**Existing and Emerging Sexually Exploitative Practices against Children
in the Digital Environment**

Contribution by the Sovereign Order of Malta

Introduction

The digital age has brought unprecedented opportunities for connectivity, information access, and innovation. Along with these benefits, however, technological advancements have also facilitated the spread of harmful activities, including the sexual exploitation and abuse of children. They have also created a space that facilitates the dissemination of child sexual abuse material (CSAM).[1]

1. Technologies Facilitating Sexual Exploitation and Abuse of Children

The rapid evolution of digital technologies has created new avenues for perpetrators to exploit and abuse children. Predators use various online platforms, including social media, messaging apps, and gaming platforms, to groom, manipulate, and coerce children into sexual activity. Moreover, the anonymity afforded by the internet enables the creation and dissemination of child sexual abuse materials (CSAM), perpetuating the victimization of children.[2]

Emerging technologies such as artificial intelligence (AI) pose additional challenges. Generative AI can produce highly realistic fake images and videos of children, making it difficult to distinguish between genuine and manipulated content.[3]

End-to-end encryption, while crucial for safeguarding privacy and security, can also be exploited by offenders to conceal their illicit activities from law enforcement.[4]

2. Practical Recommendations for Prevention

To combat online sexual exploitation and abuse of children effectively, a multi-stakeholder approach is essential. States must enact robust legislation that criminalizes such activities and ensures accountability for perpetrators. Collaboration between Governments, technology companies, and online service providers is essential for developing and implementing proactive measures.

Here are examples of various forms of high-tech tools that can help prevent and combat human trafficking, prosecute traffickers, and protect and rehabilitate victims of human trafficking:

- Apps and Tech Tools to raise awareness, identify and support victims (Training)

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• Supporting investigations through operations management (OM) and operations research (OR) to support trafficking prevention and intervention efforts by evaluating different decision alternatives.

• Improving law enforcement through data aggregation and analysis, evidence gathering with satellite imagery and geospatial mapping (particularly useful for identifying remote and high-risk sectors), artificial intelligence (AI), and facial recognition (to identify victims and traffickers). The OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings published in May 2022 a report on *Policy responses to technology-facilitated trafficking in human beings: Analysis of current approaches and considerations for moving forward.*[5]

Practical recommendations include:

- Implementing age verification mechanisms on platforms frequented by children to prevent unauthorized access.
- Improving parental controls and educational resources to empower caregivers and children to navigate the digital landscape safely.
- Strengthening content moderation algorithms and investing in AI-driven tools to detect and remove CSAM.
- Facilitating cross-border law enforcement cooperation and information sharing among law enforcement agencies to expedite investigations and prosecutions.
- Adopting and updating stronger tools for law enforcement and judicial authorities to investigate and prosecute new forms of exploitation, including those that take place online.[6]

For example, the UK's Online Safety Bill proposes stringent measures to protect children from online harms, including sexual exploitation. It mandates age verification for users accessing age-restricted platforms and imposes hefty fines on platforms failing to comply with safety standards. By holding technology companies accountable and empowering users with tools for safer online experiences, the bill aims to mitigate risks to children. All online platforms should set those standards to prevent child exploitation.

3. Gaps in existing frameworks

Despite significant progress in the fight against online sexual exploitation of children, gaps remain in the implementation and enforcement of existing laws and policies. Inconsistencies in legal frameworks across jurisdictions hamper efforts to combat transnational crimes effectively. In addition, resource constraints and technological limitations hamper the timely detection and removal of CSAM.

In addition, the need for standardized reporting mechanisms and data-sharing protocols complicates collaboration between the public and private sectors. Inadequate coordination between platforms and law enforcement agencies often delays the removal of harmful content and the apprehension of offenders.

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The lack of standardized reporting mechanisms for online child sexual exploitation hinders effective collaboration between platforms and law enforcement. In the United States, the *National Center for Missing & Exploited Children (NCMEC)* operates the CyberTipline, which allows the public and electronic service providers to report instances of child sexual exploitation. However, inconsistencies in reporting requirements and response times across platforms undermine efforts to address harmful content in a timely manner.

4. Challenges Faced by Law Enforcement

Law enforcement agencies face numerous challenges in investigating and prosecuting cases of online child sexual exploitation. The sheer volume of digital evidence and online platforms' anonymity and encryption features make it difficult to identify and apprehend offenders.

Furthermore, jurisdictional issues and differences in legal frameworks hamper international cooperation, allowing offenders to exploit legal loopholes and evade accountability. In addition, resource constraints and the rapid evolution of technology require ongoing training and capacity-building initiatives for law enforcement personnel. The International Child Sexual Exploitation Database (ICSE Database) illustrates the challenges law enforcement agencies face in investigating cross-border cases. INTERPOL manages the database and facilitates the exchange of intelligence and information among member countries to identify offenders and rescue victims. However, differences in legal frameworks and resources among Member States hinder effective cooperation and timely intervention.

5. Technical and Regulatory Measures for Mitigation

Comprehensive technical and regulatory measures are essential to mitigate the human rights risks associated with online child sexual exploitation and abuse. States must enact laws that require technology companies and online service providers to adopt robust safeguards.

Key measures include:

- Implementing strict age verification protocols to prevent minors from accessing explicit content.
- Mandating the use of AI-driven content moderation tools to detect and remove CSAM.
- Establishing regulatory bodies to monitor compliance and enforce penalties for non-compliance.
- Develop international standards for data sharing and law enforcement cooperation.

The European Union's General Data Protection Regulation (GDPR) incorporates provisions to safeguard children's online privacy and protect them from exploitation. It requires platforms to obtain explicit consent from parents or guardians before processing the personal data of children under 16. Additionally, the GDPR empowers data protection authorities to impose substantial fines on online entities violating children's rights, incentivizing compliance with safety measures.[7]

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6. Examples of good practice

Several examples of good practice demonstrate practical approaches to combating child sexual exploitation and abuse online. Internal monitoring and reporting processes enable platforms to quickly identify and remove harmful content. Regulatory bodies play a crucial role in setting standards and enforcing compliance within the industry.

In addition, robust safeguards, including child rights due diligence and risk assessments, ensure that digital products and services prioritize safety and inclusivity by design. Technical standard-setting processes facilitate stakeholder collaboration and drive innovation in developing safer online environments.

Facebook's Community Standards Enforcement Report demonstrates its commitment to combating online child sexual exploitation through robust content moderation measures. The company employs AI-driven algorithms and human reviewers to proactively detect and remove harmful content. Facebook collaborates with external organizations, such as the National Center for Missing & Exploited Children, to develop best practices and enhance safety protocols.

The Sovereign Order of Malta shares best practices to prevent sexual exploitation, especially of children, through one website, organizes regular webinars and offers a free online course on human trafficking.

7. Challenges and Mitigation Measures for AI and Encryption

The proliferation of generative AI and end-to-end encryption presents significant challenges in the fight against online child sexual exploitation. Generative AI enables the creation of highly realistic fake content, complicating efforts to distinguish between genuine and manipulated images and videos.

While end-to-end encryption is essential to protect privacy and security, it can also hinder law enforcement investigations by preventing access to communications data. Mitigation measures include the development of advanced technology solutions that leverage AI for content analysis while preserving the integrity of encryption.

Microsoft's use of PhotoDNA technology is an example of efforts to combat the proliferation of CSAM while preserving user privacy. PhotoDNA uses AI algorithms to create digital fingerprints of known CSAM images, enabling platforms to identify and remove illegal content without compromising encryption. By integrating advanced technologies into their platforms, companies can effectively address the challenges posed by generative AI and encryption.

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8. Examples of Stakeholder Consultation

Proactive measures to facilitate consultation and participation of stakeholders, including children and child rights organizations, are essential to inform policy and legislation. Collaborative initiatives ensure that diverse perspectives are considered in decision-making processes.

For example, technology companies often work with child advocacy groups to develop safer online environments and improve reporting mechanisms. Similarly, lawmakers consult with experts and civil society organizations to develop comprehensive legislation that addresses the evolving challenges of online child sexual exploitation. The Global Alliance for Child Protection in Humanitarian Action engages with diverse stakeholders to develop comprehensive guidelines for safeguarding children in crisis settings. The Alliance includes representatives from UN agencies, non-governmental organizations, and child rights advocates, ensuring that the voices of children and affected communities are heard in policy development processes. By fostering inclusive dialogue and collaboration, the Alliance strengthens efforts to protect vulnerable children from exploitation and abuse.

9. Mechanisms for International Collaboration

As the Sovereign Order of Malta is a lay religious organization, we would like to highlight the work of some other faith-based organizations (FBOs):

The Holy See: in 2019, Pope Francis participated in the Congress on *"Child Dignity in the Digital World,"* addressing the issue of child exploitation through the digital world. He highlighted the pressing issues surrounding the protection of children in the digital world and emphasized the need for a concerted effort from various sectors of society. He acknowledged the Catholic Church's recognition of the gravity of sexual abuse of minors and the urgent need for prevention and healing. The rapid development of digital technology presents opportunities and challenges for minors, necessitating safe access to technology while safeguarding their well-being. The proliferation of child abuse facilitated by digital means poses a significant challenge for law enforcement and institutions, requiring effective measures to combat these crimes. The Holy See recognizes the profound impact of pornography on children and the urgent need for greater awareness and action. The Holy See calls for a balance between freedom of expression and responsible use of technology, urging companies to acknowledge their moral responsibility in protecting minors. It is very important to focus on the ethical development of technology and the need for accountability in the digital industry. In addition, the Holy See calls for a global movement to protect the dignity of minors, emphasizing the role of religious leaders and institutions in promoting solidarity and cooperation.

The Santa Marta Group (Church and Law Enforcement Combating Human Trafficking) launched a partnership between the Catholic Church, police, business, and civil society internationally in 2014. Led by Cardinal Nichols, Church leaders and Police Chiefs from more than 25 countries gathered at the Vatican in the presence of Pope Francis and with his explicit encouragement. Since then, the Santa Marta

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Group has sought to build this network, always acting as a catalyst for action to collectively seek systemic change to rid the world of the scourge of human trafficking.

According to Santa Martha's Strategic Goal 1 ("Culture"),[8] the Group will "*Establish a network of business leaders and international firms to create ethical leadership as the norm who implement measures for victims to secure remedy, including compensation.*"

Santa Marta's Strategic Goal 3 ("Digital Space to be Governed by Law") calls for "*legislation to be introduced and enforced so all digital media become responsible technologies that uphold human dignity.*"

The *Pastoral Orientations on Human Trafficking,*[9] prepared by the Vatican's Migrants & Refugees Section (M&R) for use by Catholic dioceses, parishes, and religious congregations, schools, and universities, by Catholic and other civil society organizations and by any groups willing to respond. In addition to their implementation in local programs and long-distance collaboration, the *Orientations* also provide key points for homilies, education, and the media. It addresses the exploitation of children on the Internet. It emphasizes the need for responsible use of technology and communication media.

The [United States Conference of Catholic Bishops](#) (USCCB): the USCCB has submitted a [letter to the U.S. Congress](#) advocating for the protection of children on the Internet. The letter focuses on three points: respect for life and dignity, the call to family, and the call to community and participation.

Caritas Internationalis: in the paper [Protection from Abuse and Exploitation](#) approved by Caritas Internationalis Executive Board in 2018, the definition of "abuse" mentions technology: "*Any action or inaction that causes harm to another person. It can include physical abuse, emotional abuse, sexual abuse and neglect. It also includes abuse online and/or through mobile technology.*"

[Associazione Meter](#)[10] is an Italian non-profit organization combating child abuse and promoting child protection. Since it was founded, Meter has been constantly contributing to the fight against any form of abuse, using a multidisciplinary approach (psychological, legal, educational, and technological) through innovative ways. It actively participates in the protection and safety of minors in various educational areas. Institutional collaboration with the Italian Postal and Communication Police and foreign law enforcement agencies, operational networking with server providers, the Meter Listening Center, and numerous supporting bodies amplify the commitment that Meter has been a protagonist of for these 30 years. Since 2002, the *Associazione Meter* has:

• Sent 67 956 protocols to the police,
• Announced 225 316 links,
• Detected 9 360 cyber-pedophile communities,
• Detected 47 886 Deep Web links
• Reported 27 344 387 images, 8 103 831 videos, and 16 697 mega archives (since 2014).

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Conclusion

Tackling child sexual exploitation and abuse in the digital environment requires a comprehensive and collaborative approach. By harnessing technology, enacting robust legislation, and fostering international cooperation, stakeholders can mitigate risks, protect children's rights, and create safer online spaces. It is imperative to remain vigilant and proactive in adapting strategies to address emerging threats and ensure the well-being of children in the digital age.

The year 2025 will mark the 25th anniversary of the Palermo Protocol. The Sovereign Order of Malta plans to increase its cooperation with Governments, international organizations, and civil society, especially faith-based organizations (FBOs), to mobilize public awareness of the need to devote more resources to the prevention, protection, and rehabilitation of human trafficking victims and survivors.

Children (both boys and girls) who are victims of online abuse should not be forgotten. Preventing and ending child trafficking must be a priority for all, including Internet service providers.[11] The challenge is enormous, as there is a technological and legal race between traffickers and those who want to prevent and combat this scourge. We must use all tools to prevent and combat human trafficking to identify, protect, rescue, and rehabilitate victims, prosecute perpetrators, and compensate survivors,[12] and, ultimately, eradicate contemporary slavery.

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[1] Marek GRZEGORCYK. "How AI is leading the fight against online child abuse", *Emerging Europe,* UNICRI, March 2023
[2] UNICEF. *Ending Online Child Sexual Exploitation and Abuse. Lessons learned and promising practices in low- and middle-income countries.* December 2021, 104 p. See also the interesting endnotes (pp. 101-104).
[3] Safinah ALI, Daniella DiPAOLA, Irene LEE, Victor SINDATO, Grace KIM, Ryan BLUMOFE, Cynthia BREAZEAL, "Children as creators, thinkers and citizens in an AI-driven future" *Computers and Education: Artificial Intelligence*, Volume 2, 2021, https://doi.org/10.1016/j.caeai.2021.100040
[4] COUNCIL OF THE EUROPEAN UNION. *End-to-end encryption in criminal investigations and prosecution. Note from the Commission Services.* Brussels, 18 September 2020, 7 p.
INTERPOL. *Our responses to crimes against children.*
[5] OSCE. OFFICE OF THE SPECIAL REPRESENTATIVE AND CO-ORDINATOR FOR COMBATING TRAFFICKING IN HUMAN BEINGS. *Policy responses to technology-facilitated trafficking in human beings: Analysis of current approaches and considerations for moving forward.* Vienna, 2022, 68 p.
[6] See, for example, EUROPEAN COMMISSION (23 January 2024). Commission welcomes breakthrough political agreement on stronger rules to fight trafficking in human beings
[7] See also the European Court of Human Rights ruling on 13 February 2024 in the *Case of Podchasov v. Russia*
[8] Santa Marta's Strategic Plan 2023-2026+
[9] Pastoral Orientations on Human Trafficking, Migrants & Refugee Section, Vatican City, 2019, 37 p.
[10] Associazione Meter 2023 Annual Report
[11] See COUNCIL OF EUROPE. *Human rights guidelines for Internet service providers. Developed by the Council of Europe in co-operation with the European Internet Services Providers Association (EuroISPA).* Strasbourg, 2008, paragr. 16.1 "Illegal and/or harmful content, risks for children", p. 5. The Council of Europe convened in December 2019 a Round Table on action against trafficking in human beings in the digital age. The concluding remarks by Claudia Luciani, Director of Human Dignity. Equality and Governance, include:
• **The need for strengthening the criminal justice response**, including through appropriate criminalisation of technology-enabled human trafficking offences. The legislative framework should ensure that there are no safe cyberspace havens for traffickers or their assets. The Second Additional Protocol to the Cybercrime Convention on electronic evidence will provide new opportunities for more efficient MLA and direct co-operation with providers in other jurisdictions.

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• **Specific attention should be paid to the intersection between security and privacy**. While technology can be used to uphold and protect human rights, it can also be misused to violate them. The raise of AI provides opportunities to develop tools, such as analysis of massive data or pattern recognition that can help identify suspects or potential victims. However, in the area of human trafficking, protection of victims and confidential information is of paramount importance and should be given due consideration. As policies and initiatives are formulated, their main objective should remain to promote and protect human rights.

• **Appropriate capacity of law enforcement agencies to investigate technology-enabled human trafficking**. The presentations today confirm that capacity and training are essential to effective investigative response. The programmes which the CoE has developed to strengthen the criminal justice capacities through the Cybercrime Programme Office should be used to the benefit of the fight against human trafficking.

• **Leveraging the power and knowledge of companies**, which can offer tools and solutions to significantly advance States' responses to human trafficking. Some technology providers already have a range of solutions that can be shared, piloted and scaled up. The CoE co-operation platform with Internet and telecommunication companies can provide a framework for new partnerships which will strengthen the implementation of the Council of Europe Anti-Trafficking Convention.

• **Addressing data gaps and increasing the efficiency of data sharing**. The CoE Anti-Trafficking Convention recognises the need for consistent data. A mapping exercise by GRETA on the problems faced by States Parties and the existing legislative and operational tools could help improve the understanding of the situation with a view of developing new policies and provide additional guidance."

[12] The *WePROTECT Global Alliance* serves as a prominent example of international collaboration to combat online child sexual exploitation. Launched in 2014, the Alliance brings together Governments, industry leaders, and civil society organizations to coordinate efforts, share resources, and develop innovative solutions to address the evolving challenges of online child exploitation. By facilitating cross-sectoral partnerships and knowledge exchange, WePROTECT promotes harmonization and mainstreaming initiatives to safeguard children in the digital environment. See its 2021 *Guidance for implementing the Global Strategic Response (Eliminating Child Sexual Exploitation and Abuse Online).* Furthermore, the Sovereign Order of Malta would like to shed light on the "National Center for Missing and Exploited Children" (NCMEC), an organization that partners with law enforcement in 150 countries and territories. They produce a lot of material and reports on online child sexual exploitation. They do plenty on online enticement and sextortion, they developed the Cyber Tip-line which identifies Child Sexual Abuse Material (CSAM), and in 2022 they received more than 32 million reports of suspected child sexual abuse material, and 99% of those were suspected to be used for child pornography. Since COVID-19, online recruitment grew 150% on social media platforms like Instagram, WhatsApp, and Facebook (all owned by Meta). Reports shows 80% (223 million) of the US population has social media, and globally about 4.2 billion people have social media accounts; about 92% of teenagers (ages 13-17) report going online daily, and 24% of teens say they are online "almost constantly". In 2023, the Cyber Tipline received 186,000 reports of online enticement, and sextortion; online enticement increased by 323% since 2021.

Also see:

- UNICEF's *Ending Online Child Sexual Exploitation and Abuse. Lessons learned and promising practices in low- and middle-income countries.* New York, December 2021, 104 p.
- EU Strategy for a more effective fight against child sexual abuse (reference framework for EU action for 2020-2025)
- EUROPEAN COMMISSION. Proposal for a regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse, Brussels, 11.5.2022 COM(2022) 209 final.
- EUROPEAN PARLIAMENT. Directorate-General for Internal Policies Combating child sexual abuse online (2015)
- *Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse* (published by the Australian Ministry for Home Affairs)
- ECPAT. 2nd Annual ASEAN ICT Forum on Child Online Protection Unveils New Guidelines to Combat Online Child Sexual Exploitation and Abuse (December 2023)
- ECPAT INTERNATIONAL – Religions for Peace – UNICEF (2016). *Protecting Children from Online Sexual Exploitation. A Guide to Action for Religious Leaders and Communities.*
- ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)
- ASEAN Guidelines for Provision of Protective and Support Services for All Child Victims and Children in Contact with the Law as a Result of Online Child Sexual Abuse and Exploitation, (2023)
- ASEAN Guidelines for Harmonised and Comprehensive National Legislation against All Forms of Online Child Sexual Exploitation and Abuse (2023).
- UNICEF. Action to End Child Sexual Exploitation and Abuse. Online Course in English, French and Spanish (2024).

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