurring, to protect victims, and to prosecute perpetrators. It entered into force on 1 July 2010 and has been ratified by all EU Member States.

This is an update of a publication from November 2021.
EU legal framework
The main EU legal instrument on combating the sexual abuse and sexual exploitation of children and child pornography is Directive 2011/93/EU. The directive has criminalised various forms of child sexual abuse and exploitation, harmonised these criminal offences across the EU, and established minimum sanctions. Furthermore, Article 25 of the directive, on the removal of and blocking of access to websites containing or disseminating CSAM, contributes to the fight against online child sexual exploitation and abuse. Adopted one year later, the Victims' Rights Directive – Directive 2012/29/EU – complements the existing framework, as it takes a child-sensitive approach and requires primary consideration to be given to the best interests of the child. The European Commission is planning to update both legislative acts in 2023.

Recent developments
Combating child sexual abuse, especially online, is among the main priorities on the current EU agenda and one of the objectives of the new EU security union strategy for 2020 to 2025. In July 2020, the European Commission adopted the EU strategy for a more effective fight against child sexual abuse, setting out eight initiatives aimed at fully implementing and developing the EU legal framework, identifying remaining gaps, strengthening the law enforcement response, enhancing prevention, involving industry and supporting international multi-stakeholder cooperation. On 11 May 2022, the Commission proposed new legislation introducing an obligation for providers of online communication services to detect, report and remove CSAM. The new rules would replace the 2021 interim regulation providing a temporary derogation from EU rules on confidentiality of electronic communications to enable detection, reporting and removal on a voluntary basis. The proposal also envisages the creation of a European centre on child sexual abuse. The proposal was presented together with an updated strategy for a better internet for children, aiming to ensure that children can navigate the digital environment safely – a priority under the EU strategy on the rights of the child. Another important step towards creating a safer online environment is the adoption of the Digital Services Act (DSA), updating the rules governing digital services. The DSA puts notice and action mechanisms in place for online platforms to fight the dissemination of illegal content, including CSAM.

International cooperation through EU agencies, initiatives and networks
EU agencies such as Europol support law enforcement cooperation among Member States, to form a united front against (online) sexual exploitation and abuse of children in Europe and beyond. The stop child abuse – trace an object initiative, designed to help trace the origin of objects linked to criminal investigations, is an example of Europol's cooperation efforts with society at large; it led to the identification of a number of victims, as well as offenders. Eurojust supports judicial cooperation among Member States, to facilitate the prosecution of child sexual abuse perpetrators in cross-border cases. The European Commission also funds and supports several initiatives and networks, such as the better internet for kids portal, raising awareness of the potential risks children may face online, and INHOPE, a network of hotlines combating online CSAM by analysing and reporting illegal content. The WePROTECT Global Alliance, supported by the United States, the United Kingdom and the European Commission, develops political and practical solutions to make the digital world safe for children, and aims to prevent online sexual abuse and long-term harm. The Internet Watch Foundation (IWF), co-funded by the EU, provides a hotline for reporting online sexual abuse content globally, and raises awareness through prevention campaigns.

European Parliament position
Parliament condemns all forms of child sexual exploitation and abuse, and is supporting the Commission in its efforts to combat these crimes both offline and online. In its resolutions, the Parliament urges Member States to implement Directive 2011/93/EU in full and calls for better protection of children, as well as a greater focus on prevention and awareness-raising. Voicing its concerns about the surge in online child sexual abuse, Parliament stresses that information and communications technology companies and online platforms should take their share of responsibility in the fight against child sexual abuse and exploitation online, and calls on the Member States to enhance cooperation between law enforcement authorities and civil society organisations, including hotline networks. Parliament also supports the creation of a European centre to prevent and counter child sexual abuse and welcomes Europol's work on prevention, not least its awareness-raising campaigns.