

SEXUAL ABUSE AND EXPLOITATION OF CHILDREN IN CYBERSPACE: CURRENT CHALLENGES FOR EUROPEAN CRIMINAL POLICY

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Summary:

With the increasing development of technology and the spread of internet access, an increasing number of children have been exposed to sexual abuse in cyberspace. Recent events – including the COVID-19 pandemic and the transfer of many everyday activities to the internet – have further increased the risk of exposure to objectionable sexual behaviour. The purpose of the article is to discuss current challenges for European criminal policy in preventing and combating sexual crime, which is seen as one of the greatest threats to children in the 21st century. The author highlights the scope of the phenomenon in European countries, the emergence of new forms of exploitation, the rise of CSAM/CSEM materials and the impact of the COVID-19 pandemic. The article also addresses proposed changes to the law, including the assumptions of the Strategy for the Rights of the Child and the Proposal for a Regulation of the European Parliament and of the Council Establishing Rules to Prevent and Combat Child Sexual Abuse.

Keywords:

child sexual abuse, COVID-19 pandemic, child sexual abuse materials, CSAM/CSEM/CSAEM

Wykorzystywanie i niegodziwe traktowanie dzieci w celach seksualnych w cyberprzestrzeni – aktualne wyzwania dla europejskiej polityki karnej

Streszczenie:

Wraz z postępującym rozwojem technologii i upowszechnianiem się dostępu do Internetu, coraz większa liczba dzieci jest narażona na wykorzystywanie seksualne w cyberprzestrzeni. Ostatnie wydarzenia - w tym pandemia COVID i przeniesienie wielu czynności życiowych do sieci - jeszcze bardziej zwiększyły ryzyko narażenia na niepożądane zachowania seksualne. Celem artykułu jest omówienie aktualnych wyzwań dla europejskiej polityki karnej w zakresie zapobiegania i zwalczania przestępczości seksualnej, która jest postrzegana jako jedno z największych zagrożeń dla dzieci w XXI wieku. Autor omawia stan i rozmiar

zjawiska w krajach europejskich, pojawienie się nowych form wykorzystywania, wzrost liczby materiałów CSAM/CSEM oraz wpływ pandemii Covid. W artykule poruszono również proponowane zmiany w prawie, w tym założenia Strategii na rzecz Praw Dziecka oraz Propozycję Rozporządzenia Parlamentu Europejskiego i Rady ustanawiającego przepisy mające na celu zapobieganie i zwalczanie niegodziwego traktowania dzieci w celach seksualnych.

Słowa kluczowe:

seksualne wykorzystanie dzieci, pandemia COVID-19, materiały zawierające seksualne wykorzystanie dzieci, CSAM/CSEM/CSAEM

With the ongoing development of technology and the spread of internet access, an increasing number of children have been exposed to sexual abuse and exploitation in cyberspace. Recent events – including the COVID-19 pandemic and the transfer of many everyday activities to the internet – have further increased the risk of exposure to objectionable sexual behaviour. The purpose of the article is to discuss current challenges for European criminal policy in preventing and combating sexual abuse and exploitation of children in cyberspace.

Child sexual abuse and exploitation is seen as one of the greatest threats to children in the 21st century. This is because any sexual violence threatens one of the most fundamental legal rights: sexual freedom. When it comes to minors, the need to protect sexual freedom takes on a very particular character: it is not just a matter of protecting the autonomy of the individual in deciding about sexual matters, but entails a special need to protect minors out of concern for their proper physical, sexual, emotional and mental development and well-being. According to existing research and the clinical experience of physicians, psychologists and therapists, there is no doubt that sexual abuse is destructive to the health of children and their psychosocial development.¹ Child sexual abuse results in a range of consequences affecting their physical, mental and sexual health and social functioning.² The type and nature of the harm suffered in each case depends on a number of factors: the nature of the act, the circumstances under which it was committed, the relationship with the perpetrator, the age and stage of mental development of the child and the child's individual predispositions.³ Consequences may take the form of a short-term reaction to the abuse or may constitute long-term repercussions that victims face for years, even into adulthood.⁴ As some of the most common consequences of child sexual abuse and exploitation, the literature on the subject mentions bodily injury, appetite disorders, sleep disturbances, pain complaints, anxiety, nightmares, feelings of guilt and shame, lower self-esteem, negative self-esteem, depression, anxiety and even the possibility of a diagnosis of post-traumatic stress disorder.⁵ Even exposure to pornographic content alone can detrimentally affect the development of children, improperly shaping their attitudes and behaviour and significantly disrupting the development of their personality.⁶ In addition to the devastating psychological consequences, the possibility of sexual dysfunction is also pointed out, ranging from excessive interest in the sexual sphere, provocative, risky sexual behaviour or the risk of contracting sexually transmitted

1 Council of Europe, *Convention on the protection of children against sexual exploitation and sexual abuse*, <https://rm.coe.int/1680084822> [accessed: 29.12.2023].

2 V. Konarska-Wrzošek, *Komentarz do art. 200 Kodeksu Karnego*, [in:] A. Lach, J. Lachowski, T. Oczkowski, I. Zgoliński, A. Ziółkowska, V. Konarska-Wrzošek (ed.), *Kodeks karny, Komentarz*, Wolters Kluwer, Warszawa 2023, s. 1073–1081.

3 A. Izdebska, *Konsekwencje przemocy seksualnej wobec dzieci*, „Dziecko Krzywdzone” 2009, 4(29), p. 39.

4 E. Bielawska-Batorowicz, *Odległe następstwa wykorzystywania seksualnego dziecka*, „Acta Universitatis Lodzensis. Folia Psychologica” 1998, vol. 2, p. 18.

5 A. Izdebska, *Konsekwencje przemocy...*, op. cit.

6 M. Budyn-Kulik, *Psychologiczne i społeczne następstwa konsumpcji pornografii*, [in:] M. Mozgawa (ed.), *Pornografia*, Wolters Kluwer, Warszawa 2011, p. 194; M. Niedźwiedz, *Problematyka prawna ograniczenia dostępu do treści pornograficznych w internecie ze względu na ochronę dzieci z perspektywy prawa unijnego*, „Problemy Współczesnego Prawa Międzynarodowego, Europejskiego i Porównawczego” 2017, vol. 15, p. 99.

diseases.⁷ Some research indicates a strong correlation between experiencing sexual violence and exhibiting sexual behavioural disorders, physical violence, severe stress and disrupted family relationships.⁸ The spectrum of disorders also extends to the individual's social functioning, including the potential for regressive behaviour, isolation, aggression, early manifestations of demoralization or self-harm. The multifaceted nature of the negative consequences of sexual abuse, as well as the possibility of their long-term impact on the functioning of the individual, indicates the significant harmfulness of sexual violence and the increased need for legal action, particularly of a preventive nature. The sexual abuse and sexual exploitation of children, including child sexual abuse and exploitation materials, is considered a serious violation of children's fundamental rights to the protection and care necessary for their well-being, provided by the 1989 United Nations Convention on the Rights of the Child and by the Charter of Fundamental Rights of the European Union.⁹

In its discussion of sexual crime, the literature distinguishes the term *child sexual abuse* from *child sexual exploitation*. The definition of child sexual abuse adopted by WeProtect Global Alliance, based on the World Health Organization's guidelines, refers to child sexual abuse as the involvement of a minor (anyone under age 18) in sexual activity that they do not fully comprehend, are unable to give informed consent to, or for which they are not developmentally prepared and cannot give consent.¹⁰ The term *child sexual exploitation* is defined inconsistently in the literature. It is used by both international/national regulations and publications of various organisations dealing with the issue of child protection in general. The term is sometimes used interchangeably with the terms "sexual violence against children", "sexual exploitation of a child" or "commercial sexual exploitation of a child".¹¹ Since the concept of sexual exploitation is used by lawyers, psychologists, educators and doctors as well as journalists and the public, the establishment and adoption of a single definition is very difficult. It is generally accepted that there are three types of definitions for sexual exploitation: legal, clinical and social.¹² The nature and scope of this article precludes a detailed analysis of the evolution and development of these definitions, but for the purposes of the article it is necessary to point out that clinical definitions are constructed for the purpose of diagnosis. Their scope is broad and mainly refers to those characteristics that have a traumatising effect on children. Examples of clinical definitions include those formulated by experts and academics, such as that proposed by sociologist David Finkelhor, the one adopted by the World Health Organization (WHO) in 1999 in Geneva or the definition in force in the DSM-5 classification. Legal definitions operate in many legal acts at various levels. The concept of sexual abuse is defined in international law, including the Convention on the Rights of the Child, the Lanzarote Convention or the national regulations of some countries: the USA, the UK, Scotland or Northern Ireland. Some countries, such as Poland, do not include a legal definition of sexual abuse in their legal order, but this does not mean that the law does not criminalise behaviour of a sexual nature against children. The broadest type is the social definitions, which are based on social opinions and phenomena, and to a lesser extent on scientific research.¹³

7 American College of Obstetricians and Gynecologists, *Adult Manifestations of Childhood Sexual Abuse, Committee Opinion*, „Obstet Gynecol” 2011, vol. 498, p. 392–395.

8 W.N. Friedrich, *Bezpośrednie konsekwencje wykorzystania seksualnego dzieci – przegląd zagadnień*, [in:] M. Sajkowska (ed.), *Wykorzystywanie seksualne dzieci. Teoria, badania, praktyka*, Fundacja „Dzieci Niczyje”, 2004, p. 91.

9 Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/Jha, p. 1.

10 WeProtect Global Alliance, *Global threat assessment 2019*, <https://www.endviolence.org/sites/default/files/paragraphs/download/Global%20Threat%20Assessment%202019.pdf> [accessed: 22.07.2023].

11 K. Jakubczak-Fopke, *Seksualne wykorzystanie dzieci w cyberprzestrzeni – wpływ pandemii Covid-19*, [in:] A. Kilińska-Pękacz, N. Michalak, P. Seifert (ed.), *Przestępczość w Polsce i na świecie w dobie pandemii Covid-19 w ujęciu prawnym i kryminologicznym*, Wydawnictwo Uniwersytetu Kazimierza Wielkiego, Bydgoszcz 2021, p. 153; see M. Skórzewska-Amberg, *Prawnokarna ochrona dziecka przed seksualnym wykorzystaniem w cyberprzestrzeni*, Poltext, Warszawa 2019, p. 88.

12 M. Beisert, A. Izdebska, *Wykorzystanie seksualne dzieci*, „Dziecko krzywdzone” 2012, 2(39), p. 50, <https://dzieckokrzywdzone.fdds.pl/index.php/DK/article/view/584> [accessed: 15.08.2022].

13 See K. Jakubczak-Fopke, *Seksualne wykorzystanie dzieci...*, p. 153–154 and the quotes listed there.

For the purposes of this article, child sexual abuse and exploitation are understood as any behaviour, in particular, taking and downloading images of sexually abused children from the internet and contacting a child online with the aim of leading them to engage in sexual activity, whether online (sexual activity in front of a webcam or exchanging sexually explicit text messages) or offline (engaging in online contact with a child with the aim of leading them to meet in the real world and to engage in sexual activity).¹⁴ Such a broad approach was proposed by the agency Virtual Global Task Force – an international alliance of 15 specialised law enforcement agencies working together to combat the global threat of child sexual abuse. In the author's opinion, this conceptualisation best suits the present study and captures the nature and complexity of the issue of child sexual abuse. Such a wide-ranging view of the phenomenon will make it possible to present various reports, including those produced by international and European law enforcement agencies and non-governmental organisations (NGOs), regardless of the legal regulations and terminology used in the legislation of different countries. It will also enable an analysis of the impact of the COVID-19 pandemic on a broad range of acts related to child sexual abuse in cyberspace: the distribution of child sexual abuse material (CSAM), child sexual exploitation material (CSEM) or child sexual exploitation and abuse material (CSEAM) as well as various types of online sexual behaviour.

As a preliminary matter, it is also necessary to clarify why the term CSAM/CSEM should be used in place of the term *child pornography*. Firstly, for the sake of clarity and scientific integrity, the reports quoted and referred to herein also use the terms CSAM/CSEM/CSEAM. Secondly, some international organisations, for example, WeProtect Global Alliance, have for years called for the use of the term CSAM, which they believe accurately reflects the nature of violence and sexual exploitation against children, while protecting their dignity as the victims.¹⁵

1. Pre-2019 status and impact of COVID-19

Until the beginning of the 2000s, the problem of online child sexual exploitation was mostly confined to the production, possession and online distribution of CSAM/CSEM.¹⁶ However, the dynamic nature of information and communication technologies has expanded the notion of internet-facilitated child sexual exploitation to include an evolving range of practices, such as live streaming of child sexual abuse, online grooming and online sexual extortion and coercion, among others.

14 M. Skórzewska-Amberg, *Prawnokarna ochrona dziecka...*, p. 105.

15 WeProtect Global Alliance, *Global threat assessment 2019...*, p. 68.

16 ECPAT International, *Summary paper on online child sexual exploitation*. Bangkok: ECPAT International, <https://ecpat.org/wp-content/uploads/2021/05/ECPAT-Summary-paper-on-Online-Child-Sexual-Exploitation-2020.pdf> [accessed: 23.07.2023].

Tab. 1. The types of services exploited to host child sexual abuse URLs in 2015-2019

	2015	2017	2019
Number of URLs containing child sexual abuse materials	68.092 (118% on the 31,266 figure of 2014)	78.589	132.676
Number of public reports to IWF	112.975 reports to IWF in 2015 (increase of 52% on 2014)	132.636 26% increase on the 2016 figure of 105,420	260.426
Number of reports confirmed as containing criminal content	68.543	80.319	132.730
Where child sexual abuse images are hosted in the world	North America: 57% Europe: 41% Asia: 2% Australia/South America/ Africa/hidden services: <1%	North America: 32% Europe: 65% Asia: 2% Australia/South America/ Africa/hidden services: <1%	North America: 9% Europe: 89% Asia: 2% Australia/South America/Africa/hidden services: <1%
The types of services exploited to host child sexual abuse	Image host: 78% Cyberlocker: 10% Banner site: 4% Website: 2%	Image host: 69% Cyberlocker: 14% Banner site: 7% Forum: 3% (86% growth of websites using disguised method))	Image host: 84% Cyberlocker: 6% Banner site: 5% Website: 2% Forum: 2%

Source: Based on annual IWF 2015–2019 reports.

The following conclusions emerge from an analysis of the data collected by the IWF:^{17, 18, 19}

- The phenomenon of child sexual abuse in cyberspace is not new and was observed long before the pandemic.
- In recent years, both the number of URLs containing CSAM/CSEM/CSEAM and the amount of CSAM/CSEM/CSEAM shared and distributed have grown steadily.
- It should be noted that the reported increase in materials and URLs is a derivative of the rise in the number of crimes and distribution, the increased involvement of government and NGOs in the (active) search for such materials and the development of detection techniques – a significant portion of the material detected by the IWF comes from proactive activities (more than 56.62% in 2019).
- Children's exposure to sexual crime in the world has increased due to the ever-increasing time that minors spend online.
- Between 2015 and 2019, a significant change has taken place in terms of where child sexual abuse materials are hosted. Until 2015, materials were hosted mostly in North America. Since 2015, the trend has decisively reversed, with the majority of materials being hosted in Europe (89%).

17 Internet Watch Foundation, *The annual report 2015*, <https://www.iwf.org.uk/media/r2ndzbac/iwf-2015-annual-report-final-for-web.pdf> [accessed: 23.07.2023].

18 Internet Watch Foundation, *The annual report 2017*, https://www.iwf.org.uk/media/iqqdc3sf/iwf-2017-annual-report-for-web_0.pdf [accessed: 23.07.2023].

19 Internet Watch Foundation, *The annual report 2019*, <https://www.yumpu.com/en/document/read/63240486/iwf-annual-report-2019> [accessed: 23.07.2023].

Since the beginning of the COVID-19 crisis, Europol and NGOs have been monitoring the internet to assess the scope of online child sexual abuse and to determine whether there is an increase in the production and/or distribution of CSAM. Although the data are incomplete, there are strong indications that there has been an increase in the number of cases of child sexual abuse. The potential increase was alerted by the FBI's IC3,²⁰ Ecpat International,²¹ Europol and aid hotlines.

Europol's first report initial indicators that became the focus of research in the following months of the pandemic. Their detailed analysis led to the issuance of another report in June 2020, titled *Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic*.²² After analysing data obtained from Member States, cooperating countries and data provided by the National Center for Missing and Exploited Children (NCMEC), the Child Rescue Coalition, INHOPE, INSAFE and WebIQ, Europol released the following findings:

- The number of referrals from the NCMEC to Europol indicates the amount of CSAM distributed online. This number began to rise at the beginning of March 2020, around the same time that the first EU Member States enforced their respective lockdowns. Referrals in April 2020 were still substantially higher than usual; however, by May 2020 the situation seemed to have nearly returned to the status quo prior to the COVID-19 pandemic.²³
- The number of referrals for Member States affected by the COVID-19 crisis clearly increased from March to May 2020 in comparison with the same period in 2019.²⁴
- Country-by-country data show that all European countries have seen an increase in submissions to the NCMEC. The data confirm two regularities: an upward trend observed consistently over the years and an additional increase brought on by the onset of the pandemic.²⁵
- Between March and May 2020, many countries saw an increase in the amount of CSAM sent via peer-to-peer (P2P) networks. In the case of Spain, it grew from 20–25 million to around 60–70 million, in China it grew from less than 50 million to more than 125 million and in Italy it increased from around 50 million to as much as 225 million. In Spain, Italy and China, a definite increase occurred in late February and early March. A marked decline was observed at the end of May. In the case of Spain and China, a threefold increase was recorded, while for Italy – which at the time was the European country most severely affected by the pandemic – the recorded number was more than fourfold higher.²⁶

Moreover, based on data obtained from Web-IQ, Europol found that – particularly at the beginning of the pandemic – there was an increase in the number of posts/chats about child sexual abuse on some sites, including the darkweb. These posts ranged from videos depicting various forms of child sexual abuse to sexually explicit videos created by children for their peers. According to Europol's findings, the number of messages on one darkweb forum increased from 500 in December 2019 to more than 1,500 in March–May 2020. The report's overall conclusion is that the number of CSAM files being shared has generally increased, with the scale of the increase varying: some sites/forums saw a 50% increase, while others saw even a 200% increase.²⁷ The pandemic ultimately had a lesser impact on user activity on the darknet than on the internet at large. There were discussions in darkweb forums about the increased possibility of child sexual abuse

20 Public Service Announcement, *Child Abductors Potentially Using Social Media or Social Networks to Lure Victims In Lieu of an In-Person Ruse*, <https://www.ic3.gov/Media/Y2020/PSA201015> [accessed: 10.06.2023].

21 ECPAT International, *Why children are at risk of sexual exploitation during COVID-19*, <https://ecpat.org/story/why-children-are-at-risk-of-sexual-exploitation-during-covid-19/?embed=true> [accessed: 10.06.2023].

22 Europol, *Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic 19.06.2020*, https://www.europol.europa.eu/cms/sites/default/files/documents/europol_covid_report-cse_jun2020v.3_0.pdf [accessed: 10.06.2023].

23 Ibidem, p. 6.

24 Ibidem, p. 7.

25 Ibidem, p. 7–8.

26 Ibidem, p. 8.

27 Ibidem, p. 9–10.

during the pandemic; there was even a contest for the best video of child sexual abuse. However, according to Europol such phenomena were already occurring on the darknet before the pandemic, and the observed threads mainly concerned discussions about the impact of the pandemic in a general context.²⁸ Monitoring of discussions regarding the manufacture and production of CSAM through sextorting or grooming did not indicate significant changes in this area. The Europol report shows that user activity was similar to the respective period of 2019.²⁹

The analysis of the above data led to several conclusions. In recent years, the amount of CSAM/CSEM/CSEAM being shared and distributed has steadily increased. The activity related to child sexual abuse via the darkweb or social media is also unsurprising. However, the COVID-19 pandemic has led to a further increase in the distribution and transfer of CSAM/CSEM/CSEAM, particularly via peer-to-peer networks or encrypted messages. The data also confirm a significant increase in the exchange of materials using peer-to-peer networks.³⁰ This increase was particularly observed at the beginning of the pandemic, with the introduction of a so-called “hard lockdown” in many countries. As restrictions were loosened, the levels stabilised to the values observed before the pandemic. Thus, it seems that the restrictions related to the COVID-19 pandemic have contributed to an increase in user activity involving this type of material. Nonetheless, after 3 months of the pandemic there were no data confirming an increase in the production of CSAM/CSEM/CSEAM. Only Interpol noted an increase in materials created by children, with the report not specifying whether this refers to materials sent by children among themselves or materials created as a result of sexual exploitation. The sheer amount of existing CSAEM seems to have been maintained at pre-pandemic levels.

The COVID-19 pandemic has also led to the development of so-called live-streaming shows, which have become particularly dangerous. This phenomenon was especially popular in South-east Asian countries even before the pandemic, due to the high levels of poverty and unemployment that existed there, which were further exacerbated by the pandemic. Moreover, a new phenomenon of “Zoom bombing” has been described, involving uninvited individuals invading conferences/meetings held on the platform Zoom, and then providing on-screen material related to the sexual exploitation of children. Such incidents have been reported worldwide: in Asia, Europe and the Americas.³¹ The impact of the COVID-19 pandemic on child sexual abuse through gaming platforms could not be clearly determined. Even before the pandemic, such platforms were used by perpetrators to establish contact with children and to distribute child sexual abuse material. As a result of the restrictions and bans, the popularity of gaming platforms has increased; however, there has been no significant change in the number of reported cases of distribution. Some platforms have come to Interpol’s attention as potentially posing a danger.³²

2. Post-pandemic situation

An analysis of the data from the first year of the pandemic indicates that the increase recorded in the initial months was a one-time fluctuation, closely linked to the period of the “hard lockdown” measures and the resulting socio-economic changes. The mitigation of these measures was followed by a decline to levels observable before the pandemic.

Subsequent years have so far brought unexpected growth. In July 2020, the European Commission highlighted that the demand for CSAM/CSEM had increased by 25% in some EU Member States as a result of the COVID-19 outbreak. According to the Council of Europe, at least one in five children falls victim

28 Ibidem, p. 10–12.

29 Ibidem.

30 Europol, *Internet organised crime threat assessment (IOCTA 2020)*, p. 36, <https://www.europol.europa.eu/activities-services/main-reports/internet-organised-crime-threat-assessment-iocta-2020> [accessed: 27.07.2023].

31 Interpol, *Threats and trends child sexual exploitation and abuse: Covid-19 impact*, 2020, <https://www.interpol.int/content/download/15611/file/COVID19%20-%20Child%20Sexual%20Exploitation%20and%20Abuse%20threats%20and%20trends.pdf> [accessed: 14.04.2021].

32 Ibidem, p. 13.

to sexual violence during childhood.³³ A 2021 global study held by WeProtect Global Alliance found that more than one in three respondents had been asked to do something sexually explicit online during their childhood, and over half had experienced a form of child sexual abuse online. Children with disabilities face an even higher risk of experiencing sexual violence: up to 68% of girls and 30% of boys with intellectual or developmental disabilities will be sexually abused before their 18th birthday.³⁴

Furthermore, We Protect Global Alliance reported alarming data: between 2019 and 2021 the threat of online child sexual abuse has increased and reached its highest level, in terms of the incidence of online grooming, the number of child sexual abuse materials available online and the scope of sharing and distributing child sexual abuse material and livestreaming shows,³⁵ as shown by data collected by the NCMEM, Insafe, IWF and Europol.

The National Center for Missing and Exploited Children noted an increase of 100% in reports of online sexual exploitation from the public from 2019 to 2020.³⁶ The Internet Watch Foundation (IWF) in 2021 recorded a 77% increase in self-generated sexual materials.³⁷ The IWF assessed over 361,062 reports, which is a 20% increase from just 2020. In 2021 the IWF took action to remove a record-breaking 252,000 URLs which it had confirmed contained images or videos of children being raped and/or suffering sexual abuse. Of these, 182,281 URLs contained images or videos of “self-generated” material, which represents a 374% increase over pre-pandemic levels, as in 2019 analysts took action to remove 38,424 URLs containing self-generated material. The most prevalent was sexual abuse imagery of children aged 11–13, which accounted for almost seven in ten instances identified last year. Just 1% of the sexual abuse imagery showed boys (2,641 instances). In more than half of these cases (53%), the boy was suffering category A sexual abuse, which is penetrative sexual activity, sexual activity with an animal or sadism. By comparison, 17% of the sexual abuse imagery of girls depicted category A activities.

Insafe, a national helpline network that works with INHOPE through Safer Internet Centres (SICs) across Europe, also had a sharp increase in calls received during the second quarter of 2020. Over 19,000 calls were for online-related issues, representing a 70% increase over the same reporting period in 2019.³⁸

As indicated at the outset, all data pointed to an increase between March and May 2020, followed by a decline to pre-pandemic levels due to the loosening of restrictions. Such conclusions seemed justified in light of all the data: reports to the NCMEC and data collected by Europol, Interpol or NGOs such as the IWF. Therefore, while previous years have seen a year-on-year upward trend in both the amount of CSAM/CSCSEM and the number of reports filed with organisations working to combat online sexual abuse, 2021 brought an unexpected increase. The data warrant serious concern. At first, it was thought that the increase in the number of materials and the broader online activity regarding child sexual abuse (more files shared, more connections and domains, more materials being produced and new forms) was due to changes connected with the pandemic, that is, the transfer of a significant part of the activity to the internet, the increased time spent in front of monitors and the resulting increased exposure to online threats, the reduced control by schools because of distance learning, reduced control by parents when combining work with childcare and, finally, in view of restrictions on movement and the enjoyment of social life, the transfer of some perpetrators from traditional reality to the internet. The data for 2021 largely invalidates the hypothesis posed earlier. Although the March–June 2019 increase itself is arguably correlated with the introduction of lockdown measures, the

33 *Campaign materials*, „Council of Europe” <https://www.coe.int/en/web/children/campaign-materials1> [accessed: 23.07.2023].

34 WeProtect Global Alliance, *Global threat assessment 2021*, p. 16–20, <https://www.weprotect.org/global-threat-assessment-21/#report> [accessed: 24.07.2023].

35 Ibidem, p. 5.

36 Ibidem.

37 Ibidem; see Internet Watch Foundation, *Annual report: Self-generated child sexual abuse*, 2021, <https://annualreport2020.iwf.org.uk/trends/international/selfgenerated> [accessed: 24.07.2023].

38 Europol, *Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic 19.06.2020*, p. 9, https://www.europol.europa.eu/cms/sites/default/files/documents/europol_covid_report-cse_jun2020v.3_0.pdf [accessed: 10.06.2023].

current data alone indicate that the phenomenon of child sexual abuse, despite its subsequent decline to the levels observed before the pandemic, is now in a phase of sharp growth. Indeed, we are not seeing the previous increase in online sexual abuse at a relatively constant level, but an increase of tens of percent and, in some cases, more than 100 percent. Such a conclusion also seems to be supported in part by data already available for 2022. The National Center for Missing and Exploited Children received more than 32 million reports in 2022 regarding multiple forms of online child sexual exploitation, of which 99.5% concerned CSAM.³⁹ The number of reports compared to 2020, according to NCMEC data, increased by practically 1.47 times. There was a very marked increase, particularly in the online enticement of children for sexual acts: from more than 44,000 in 2021 to 88,000 in 2022.⁴⁰ There was an even greater increase in cases of unsolicited obscene material sent to a child. More than 3,500 such cases were reported in 2020, more than 5,000 in 2021 and nearly 36,000 in 2022. It should be noted that the incoming reports in 2022 were not only circulated and shared online repeatedly, but that almost 38% of the reported photos and 22% of the videos were completely new, previously unreported files. Thus, there is not only an increase in the distribution of materials already online, but also a large supply of new materials, most of which are self-produced.⁴¹

The data partially match information provided in an annual report by the IWF.⁴² While in terms of the number of reports there was a 4% increase over 2021, the report shows that the amount of child sexual abuse material detected surpassed that of the previous year. There was also a 60% increase in the number of 7–10-year-olds appearing in these horrific images. In addition, there was also an increase in the number of “self-generated” images of boys depicting child sexual abuse. The category of self-generated images of boys accounted for 31% (831) of all images depicting child sexual abuse of boys in 2021, while in 2022 this number rose to 56% (3,504) – an overall increase of 25%.⁴³

Given that a significant number of organisations involved in the fight against child sexual abuse have not yet published data or reports for 2022, it is not possible to draw categorical conclusions based on the reports reviewed above. However, it seems that the data from recent years show the following picture. The growth of CSAM/CSEM continues, with a marked acceleration in recent years. Online sexual exploitation is less about the perpetrator forcibly leading children into sexual activity, as a significant portion of the material is self-produced. Some of it is produced by children completely unaware of the situation, as part of contact with their peers, and then it flows out to the internet, where it circulates through addresses and CSAM file-sharing sites. Some of it is created by children as part of sextortion, in which children are targeted and encouraged to share explicit photos, and then blackmailed by the offenders, who threaten to share the images with the child’s friends, family or others unless they give the blackmailer money. Girls are still the most common victims of CSAM. There has been an increase in the severity of child sexual abuse material, classified under UK law as Category A or B: from 17% Cat. A in 2020 to 20% in 2022, and from 16% Cat. B materials in 2020 compared to 26% in 2022).⁴⁴

The increase in self-generated materials partly correlates with the increase in the number of underage users online, and especially with the increased presence of children online, who spend much more time in the virtual world than they did a few years earlier.⁴⁵ Undeniably, the trend observed in recent years of

39 National Center for Missing and Exploited Children, *CyberTipline 2022 Report*, <https://www.missingkids.org/cybertiplinedata> [accessed: 29.07.2023].

40 Ibidem.

41 Ibidem.

42 Internet Watch Foundation, *The annual report 2022*, https://annualreport2022.iwf.org.uk/wp-content/uploads/2023/04/IWF-Annual-Report-2022_FINAL.pdf [accessed: 29.07.2023].

43 Ibidem, p. 3.

44 Ibidem, p. 32. (Cat. A images involve penetrative sexual activity or sexual activity with an animal or sadism; Cat. B images involve non-penetrative sexual activity).

45 According to research conducted by Kantar Public for EY Polska, sitting for hours in front of a screen is an increasingly common phenomenon. During the week, 34% of teens spend a minimum of 4 hours a day online. At weekends, the percentage rises to 60%, and nearly 20% of those surveyed spend more than 8 hours online. EY Polska, *Badanie EY Polska: Młodzi w internecie – bez kontroli, bez ograniczeń, bez świadomości zagrożeń*, https://www.ey.com/pl_pl/news/2023/05/ey-ostrozni-w-sieci-mlodzi-w-internecie [accessed: 31.07.2023].

moving everyday activities online, the increased number of social networks, the transfer of interpersonal relationships and contact to the internet and the availability of smartphones, smartwatches and other networked devices have all increased the risk of exposure to unwanted sexual behaviour online as well as the risk of becoming a victim of online exploitation.

3. Legal framework in the EU

The problem under study has been recognised by the European Union. In 2020, after the first analyses from the pandemic, it was recognised that at least one out of every five children is a victim of sexual abuse, and the rapid development of technology has led to a drastic increase in reports of child sexual abuse online concerning the EU.⁴⁶ It was also rightly recognised (as is also evident from the data in Figure 1) that the EU has become the place from which the most child sexual abuse material in the world is shared.⁴⁷

The growing scale of the phenomenon is compounded by the difficulty in effectively identifying perpetrators and conducting investigations. Firstly, the rapidly changing world of technology allows perpetrators to use more and more modern methods, making them more difficult to detect and identify, such as encrypted connections and instant messengers, darknet exchanges and chat rooms and peer-to-peer file transfer technology. Secondly, law enforcement agencies face many difficulties from their own side. The lack of regulations obliging owners of websites, or hosts, to monitor users for CSAM/CSEM uploads, the lack of network boundaries versus multiple jurisdictions, procedural difficulties in obtaining data from US companies and difficulties exchanging electronic evidence are just a few examples.

Given these diagnosed problems, the existing national and EU legal solutions have proved insufficient. Within the framework of national legal orders, members of the European Union were combating the sexual exploitation of children and providing a wide range of criminal response mechanisms, from isolation punishments, through measures such as prohibiting contact with minors or certain environments or prohibiting work with minors, to maintaining registers of sex offenders. Individual solutions vary from country to country. To date, the only comprehensive legislation for combating child abuse has been the Directive on Combating Sexual Abuse of Children.⁴⁸ The Directive established minimum standards for defining crimes and penalties for the sexual abuse and sexual exploitation of children and child sexual abuse material, covering the prevention and prosecution of crimes and the provision of assistance and protection to victims. In order to harmonise laws in EU countries, the Directive sets a minimum framework for the formation of substantive criminal law norms by introducing mandatory criminalisation of crimes related to sexual abuse (e.g. being a witness to such acts), sexual exploitation, child pornography, sexual solicitation (e.g. grooming) and minimum sentences of imprisonment. The Directive also contains the obligation to implement measures of an administrative nature to improve the exchange of information between states, including that of criminal records.⁴⁹ Unfortunately, the provisions of the Directive have still not been implemented by all EU countries,⁵⁰ and the challenges posed by the constant development of technology have proven that the existing solutions are insufficient.

As a result, it became necessary to take further action. In 2020, the European Commission announced the EU Strategy for a more effective fight against child sexual abuse, assuming key goals in the fight against

46 European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU strategy for a more effective fight against child sexual abuse, COM/2020/607 final*, p. 2, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0607> [accessed: 31.07.2023].

47 Ibidem, p. 3, see Fig. 1.

48 Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/Jha, p. 1.

49 European Commission, *Communication from the Commission...*, p. 4.

50 On 15 February 2023, the European Commission instructed Belgium, Bulgaria, Latvia, Luxembourg, Hungary, Malta, Austria, Poland, Romania, Slovakia, Slovenia and Finland to remedy shortcomings in relation to their failure to correctly transpose all the requirements of the Child Sexual Abuse Directive (Directive 2011/93/EU), https://ec.europa.eu/commission/presscorner/detail/PL/inf_23_525 [accessed: 29.07.2023].

child abuse.⁵¹ The strategy contained eight demands, which focussed on ensuring full implementation of the current legislation (Directive 2011/93/EU); ensuring the effectiveness of digital regulations; identifying legal gaps, best practices and priority actions; enhancing cooperation between all stakeholders; and strengthening law enforcement efforts at the national and EU levels, including through establishing the Center and Innovation Lab at Europol, enhancing prevention activities and establishing a European Centre for the Prevention of and Fight Against Child Sexual Abuse.⁵² The strategy was announced for 2020–2025, laying the groundwork for further action in the area of combating online child abuse.

At the same time, it should be noted that the European Electronic Communications Code (EECC) came into force in December 2020.⁵³ The aim of the EECC was to modernise Europe's regulatory framework for electronic communications so as to provide consumers with more choice and to strengthen their rights. The EECC also aimed to ensure higher standards for communications services, including more efficient and accessible emergency notifications. The Code introduced a new definition of electronic communications services, which are defined as number-independent interpersonal communications services (NI-ICS), such as internet mail, chat services and internet telephony providers.⁵⁴ Unfortunately, the regulation has had undesirable effects in terms of combating sexual crimes against children in cyberspace. The explicit application of the Privacy and Electronic Communications Directive calls into question the compatibility, with regard to privacy, of the use of algorithms that block the detection of child pornography, which organisations use to actively search the internet for CSEM/CSAM. The amendments to the Privacy Directive (2002/58/EC) did not provide a basis for the use of measures for detecting child pornography or other forms of paedophilic activity (including the scanning of content with appropriate algorithms). Such measures have so far often been used by service providers, such as instant messaging services. It has become necessary to amend and introduce a temporary regulation that derogates from certain provisions of the Privacy Directive with regard to the use of technology by providers of interpersonal communications services that do not use numbers to process personal and other data for the purpose of combating online child sexual abuse. The regulations were repealed by Regulation 2021/1232/EU of the European Parliament and of the Council of July 14, 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC with regard to the use of technology by providers of interpersonal communications services that do not use numbers to process data.⁵⁵ The regulation is temporary and remains in effect until 3 August 2024. It is therefore necessary to implement regulations that will allow services to voluntarily detect and report online child sexual abuse and to remove child sexual abuse material. If these provisions expire, technology companies will no longer be able to detect, report or remove illegal content on communications services, which are currently the most widely used channel for disseminating child sexual abuse and grooming material from electronic communications services. This will make it easier for criminals to sexually abuse children with impunity.

The proposal to adopt the final regulation was submitted on 11 May 2022. The proposed Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse consists of two main building blocks.⁵⁶ Firstly, the Commission pointed out that to date there has been

51 European Commission, *Communication from the Commission...*, op. cit.

52 Ibidem.

53 Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast) text with EEA relevance, PE/52/2018/REV/1, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=154763333762&uri=CELEX%3A32018L1972> [accessed: 29.07.2023].

54 European Parliament, *Briefing: EU legislation in progress, combating child sexual abuse online*, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI\(2022\)738224_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI(2022)738224_EN.pdf) [accessed: 31.07.2023].

55 Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021 on a temporary derogation from certain provisions of Directive 2002/58/EC as regards the use of technologies by providers of number-independent interpersonal communications services for the processing of personal and other data for the purpose of combating online child sexual abuse (text with EEA relevance), PE/38/2021/REV/1, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1232> [accessed: 23.07.2023].

56 Proposal for a regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, Brussels 11.05.2022, COM(2022) 209 final, https://eur-lex.europa.eu/resource.html?uri=cellar:13e33abf-d209-11ec-a95f-01aa75ed71a1.0001.02/DOC_1&format=PDF [accessed: 31.07.2023].

a lack of regulations requiring service providers to detect, report and remove child abuse material. Some organisations were doing this voluntarily, as exemplified before. Thus, the Commission emphasised the creation of a safe space, imposing on providers obligations to detect, report, remove and block known and new child sexual abuse material or the solicitation of children, regardless of the technology used in the online exchanges.⁵⁷ Secondly, in order to monitor the obligations, the Commission has proposed the establishment of the EU Centre on Child Sexual Abuse as a decentralised agency that enables the implementation of the new Regulation, prevents and combats child sexual abuse and supports victims. The Centre shall work with companies, research institutes and law enforcement agencies to help them share information and best practices, ensuring oversight, transparency and accountability. The Centre's tasks will be as follows:

- Coordinating efforts to combat child sexual abuse by preventing, detecting and reporting it and assisting victims.
- Providing EU countries with expertise on prevention and assistance to victims.
- Supporting law enforcement agencies to follow up on reports and to rescue children.
- providing companies with indicators to find and report child sexual abuse online.
- Working closely with partners outside the EU, including similar centres in the USA, Canada and Australia.⁵⁸
- At the moment, the regulation has not been adopted. Council debates have taken place, and the proposal is awaiting the first reading.⁵⁹

4. Conclusions

To summarise the discussion so far, it seems that actual challenges for criminal policy in combating online child sexual exploitation involve social, legal and technological aspects.

The first challenge is to prevent a further surge in the number of URLs and the distribution/sharing of CSAM. Despite the actions taken by law enforcement agencies and NGOs (the fact that they are actively seeking CSAM and the relatively short time for removing the sites), the number of URLs continues to grow at an alarming rate; between 2020 and 2021, it more than doubled. Of course, this does not lead to the simple conclusion that criminal behaviour or the number of perpetrators have grown, but the sharp increase recorded recently is a reason to take a hard look at the problem and to take steps to effectively reduce the amount of CSAM/CSEM.

Additionally, a phenomenon which has become particularly dangerous in recent times is “self-made CSAM”. A significant portion of it is created in voluntary contact with peers, or for the purposes of social media activity.

In this context, it is important to consider the further direction of preventive interventions. Certainly, the goals established in the EU strategy for a more effective fight against child sexual abuse and also the proposed changes to the law in the regulation laying down rules to prevent and combat child sexual abuse deserve approval. The imposition of a duty to actively track, search for and report CSAM/CSEM can make a significant contribution to improving the situation, both in terms of detecting perpetrators and efficiently removing materials in order to counter the victimisation or sextortion of those involved. Nevertheless, it is important to remember that the world of cyberspace is developing extremely rapidly. No changes in the law can keep up with the ever-evolving virtual reality. Even the best algorithms to capture CSAM/CSEM will not end criminal activity. Therefore, bearing in mind that most of the CSAM/CSEM is self-generated by children, in the author's opinion, the emphasis should be on sexual education, especially online safety education and the constant expansion/improvement of preventive measures.

⁵⁷ Ibidem, p. 5.

⁵⁸ Ibidem, p. 20.

⁵⁹ Wniosek Rozporządzenie Parlamentu Europejskiego i Rady ustanawiające przepisy mające na celu zapobieganie niegodziwemu traktowaniu dzieci w celach seksualnych i jego zwalczanie, COM (2022) 209, Procedure 2022/0155/COD, <https://eur-lex.europa.eu/legal-content/PL/HIS/?uri=CELEX:52022PC0209> [accessed: 29.07.2023].

Today's children are born into an era of virtually unlimited access to the internet, and they very quickly acquire the ability to use a smartphone; nevertheless, most of them lack knowledge of the real dangers in virtual reality. Surprisingly, they often have no knowledge that materials sent/uploaded to the internet are never removed from it, and they are unaware that a person they are corresponding with may not necessarily be who they say they are. As reported in a recent study by EY Poland, more than 60% of respondents do not have parental control software, one in four respondents opened a file from an unknown source or clicked on a link sent from a stranger and 48% of teens admitted to talking to people they had met only online. Particular importance should therefore be attached to raising awareness among minors of the consequences of online activity, the real dangers of posting material on social networks and threats such as grooming, sexting, sextortion and even deepfakes. In turn, online safety education should be closely linked to sex education. At a certain stage of growth, it is quite normal to be interested in the sexual dimension of life. Therefore, online safety cannot be discussed in isolation from the natural stage in psychosexual growth, so as not to create barriers to communication and taboos. The overriding goal is to enable minors to use the internet safely, with an awareness of the dangers that come from it.

The second key challenge is to tighten international legal cooperation in criminal proceedings. It is important to remember that the internet is a global village, without traditional borders. Effective prevention and combating of internet crime therefore requires the development of regulations not so much on a national or European level, but on a supranational level. The largest server rooms are located in the United States, India, the United Kingdom and China. The lack of traditional borders and the fact that data flows often pass through several countries entail both procedural and data protection issues. Particularly pressing is the problem of data sharing through social media platforms. Not only P2P networks, but also social media networks (Facebook, Instagram, Snapchat and Tik-Tok) are used to distribute CSAM/CSEM. According to previous transparency reports, Facebook rejected up to 85% of disclosure requests for disclosure of data from Poland. The situation has improved; according to the latest Transparency Report the rate of accepted requests from Poland is about 58%. However, in 2021 Poland submitted fewer than 5,000 requests in total, while the website Dyżurnet.pl received more than 6,500 notifications regarding CSAM/CSEAM.⁶⁰ Difficulties in effective international cooperation. prevention and combating of internet crimes, reduces the efficiency of criminal proceedings, prevents the proper respect of victims' rights and does not ensure due effectiveness of criminal law mechanisms.

Bibliography

Scientific publications:

- Beisert M., Izdebska A., *Wykorzystanie seksualne dzieci*, „Dziecko krzywdzone” 2012, 2(39), 48–66, <https://dzieckokrzywdzone.fdds.pl/index.php/DK/article/view/584> [accessed: 15.08.2022].
- Bielawska-Batorowicz E., *Odległe następstwa wykorzystywania seksualnego dziecka*, „Acta Universitatis Lodzensis. Folia Psychologica” 1998, vol. 2, p. 15–28.
- Budyn-Kulik M., *Psychologiczne i społeczne następstwa konsumpcji pornografii*, [in:] M. Mozgawa (ed.), *Pornografia*, Wolters Kluwer, Warszawa 2011, p. 190–226.
- Friedrich W.N., *Bezpośrednie konsekwencje wykorzystania seksualnego dzieci – przegląd zagadnień*, [in:] M. Sajkowska, *Wykorzystywanie seksualne dzieci. Teoria, badania, praktyka*, Fundacja „Dzieci Niczyje”, 2004, p. 91.
- Izdebska A., *Konsekwencje przemocy seksualnej wobec dzieci*, „Dziecko Krzywdzone” 2009, 4(29), p. 37–55.
- Jakubczak-Fopke K., *Seksalne wykorzystanie dzieci w cyberprzestrzeni – wpływ pandemii Covid-19*, [in:] A. Kilińska-Pękacz, N. Michalak, P. Seifert (ed.), *Przestępczość w Polsce i na świecie w dobie pandemii*, Wydawnictwo Uniwersytetu Kazimierza Wielkiego, Bydgoszcz 2021, p. 153–166.

60 NASK Państwowy Instytut Badawczy, *Raport 2021*, 2021, Dyżurnet.pl, <https://dyzurnet.pl/uploads/2022/03/Raport-Dyzurnet.pl-2021.pdf> [accessed: 31.07.2023].

- Konarska-Wrzosek V., *Komentarz do art. 200 Kodeksu Karnego*, [in:] A. Lach, J. Lachowski, T. Oczkowski, I. Zgoliński, A. Ziółkowska, V. Konarska-Wrzosek (ed.), *Kodeks karny. Komentarz*, Wolters Kluwer, Warszawa 2023, p. 1073–1081.
- Niedzwiedz M., *Problematyka prawna ograniczenia dostępu do treści pornograficznych w internecie ze względu na ochronę dzieci z perspektywy prawa unijnego*, „Problemy Współczesnego Prawa Międzynarodowego, Europejskiego i Porównawczego” 2017, vol. 15, s. 98–115.
- Skórzewska-Amberg M., *Prawnokarna ochrona dziecka przed seksualnym wykorzystaniem w cyberprzestrzeni*, Poltext, Warszawa 2019.

Official documents:

- Council of Europe, *Convention on the protection of children against sexual exploitation and sexual abuse*, <https://rm.coe.int/1680084822> [accessed: 29.12.2023].
- American College of Obstetricians and Gynecologists, *Adult Manifestations of Childhood Sexual Abuse, Committee Opinion*, “Obstet Gynecol” 2011, vol. 498, p. 392–395.
- Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/Jha.
- Internet Watch Foundation, *The annual report 2015*, <https://www.iwf.org.uk/media/r2ndzbac/iwf-2015-annual-report-final-for-web.pdf> [accessed: 23.07.2023].
- Internet Watch Foundation, *The annual report 2017*, https://www.iwf.org.uk/media/iqqdc3sf/iwf-2017-annual-report-for-web_0.pdf [accessed: 23.07.2023].
- Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast) text with EEA relevance, PE/52/2018/REV/1, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547633333762&uri=CELEX%3A32018L1972> [accessed: 29.07.2023].
- WeProtect Global Alliance, *Global threat assessment 2019*, <https://www.endviolence.org/sites/default/files/paragraphs/download/Global%20Threat%20Assessment%202019.pdf> [accessed: 22.07.2023].
- Internet Watch Foundation, *The annual report 2019*, <https://www.yumpu.com/en/document/read/63240486/iwf-annual-report-2019> [accessed: 23.07.2023].
- ECPAT International, *Why children are at risk of sexual exploitation during COVID-19*, <https://ecpat.org/story/why-children-are-at-risk-of-sexual-exploitation-during-covid-19/?embed=true> [accessed: 10.06.2023].
- Europol, *Exploiting isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic*, https://www.europol.europa.eu/cms/sites/default/files/documents/europol_covid_report-cse_jun2020v3_0.pdf [accessed: 10.06.2023].
- European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU strategy for a more effective fight against child sexual abuse, COM/2020/607 final*, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0607> [accessed: 31.07.2023].
- Interpol, *Threats and trends child sexual exploitation and abuse: Covid-19 impact*, 2020, <https://www.interpol.int/content/download/15611/file/COVID19%20-%20Child%20Sexual%20Exploitation%20and%20Abuse%20threats%20and%20trends.pdf> [accessed: 14.04.2021].
- Europol, *Internet organised crime threat assessment (IOCTA 2020)*, <https://www.europol.europa.eu/activities-services/main-reports/internet-organised-crime-threat-assessment-iocta-2020> [accessed: 27.07.2023].
- Public Service Announcement, *Child Abductors Potentially Using Social Media or Social Networks to Lure Victims In Lieu of an In-Person Ruse*, <https://www.ic3.gov/Media/Y2020/PSA201015> [accessed: 10.06.2023].

- Regulation (EU) 2021/1232 of the European Parliament and of the Council of 14 July 2021, PE/38/2021/REV/1, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1232> [accessed: 23.07.2023].
- ECPAT International, *Summary paper on online child sexual exploitation*. Bangkok: ECPAT International, <https://ecpat.org/wp-content/uploads/2021/05/ECPAT-Summary-paper-on-Online-Child-Sexual-Exploitation-2020.pdf> [accessed: 23.07.2023].
- Internet Watch Foundation, *Annual report: Self-generated child sexual abuse*, 2021, <https://annualreport2020.iwf.org.uk/trends/international/selfgenerated> [accessed: 24.07.2023].
- NASK Państwowy Instytut Badawczy, *Raport 2021*, 2021, Dyzurnet.pl, <https://dyzurnet.pl/uploads/2022/03/Raport-Dyzurnet.pl-2021.pdf> [accessed: 31.07.2023].
- WeProtect Global Alliance, *Global threat assessment 2021*, <https://www.weprotect.org/global-threat-assessment-21/#report> [accessed: 24.07.2023].
- European Parliament, *Briefing: EU legislation in progress, combating child sexual abuse online*, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI\(2022\)738224_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI(2022)738224_EN.pdf) [accessed: 31.07.2023].
- Internet Watch Foundation, *The annual report 2022*, https://annualreport2022.iwf.org.uk/wp-content/uploads/2023/04/IWF-Annual-Report-2022_FINAL.pdf [accessed: 29.07.2023].
- Wniosek Rozporządzenie Parlamentu Europejskiego i Rady ustanawiające przepisy mające na celu zapobieganie niegodziwemu traktowaniu dzieci w celach seksualnych i jego zwalczanie, COM (2022) 209, Procedure 2022/0155/COD.
- National Center for Missing and Exploited Children, *CyberTipline 2022 report*, <https://www.missingkids.org/cybertiplinedata> [accessed: 29.07.2023].
- Proposal for a regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, Brussels 11.05.2022, COM(2022) 209 final, https://eur-lex.europa.eu/resource.html?uri=cellar:13e33abf-d209-11ec-a95f-01aa75ed71a1.0001.02/DOC_1&format=PDF [accessed: 31.07.2023].
- European Parliament, *Briefing: EU legislation in progress, combating child sexual abuse online*, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI\(2022\)738224_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/738224/EPRS_BRI(2022)738224_EN.pdf) [accessed 31.07.2023].
- EY Polska, *Badanie EY Polska: Młodzi w internecie – bez kontroli, bez ograniczeń, bez świadomości zagrożeń*, https://www.ey.com/pl_pl/news/2023/05/ey-ostrozni-w-sieci-mlodzi-w-internecie [accessed: 31.07.2023].

Online sources:

- Campaign materials*, „Council of Europe”, <https://www.coe.int/en/web/children/campaign-materials1> [accessed: 23.07.2023].