



**Title: Easier said than done: Analysis of EU strategy for a more effective fight against child sexual abuse in the online realm.**

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## **Abstract**

This research aims to understand the securitization process of online child sexual abuse by analysing the EU strategy for a more effective fight against child sexual abuse in the online realm published in 2020 and other additional sources. The objectives are to get insights into how this institution presented this threat, to analyse what tools are being used and how whether a securitization process is being carried out. For that purpose, employing critical discourse analysis as the research method and following Balzacq's conceptualization of the securitization theory, this research examines all the initiatives proposed in the strategy, analysing the securitization through speech and practice. The main finding is that the European Commission has failed to successfully securitize online child sexual abuse. Gaps between the speeches and practices have been identified: measures to tackle this issue have been presented, but the needed actions that follow have not been completely executed. Further, issues concerning the Commission's authority and unbalanced power relation with the functional actors, lack of prioritization of the initiatives as well as lack of criticism and suitable connexions among the initiatives have been identified.

*Keywords: online child sexual abuse, securitization process, EU strategy, securitization through the speech, securitization through practices.*

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## **Introduction**

The protection and guarantee of fundamental human rights is an unquestionable matter. However, this responsibility should be taken even further when the rights that are being jeopardized are children's rights. Several agreements, conventions, and conferences illustrate the international agreement on this matter and the utmost importance of safeguarding children's rights from any type of potential risk. An example of this importance is shown in the UN Convention on the Rights of the Child (1989) in which article 19 states:

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. (p. 8)

The European Union (EU) is a complex institution which was created aiming a further integration in the European area and intended to benefit its members by granting them certain advantages without losing much sovereignty. Even though the relationship between the EU and the State Members can be challenging due to different interests and difficulty to reach agreements, there are matters in which all the members share common interests and for which international collaboration is key (Alves et al., 2021, pp. 836-837). There are several issues that the EU has authority on, but one of the most prevalent ones is guarantying the safety and well-being of the State Members and their citizens (Terziev et al., 2021, p. 332). In this line, because of the concerning increase in the subject of this study, child sexual abuse in the online realm, this security threat has become a top priority for the institution. It is among the objectives and duties of the EU to protect children's rights, addressing this security issue by making use of all the available resources and instruments such as policies, awareness campaigns, and laws, among other resources.

Therefore, the alliance is key in this matter as it enables greater cooperation and international intervention. In consequence, it has been justified the intervention of the EU in the field because, due to the nature of this crime, this new emerging issue in security is needed of joint strategies and coordinated responses, harmonized among the States Members. This way, a real and effective response can be provided, keeping up with the danger that online child sexual abuse causes (Stalford and Drywood, 2009, pp. 143-147).

Crimes related to child sexual abuse have always been a harmful and considerable matter, but they had not been such a significant part of the public debate and agenda until a few years ago. There have been two major changes that affected and had major repercussions on this crime's prevalence as well as how the institutions tackle it. First of all, the rapid development of technologies has been highly favourable for society but, concurrently, it has resulted in the development of new types of crime. The spread of child sexual abuse content online, individuals paying for getting access to this type of content, or even grooming were unconceivable crimes a few decades ago (Voziki, 2021; Rutten, 2021).

On the other hand, in the last two years, the world was challenged with another threat never faced before that affected online child sexual abuse greatly, apart from causing a serious impact in many other spheres. The pandemic situation caused by Covid-19 had a far a far more notable impact on this crime than previously expected. Indeed, several international organizations published reports alerting and exposing the increase of this threat. Further, the prediction is that this crime will keep increasing in the following years if actions are not taken (European Commission, 2020b, p. 1; Europol, 2020a; Europol, 2020b; Europol, 2020c; Europol, 2020d; Interpol, 2020; End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT), 2020).

- Overview and objectives:

This research aims to understand whether the securitization process of an exponentially increasing threat, online child sexual abuse, is being carried out. This study's objectives are to get insights into how the European Commission is presenting this threat, to examine what tools this institution uses in its strategy as well as how they are employed to understand if its objectives are being met. On top of this, this research shall identify gaps in the strategy and its goals as well as other potential issues that could have had an impact on it.

To achieve those purposes, this research shall follow Balzacq's interpretation and his conceptualisation of the securitization theory as the theoretical framework or "lenses" to look at this issue. This theoretical framework does not just limit the research to the securitization through the speech act but also considers important the securitization through practices. The sources that will be analysed are the strategy itself and, in addition, other documents, such as press releases, speeches or daily news documents published by the European Commission concerning the matter of online child sexual abuse. All the sources shall be analysed employing the critical discourse analysis method.

The main finding is that, according to the analysis conducted, the European Commission has not been able to successfully securitize online child sexual abuse. Even though that certain evidence could lead to think that the securitization through the speech has been attempted to carry out, the gaps found between the speeches and practices make it impossible to state that this security threat has been fully securitized. Measures to tackle online child sexual abuse have been identified and presented in the strategy, but the necessary actions that follow have not been executed or have been just partially. Further, more issues concerning the lack of prioritization of the initiatives, criticism, or connexions among the initiatives as well as the undermining of the European Commission's authority and unbalanced power relation with the functional actors are more aspects that have been identified and that this research shall draw upon.

## **Chapter 1: Justification and significance of the study**

There are several reasons to study this matter and its relevance to the academic field as this section shall outline. First, the victims of this crime are the most vulnerable ones and, further, the consequences thereof will have an impact on children in the short and long term. For instance, it is common among child sexual abuse victims to suffer many psychological consequences such as depression, anger issues, anxiety, disruptive behaviour, low self-esteem or abuse of substances such as alcohol or drugs, among many other repercussions (Say et al., 2015, p. 333). Indeed, the study conducted by Wilson (2010) showed that victims of this type of crime are twice as likely to suffer from mental health disorders compared to those individuals who have not experienced abuse during their childhood (p. 57). On top of this, it has been shown that if the abuse is extended to the online realm, it can aggravate the psychological impact on the victims, increasing even further the likeliness of suffering from depression and post-traumatic stress disorder (PTSD) (Say et al., 2015, p. 335). Nonetheless, the effects the abuse has on the victims are not just psychological since there are many other health issues associated with this phenomenon in such a crucial stage of life. It can produce physical pain that led to headaches, fatigue, fibromyalgia, or even systemic disorders in the respiratory, gastrointestinal or gynaecological systems, among others (Wilson, 2010, p. 58).

Besides, as previously mentioned, the Covid-19 and global pandemic have aggravated the vulnerability of children in different spheres. The commission of certain offences, such as the distribution and creation of online child sexual abuse content, has been facilitated due to the exceptional situation that was ongoing. Several factors played a key role in the increase of this threat as closing schools, children spending more time online without the suitable supervision of guardians as well as offenders having more free time and, hence, being able to spend more time online (Giammariano, 2020; UNODC, 2020). On top of that, although the health situation has improved worldwide, and the restrictions are being lifted to some extent in most countries, the experts on the topic do not



forecast a decrease in the prevalence of this crime, on the contrary, it is expected that online child sexual abuse will keep increasing (Europol, 2020b).

Considering what has been said, tackling online child sexual abuse is of utmost importance. In the same vein, it should have the same level of concern for the policies and strategies that counter this crime since their role is crucial in preventing and taking actions against it. If the measures that are implemented are not as effective as possible, the outcomes can originate potential issues. However, notwithstanding the prevalence and importance of fighting against this crime, certain aspects remain unstudied. Indeed, there are not many studies that focus on the analysis of the strategies that tackle online child sexual abuse as well as the entities that address them, remaining as an under-researched matter.

One of the best illustrations that show the significance of how a security issue is presented, addressed and its repercussions is the case of the government of the United States of America. It is well-known that the terrorist attacks on the 11th of September 2001 were a before and after for American international security and relations. The potential threat of more terrorist attacks after the episode completely changed how the government presented the issue and led to the “War on terror”. This shifting in the approach did not just affect the security field but also had a determining impact on other spheres such as the military, policing, intelligence services and foreign affairs. In other words, this security threat was presented and addressed in a way that shaped and changed the complete perspective of the government and the allocation of resources (Stevens and Vaughan-Williams, 2014, p. 150; Huddy, Khatib and Capelos, 2002; Mabee, 2007; Armacost, 2002, pp. 73-74).

Thus, policies, reports, and other documents are key to addressing any type of security threat. In complex social issues like the one presented in this study, as Ball (1993) affirms, strategies or policies are like “toolboxes” (p. 10). Hence, understanding the tools that are used, by whom, or how they are employed are

key questions to be asked to get to know if the strategy meets its objectives. As Balzacq (2008) highlights, to comprehend the securitizing practices, it is rather beneficial to look at the policy tools since it shows how the policy-makers transform intention into specific actions and how the policy instruments are influenced by social processes. Indeed, the decision to adopt a particular policy instrument is frequently preceded by discourse. Therefore, researching these dynamics will enhance the knowledge of the policy tools and provide better approaches to forthcoming threats (Schneider and Ingram, 1990, p. 512).

For that reason, following the current knowledge of strategy analysis, it is crucial to acknowledge the implications of the organizations that play a fundamental role in fighting against this offence. In the case of this study, how the European Commission has presented and attempted to tackle this crime and its concerning increase. Getting that insight can be achieved by looking at the strategies and documents in which this institution has addressed this matter. Analysing this phenomenon is essential for getting insights to draw up better responses in the future. Strengthening the resilience and prevention as well as the strategies is key for the unavoidable forthcoming security threats in the field.

The EU has been the chosen organization for this study since, as will be outlined in this study, this type of crime crosses the borders, hence, international cooperation is needed to effectively tackle it. Since the EU holds power among the countries in the European territory, it enables this institution to launch regulations and policies that the Member States must comply with. Hence, this authority is employed to produce strategies that move forward the cooperation and assistance among the countries to prevent security issues. In this vein, this study aims to analyse the EU strategy for a more effective fight against child sexual abuse since it is the most recent strategy published by this organization to counter this threat.

## **Chapter 2: Contextualization and literature review**

### Chapter 2.1: Online child sexual abuse: how did we get here?

Although online child sexual abuse is a relatively new crime, child sexual abuse practices can be traced to ancient civilizations (Ali et al. 2021, p.1). Throughout history, the perception and connotations of this subject have changed greatly as well as the methods to counter this activity. As a matter of fact, during certain historical periods, these practices were seen as neither negative nor condemned (Westlake, 2020, p. 1226). For example, in ancient Greece it was common for men in their early twenties to have sexual relationships with young boys who were just around twelve years old. Nonetheless, it is not necessary to go that far back in time to recognize the sexualization of children. In the 1970s, in the United States, several magazines published articles showing child sexual exploitation and several films that captured child abuse were released. The distribution of this content was rather expensive and challenging to get therefore, as a result, the distribution of this type of material was not frequent but rather occasional. However, the development of Information and Communications Technologies (ICTs) facilitated the commission of this kind of offence, as it is explained hereafter (Westlake, 2020, p. 1229-1230).

In recent years, there has been an exponential growth of child sexual abuse and one of the main factors that influence this phenomenon is the development of the ICTs and the online world. The internet as well as the social media outlets have provided significant advantages for the commission of this offence since, as Seigfried-Spellar and Soldino (2020) cite, the internet benefits from a Triple-A Engine: “Affordable, Accessible, and Anonymous” (p. 1205). For instance, the dark web facilitates the commission of online child sexual abuse, making it easier, faster and safer to get access to access child sexual abuse material, to escalate the abuse or to continue the abuse. On top of this, technology has even transformed how child sexual abuse content is consumed. For instance, in the present day, it is becoming more usual this content to be watched on mobile phone devices rather than just consuming it on laptops or computers (Westlake,

2020, p. 1233). Therefore, although several studies draw attention to the beneficial and constructive aspects of children using social media platforms, it must be acknowledged the inevitable risks and vulnerabilities that come with it (Hamilton-Giachritsis et al., 2021, p.1; Ali et al., 2021, p. 2-4; Seigfried-Spellar and Soldino, 2020, p. 1207; Westlake, 2020, p. 1226).

There are many risks associated with this crime, but one of the main aspects is the scope of this offence's consequences as well as the accessibility to reach potential victims. One factor that makes this issue more dangerous is that every single minor can potentially be a victim of child sexual exploitation. Indeed, this crime has grievously spread across the world as another global pandemic. Another challenge is that online child sexual abuse entails a range of several actions or behaviours, due to the role of the new technologies. For instance, these offences can or cannot involve direct contact: they can take place in person and then be uploaded on the internet, or even only occur in the online realm without any type of physical contact. An example of the former case is an encounter between a minor and another individual in which they engage in sexual activities and those are recorded by the offender and uploaded for economic, personal or any other type of benefit. However, as it could happen in the latter case, a minor could be deceived to record himself doing a compromised activity and compelled to send that video to someone. (Seigfried-Spellar and Soldino, 2020, p. 1204; Bitensky, 2010, p. 1665).

Besides, another key aspect that is important to consider when understanding the complexity of this phenomenon is the scope or territory where the crime is committed since it is rather blurred and undefined. This offence has global reach and impact; hence, it hampers jurisdictional boundaries and requires cooperation beyond the borders to tackle it (Seigfried-Spellar and Soldino, 2020, p. 1205). Statistics are helpful to get a further understanding of the global impact and extent of online child sexual abuse. According to the Internet Watch Foundation annual report, in 2021, there was an increase of 20% in the number

of total reports that were assessed by the organization. Nevertheless, what concerns the professionals the most is that more than 250,000 websites were confirmed to show images related to child sexual abuse, links or adverts related to it which conveys an increase of 64% compared to the previous year (Internet Watch Foundation, 2022). Indeed, the strategy itself highlights that a concerning number of reports alert the concerning increase in the creation, demand and consumption of child sexual abuse material in the EU. In fact, the European region has become the largest part of the world to host this type of material. On top of that, according to the statistics published by the Council of Europe, one in five children has been a victim of sexual violence (European Commission, 2020b, p. 1-2).

Despite the high prevalence of this crime and additional concerning factors, there are still many patterns and behaviours related to online child sexual abuse that remain unknown since it is a rather complex issue involving several domains and factors (Ali et al., 2021, p. 5). Moreover, there are different categorizations or typologies, depending on what aspects are analysed. For instance, two types of offenders can be identified in these crimes: the individual who produces, shares and makes a profit from the content and, on the other hand, the person who purchases and looks for this illegal content (Ali et al. 2021, p. 2). Nevertheless, if the motivations of the offenders are taken into account, they can be distinguished among “contact-driven versus fantasy-driven and cybersex, schedulers, cybersex/schedulers, and buyers” (Seigfried-Spellar and Soldino, 2020, p. 1209). Although it is vital to comprehend and research the diverse typologies, aspects and motivations behind this crime, this study shall not focus on aspects such as offender or victims’ profiles or specific types of online child sexual offences.

Hence, it is of utmost importance that, as long as the methods to commit offences related to online child sexual abuse keep evolving, the entities that are somehow in charge of the protection of children’s human rights keep changing

and developing their strategies to fight this security issue (Westlake, 2020, p. 1226). It is fundamental to take into account all the factors that play a part in online child sexual abuse to be able to produce policies and strategies that have a holistic and interdisciplinary approach, including all the relevant aspects to fight against this crime.

#### Chapter 2.2: Background of the EU strategies on online child sexual abuse.

The new security threats that have been emerging in recent decades across the world have had a significant impact on the EU Security Agenda and pushed to strengthen the cooperation in the alliance. It became more crucial for multilateral defence policies to tackle issues such as military conflicts or the proliferation of weapons of mass destruction (WMDs). For the alliance, it was a major turning point for the State Members to increase their cooperation and produce joint strategies rather than just their national policies to address certain matters (Irrera, 2013, p. 53; Rusu, 2012, p. 44).

Indeed, the formulation and approval of the EU Drug Strategy in 2004 was a reflection of the concern of the State Members of these types of security threats and, at the same time, it was an indicator of their willingness to combat drug trafficking beyond each State Member's approach or a particular perspective on the topic. It was acknowledged the need to combat the security threats not from individual efforts since it was inadequate due to the nature of the crimes but by making use of the advantages of the State Member's union (Irrera, 2013, p. 53).

Regarding the efforts made by the EU to battle the matter of this study, online child sexual abuse, there have been three main documents and two conventions that have addressed this issue. To give the context of the background in chronological order, the first efforts were executed in 2001, thanks to the Council of Europe, in the Budapest Convention also known as Convention on Cybercrime. This convention came into force three years later after it was held and, even though this treaty focused on cybercrime in general, this document

additionally criminalised “child pornography”. Indeed, article 9 of this convention just focuses on sanctions for offences related to this matter (Council for Europe, 2002, p. 5). On top of this, the Budapest Convention forced all the State Members to outlaw any type of activity related to this crime and it was considered a crucial tool for promoting international cooperation (Broadhurst, 2019, p. 16).

After the Budapest Convention, another legal framework that specialized in tackling this matter was brought to light in 2004; this document was named the EU Framework Decision on combating the sexual exploitation of children and child pornography. Nonetheless, this first piece of legislation stopped being adequate when more practices related to sexual abuse against children commenced being perpetrated in the online realm, hence, it was necessary to make changes to ensure the effective prevention and countering of the crime (Buono, 2020, pp. 361-362). In this vein, in 2007 it proceeded the Lanzarote Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse, this Convention came into force three years after it was held, in 2010 (Council of Europe, 2007). As Rutai (2020) states, this convention “is considered the most comprehensive international instrument dedicated to protecting children from sexual violence in all spheres of life and setting” (p. 24). Furthermore, thanks to the Lanzarote Convention, behaviours concerning the previous stages of committing a sexual abuse offence, such as grooming, were in addition criminalized (Rutai, 2020, p. 26; Bitensky, 2010, p. 1664).

Following this line of thought, in 2011 a new EU Directive on combating the sexual abuse and sexual exploitation of children and child pornography was published, to be able to guarantee the children’s rights at the same time that technology was being developed at a high speed (Buono, 2020, pp. 361-362; Broadhurst, 2019, p. 17). However, according to reports, the 2011 EU Directive did not have an approach that was integrated and holistic. The Directive lacked paying attention to the prevention of the crime since all the efforts were focused

on the investigation and prosecution of this crime. Therefore, in this vein and to address all the gaps and challenges that were missing or not properly tackled in the previous documents regarding this crime, the European Commission approved the EU strategy for a more effective fight against child sexual abuse in 2020 (Buono, 2020, pp. 361-362).

### Chapter 2.3: Overview and structure of the EU strategy for a more effective fight against child sexual abuse

This strategy was adopted by the European Commission on the 24<sup>th</sup> of July 2020 in Brussels, after a feedback period from the 5<sup>th</sup> of June to the 03<sup>rd</sup> of July 2020. The intention for this strategy is to be implemented within the five following years from its adoption. Hence, according to this time timeline by 2025, all the initiatives that are developed in this document should be completely operational and functioning. As a brief overview, this twenty pages long strategy consists mainly of 8 initiatives to fight against child sexual abuse. At the end of every initiative, there is a box that includes the key action that the EU will execute to accomplish the initiative.

The strategy commences with an introduction in which it explains the importance of the consequences of this security threat as well as the justification for taking the specified exceptional measures to tackle it. They also touch on the specific context and impact that the Covid-19 pandemic and the development of technologies have had on the exponential increase of this crime. In this section it is further stated how fighting against this matter is a firm priority for the EU, reinforcing and strengthening the measures adopted to achieve so. After the introduction section, the strategy is divided into two main divisions that cover several initiatives that fall within their scope: the “Implement and develop the right legal framework to protect children” (European Commission, 2020b, p. 3) and “Strengthen the law enforcement response and enhance cooperation among all stakeholders” (European Commission, 2020b, p. 7). The initiatives included



in the first framework employ instruments regarding the substantive EU law to address child sexual abuse online. On the other hand, the second section takes a different approach, it makes use of funding and cooperation as tools to tackle this issue (European Commission, 2020b, p. 2).

The document concludes with the last section called “the next steps” which covers the next actions that should be followed. This part summarises important points and objectives that have been mentioned in the document. It strengthens the idea of cooperation among the European Commission and other actors to effectively implement the initiatives and achieve the aims of the strategy as well as the sense of urgency and the vital importance of taking action against this threat (European Commission, 2020b, pp. 19-20).

#### Chapter 2.4: Key concepts

##### *Chapter 2.4.1: Concepts related to online child sexual abuse*

This section aims to clarify and define key concepts that will be employed in this research. It is fundamental to elaborate on key concepts since, notwithstanding the fact that some definitions are widely accepted, it does not signify that their meanings are accurate or that in academia they are used with common connotations. Due to the complexity of this issue, the terminology used to address it must be taken into account to be as respectful as possible to avoid any potential chance of revictimization, minimization of the offence, or even greater stigmatisation.

An example of debatable concepts is, for instance, the term “child pornography” which is frequently used. Even though it could be suitable from the linguistic approach, there is a sector of experts that are against the use of this term since it could potentially arise misleading interpretations. If someone is not aware of the real meaning of this term, it could give the sense that it is just another type of pornographic content that shows underage individuals engaging in sexual

activities voluntarily. For that reason, instead of that term, professionals are advocating for the use of “child sexual exploitation material” instead of child pornography (Frangéž, 2015, p. 297).

Although using this language could harm the victims, the European Union makes use of the term “child pornography” (i.e., “the Directive 2011/93 on combating the sexual abuse and sexual exploitation of children and child pornography” or “EU Framework Decision on combating the sexual exploitation of children and children pornography”). Nevertheless, this research will avoid this term and employ it as literal reproduction when it is explicitly mentioned in a document. Instead, this study will advocate for the employment of “child sexual exploitation material”.

Besides explaining the relevance of using the best possible terminology, it is necessary to define one of the main subjects of this research: child sexual abuse. Child sexual abuse is defined by the Convention on the Rights of the Child as “all forms of sexual exploitation and sexual abuse” (Greijer and Doek, 2016, p. 18). The existing problem with this definition is that it does not differentiate between child sexual abuse and exploitation. The main distinction between the term abuse and exploitation is that the former does not require any type of exchange whereas the latter is commonly conducted to get some type of benefit in return whereas the former does. The abuse can be perpetrated just for the offender’s gratification and, in many instances, is conducted by an individual known by the victim. The World Health Organization (2003) gives a more detailed definition of this concept:

Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of

responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. (p. 75)

In consequence, when this study refers to “online child sexual abuse”, it refers to the crimes explained just before known as child sexual abuse but, in this case, these crimes are committed or connected to the online realm. It is important to note that online child sexual abuse is not a new type of crime but a different realm in which criminal behaviours and offences are carried out. (Greijer and Doek, 2016, p. 22). Further, for clarification, this study will focus on analysing the strategy that tackles online child sexual abuse, therefore, even though the abovementioned strategy does not focus exclusively on online crime, many strategies do just address this dimension. This research shall focus on analysing just the features that touch upon this crime exclusively in the online domain.

#### *Chapter 2.4.2: Strategy*

The term strategy can be conceptualized in diverse ways, depending on what approach is used or what institution defines it. For instance, the Oxford Learners Dictionary (2022) defines it as “a plan that is intended to achieve a particular purpose” or “the process of planning something or putting a plan into operation”. Indeed, in the European Commission’s website, there is a section that focuses on the strategy documents and, more specifically, there is a subsection dedicated to the strategic and management plans. In this part of the website, it is explained that the strategic plans of the Commission include how the institution intends to contribute to its priorities, defining and specifying its objectives, the indicators that track the advancements and the activity and progress reports (European Commission, 2022e).

Strategy documents have a fundamental role in the present-time organization as well as society as a whole. This type of document has different goals, as Vaara et al. (2010) pointed out, strategies “communicate socially negotiated meanings, legitimate ways of thinking and action and de-legitimate others, produce

consent but may also trigger resistance, and have all kinds of political and ideological effects, some more apparent than others” (p. 686).

Thus, considering what has been mentioned, strategies can be understood as discourse constructions with specific organizational goals or intentions. Consequently, strategies are not permanent or fixed but should be subject to change (Vaara et al., 2004, p.5). Indeed, according to Mantere and Vaara (2008)’s definition of strategy discourse, this term is “a complex set of meanings constituting this body of knowledge and organizational praxis” (p. 341). Furthermore, in the context of this research, it is important to note that there are several challenges for the EU as a policymaker because of the complexity of creating common concepts that are agreed upon by all the State Members and that they all use as core concepts and baseline for the documents (Allum and Boer, 2013, p. 135).

#### Chapter 2.5: Analysis of strategies

Researching and analysing strategies is not a new field in academia, indeed, the interest in this area has significantly increased in the last decade. Scholars have been paying attention to strategies in different disciplines to be able to provide insights into the documents, their impacts and their effects.

Several approaches can be taken when researching a strategy itself and the discourses around it. However, two approaches are considered the main perspectives and they are usually chosen in this type of study. These two approaches diverge from each other in some way. The first one states that the role of action and language is to construct each other. The different types of documents such as articles, academic papers, mission speeches, and specific practices assist them to constitute the strategy’s discourse. To put it another way, the main idea behind this approach is that a strategy discourse does not mirror the social reality but creates it. Hence, aspects such as what it is considered to be a strategy, how a strategy is talked about and how it is particularly analysed

will have implications from a political perspective (Hardy et al., 2000, p. 5-8; Vaara et al., 2004, p. 4).

On the other hand, the second perspective emphasises more on the practical aspect. According to this perspective, the discourse of the strategy produces an organizational reality, thus, it creates a narrative that legitimates the employment of certain practices. As a consequence, if the discourse of the strategy is effective, it can potentially enhance the organizational reality into actions, making success more plausible (Hardy et al., 2000, p. 5-8).

As it happens frequently in social studies, there is no right or wrong, black or white. Both of the explained perspectives provide valuable insights for the study and, moreover, they are not mutually exclusive. In other words, a strategy or discourse can create a social reality, instead of the common conception of a strategy as a reflection of the reality and, at the same time, it can be employed to legitimate specific practices. As it will be explained in the following chapter, if a discourse is presented by a competent authority, it can create, for instance, a new reality of imminent threat or risk and validate taking particular actions to mitigate the particular issue.

Furthermore, it is vital to take into consideration that the analysis of the strategies that have been carried out in the current literature belong to completely different fields of study and areas. For instance, the research and analysis of a strategy can be found in the health, educational or governmental field, among many other areas. Every type of strategy has distinctive features, goals, and methods to achieve its purposes. Therefore, even though there is a part of the academia and literature research that has a similar type of object of study (a strategy or other documents), the way to actually carry out the research, the scope, and the methodology will be distinct and differ from each other, depending on the particular case study (Hardy et al., 2000, p. 8).

For instance, the object of the research conducted by Vaara et al. (2010) focused on the official strategic plan that was used by the administration of Lahti's local

government (a small city located in Finland) as a point of reference in the decision-making process. They found five features in the discourse of this plan, highlighting that they were not random characteristics but emphasized their importance and impact on the performance's effect, power relations and the consequent implications of the strategy itself. Other studies examine concrete implications, characteristics, or aspects of strategy analysis. For example, the research conducted by Hardy et al. (2000) brought into focus the idea of employing discourses as a strategic resource. Moreover, according to their study, an individual could be part of a discourse and have an impact on it, creating a new meaning that would affect or influence a particular strategy.

Conversely, Mantere and Vaara (2008) studied the vital role of participation in the strategies and other key issues associated with it. In the process of creating a new strategy, there is not an agreed opinion on what would be the right amount of participation of each organizational member in the formulation of the document. The problem comes when, if this stage of the strategy is not successful and there is a lack of inclusion or participation of the members in the production of the strategy, there may be a lack of participation in its implementation, thus, it is likely that the strategy would not achieve its goals. Hence, several aspects can be examined when analysing a strategy and they could contribute, For instance, notwithstanding the beneficial insights that would provide studying whether the participation of the State Member of the EU impacted the outcomes of this strategy and in what ways, due to the time limitations of the study, this matter shall not focus on this point.

### **Chapter 3: Theoretical framework**

When researching such a complex and sensitive issue as the strategy that tackles online child sexual abuse, it is important to acknowledge the importance of the theoretical framework. In other words, it is key to select the suitable one as it will be the “lenses” employed to analyse the security threat. However, the best theoretical approach to research any type of issue has been an object of contested debate, due to the ontological and epistemological assumptions that each different framework would imply for the study (Osanloo and Grant, 2016). Nevertheless, as this section highlights, employing the securitization theory and Copenhagen School from Balzacq’s approach will be befitting for the purpose of this research and provide a beneficial framework to study this matter.

Hence, the theoretical framework that will be applied for this research is Balzacq’s conceptualization of the securitization theory, associated with the core assumptions of the Copenhagen School and advocated by recognised scholars such as Barry Buzan and Ole Wæver (Peoples and Vaughan-Williams, 2020, p. 92), combined with the analysis of securitization from a practice-centred approach, also identified with the Paris School (Balzacq, Léonard and Ruzicka, 2016, p. 504). This author takes the securitization theory a step further, stating that taking only one side individually, meaning analysing the securitization process just through speech or through practice, is not the best approach to comprehend the whole securitization process itself. In other words, according to this perspective, to consider that an issue has been securitized, it should not be examined just what has been said about it but, in addition, the practices, and what has been actually done to tackle it. Hence, considering both perspectives within a coherent framework will provide important insight and assist with a deeper and more holistic analysis of this issue (Balzacq, Léonard and Ruzicka, 2016, p. 517). For that reason, this research shall look at the securitization process of online child sexual abuse look at the strategy and the other sources to comprehend the speech but shall further look at the practices that have been or have not been executed towards the issue.

This chapter is divided into two main sections. The first one shall explain the securitization theory, the speech act theory and the significant contributions that Bazalcq provides regarding the theory and the securitization through practices to analyse a security threat. On the other hand, the second section shall focus on applying this framework to this particular case, outlining how this framework is suitable when researching this security threat and assisting in moving forward with the analysis.

### Chapter 3.1: The securitization theory

To commence the contextualization of this theoretical framework, it is important to note that one of the most characteristic aspects of the securitization theory is that it shifted the referent object of security, leading to a new conceptualization of what should be considered a security threat. Prior to the theory, a threat had been considered traditionally a security issue when it fell into the traditional military conceptualization of security, in other words, when it would jeopardize the survival of the state. Therefore, the referent object was just the state, understood as the governance system, geographical limits, or the society itself. As a consequence, emergency or extraordinary measures would be executed only in case that there was any type of existential threat to that referent object, the state (Barry, 1998, p. 21). To put it another way, traditional threats to the state were the only ones that were worth it to be securitized and initiate extraordinary measures. However, according to the securitization theory, the state is not the only possible referent object, it can be whatever issue if it is presented as such and then it is securitized as it will be explained hereafter. For that reason, Copenhagen School and those who advocated for the securitization theory put a new innovative concept of security forward, developing a new framework for conducting analysis (Peoples and Vaughan-Williams, 2020, p. 92; Bazalcq, Léonard and Ruzicka, 2016, p. 496).



According to the securitization theory, there are three stages or spheres in which any issue can be placed: non-politicized, politicized and securitized (Peoples and Vaughan-Williams, 2020, p. 92). If an issue is in the first-mentioned stage, the state does not act toward the issue, and it is not considered that it should be part of the public debate or decision-making processes. However, when an issue is politicized, it means that it is included in the public debate or policy, thus, the government's decisions and actions are demanded to tackle the issue. On the other hand, if an issue is finally securitized, it is shown as an existential threat and, hence, all the actions to counter it are urgent as well as it is justified the employment of extraordinary measures to achieve this purpose. Any type of issue can be placed in any of these stages, attending to the particular characteristics and context. Therefore, according to this theory, the state is not the only referent object but any issue could be placed in the securitized stage, being worth extraordinary measures to guarantee its safety if the situation requires it (Barry, 1998, pp. 23-24; Peoples and Vaughan-Williams, 2020, p. 94).

Besides, there are more key aspects that the definition of securitization touches upon in this theory and that will be elaborated on next. According to Balzacq (2010), securitization is understood as:

An articulated assemblage of practices whereby heuristic artefacts (metaphors, policy tools, image repertoires, analogies, stereotypes, emotions, etc.) are contextually mobilised by a securitizing actor, who works to prompt an audience to build a coherent network of implications (feelings, sensations, thoughts, and intuitions) about the critical vulnerability of a referent object, that concurs with the securitizing actor's reasons for choices and actions, by investing the referent subject with such an aura of unprecedented threatening complexion that a customised policy must be immediately undertaken to block it. (p.3)

Moreover, the three different units of security analysis or actors which are frequently distinguished in this theory and that will be employed in this study must be defined. This conceptualization provides useful insights for the research and enables a more precise study. These mentioned units of security analysis or actors that take place in the securitization theory are the following ones:

1. The referent object is what is being threatened and is worthy of protection. The traditional approach always took the state as the referent object, nonetheless, this theory claims that the referent object can and should go further than the state itself.
2. The securitizing actors are those who declare that the referent object is being threatened (Barry, 1998, pp. 35-36). Therefore, it is the role of the securitizing actors, through the security speech act, to place the security issues in the non-politicized, politicized or securitized stage (Bazalcq, Léonard and Ruzicka, 2016, p. 495). Frequently, this task is carried out by political leaders, policymakers, and members of the governments or lobbies, among others.
3. The functional actors are those who are involved and affect the sector in some way. However, despite the fact that they play an important function in that field, they do not hold enough power or authority to declare what is the referent object, thus, they cannot be considered securitizing actors (Barry, 1998, p. 36).

Besides, the basic and central concepts of the theory mentioned above, other scholars such as Bazalcq have moved the securitization framework forward. Agreeing with the basic concepts of this theory, this author has assessed that there are important factors that have not been paid enough attention to and that are fundamental for the securitization process. Hence, he has stressed the relevance of analysing and addressing them in the securitization process. This progress has been beneficial to overcome certain flaws that this theory has

faced. For that reason, this research additionally builds upon Balzacq's (2005) interpretation of the Copenhagen School and the securitization theory.

This author advocates for not considering security not just as a "speech act" but also analysing the "pragmatic act" (Balzacq, 2005, p. 176). For instance, he considers that it is fundamental to analyse both, meaning that when studying a discourse or speech, it should be examined not just the discourse itself but also the practices that have been executed after it. Hence, more elements are highlighted and relevant to understand the securitization process that an issue goes through if it is successfully securitized. Therefore, the strategic processes that take place in should be analysed, considering different aspects such as the context, power relation or dynamics, circumstances and the audience (Balzacq, 2011, p. 1).

Thanks to this change of perspective, the security discourse does not refer to just itself but it is placed value on other factors, with the methodological outcomes it implies. For this reason, this research does not just consider the strategy itself, i.e., what would be considered the "speech act" according to this theory, but it additionally focuses on the practical side of the policy within the specific context that it has been carried out to examine the practices, the audiences, thus, what is considered as the pragmatic act.

For instance, the importance of the audience, the context and implementation of policies as well as the referent subject (whoever is threatening the referent object) has been emphasised (whoever is threatening the referent object) (Balzacq, Léonard and Ruzicka, 2016, p. 495). The audience is crucial since it is considered that a threat is securitized only when it is accepted by the audience. In fact, there are several studies about when and under what circumstance can be considered that the audience has accepted a speech act by the security actors, thus, securitization has been achieved successfully (Balzacq, Léonard and Ruzicka, 2016, p. 499).

Another aspect that this theory goes over is the power relations as it influences the ability of the securitizing actor to effectively present an issue as a threat to the audience as well as the actual capacities to carry out the extraordinary measures (Bazalcq, Léonard and Ruzicka, 2016, p. 501; Peoples and Vaughan-Williams, 2020, p. 95). Furthermore, this theory is key for this research since it pays attention to the context and conditions in which certain practices or strategies are developed or changed, hence, the “analytics government part”. Moreover, another defining characteristic of this theory is that it can provide a concrete approach to security which is influenced not only by the analysis of the speech acts but also by the analysis of the governments, their processes, and practices (Bazalcq, Léonard and Ruzicka, 2016, p. 517).

Therefore, this new concept of security could be broken into two stages: the agent and the act. The former consists of the identity, beliefs and attributes of the securitizing actor as well as the social identity that allows the power position to act as such, and the nature and resources of the target audience and the opposition in the concerned field. Conversely, the latter covers the action type (the language that is used, including the rules in the grammar and syntaxis) and the contextual facet meaning the artefacts that are going to be employed to build the context that will make easier the involvement of the audience. Therefore, thanks to Balzacq’s conceptualization, the securitization framework has moved forward the following new key assumptions, a securitization process is effective if depends on the context, focuses on the audience and its dynamics are packed with power (Balzacq, 2015, pp. 177-179).

### Chapter 3.2: Securitization theory as a framework for this research

This section shall apply the explained the securitization theory from Bazalcq’s interpretation to this case study, outlining the relevant actors that have a role in this framework, such as the securitizing actor, functional actors and the referent

object. In addition, this section shall highlight other important assumptions of the theory and explain why it is suitable for the research.

This theory “has been identified as a fruitful approach to the study of a growing number of issues, including cybersecurity, terrorism and interstate rivalries, thereby broadening its empirical scope and increasing its relevance to a growing number of political contexts” (Bazalcq, Léonard and Ruzicka, 2016, p. 507). Indeed, scholars affirm that this theoretical framework is appropriate to analyse transnational or global security threats, in other words, to analyse issues that go beyond the national borders and traditional threats (Bazalcq, Léonard and Ruzicka, 2016, p. 521).

In this vein, this theoretical framework is suitable since crimes related to online child sexual abuse cannot be considered a traditional threat. This offence does not have an impact on the sovereignty of the state or its safety directly, in other words, it does not jeopardize the integrity of the state itself. Further, this crime is committed in the online realm by offenders who could be in any part of the world. In consequence, it can be considered a non-traditional threat, but not for that reason is less important or urgent its fight. Hence, the securitization theory is a fitting framework to analyse this type of crime since it addresses and advocates for the securitization of non-traditional threats, as the object of this research.

Moreover, even though it could seem that the securitization theory focuses on the state as the principal securitization actor, this theory can be applied to the international realm as well. In fact, Barry (1998) affirms that the sovereignty of international entities or organizations can be threatened by issues that impact their rules or institutions (p. 22). In addition to this, he further states that international entities, such as the EU, can have the role of securitization actors that securitize another referent (p. 45). Hence, it reinforces the notion of this theory being suitable for the research’s purposes.

From this study's perspective, the European Commission is the securitization actor since it is declaring what is a security issue, in what stage it falls into as well as the extraordinary measures that should be taken to tackle it. Furthermore, the threat of crimes related to child sexual abuse is placed in the politicized sphere, as the following sections will explain in further detail. As explained before, an issue can be placed in the non-politicized, politicized, and securitized. Indeed, this process can be observed in this case in which the issue of child sexual abuse began to be in the public debate since, a couple of decades ago, this matter fell into the category of non-politicized, not taking a significant part of the public debate.

Hereafter, the different actors and other units of analysis, such as the audience or the power dynamics concerning this research will be explained. First, it will be described the referent of this study, to ensure the safeguard of the children's rights and its securitizing actor, the European Commission. Then, other aspects such as the functional actors, audience, power dynamics and the context in which the securitization process aims to be carried out will be introduced-

In this study, the referent object is the rights of the children, safeguarding their well-being; however, the problem comes up when this referent object is jeopardized. According to the EU, the protection of all children must be safeguarded to assure their well-being. Besides, another added problem that it is important to note is that the referent object that the securitizing actor is aiming to guarantee the protection does not just fall within its scope or territory. In other words, the children's rights that the European Commission aims to protect are not just for the children of the State Members but every single child, no matter where that person is from. Even though its scope of action is limited to the State Member's territory, its aims go further (European Commission, 2020b, p.1).

Besides, it is key to acknowledge the important role of the functional actors in this security threat. This actor has a unique position since it is not the referent or securitizing actor, but it influences and is influenced by the measures adopted

to address the threat. In this case, it is crucial the position of the private sector in fighting against child sexual abuse online. If this functional actor does not cooperate in tackling this crime, it hampers its ability to fight and effectively prevention, since the platforms that are used to upload the illegal content belong to the private sector, international organizations such as Europol that oversee this type of investigation, are not able to get the personal data directly from the private sector. Hence, it can be a potential great obstacle for the investigations and prevention measures. Therefore, it is fundamental for their cooperation in identifying and reporting such content to the competent authorities in order to be able to fight against online child sexual abuse. This gives them a privileged position and certain power that will have an impact on the power dynamics as it will be going into detail later on (European Commission, 2020b, p. 5).

Moreover, regarding the audience of research, there is an uncommon phenomenon that should be taken into account, it can be considered that there is not just a single audience but different ones. The audience is made up of the government of each State Member of the European Commission, but it is also crucial to consider the role of the societies that are part of those countries as well. Although not all audiences influence and impact in the same way the policy decisions regarding a security issue, acknowledging them gives insights into the securitization process as well as potential issues in the procedure. According to the securitization theory, the State Members have to accept that the issue is being securitized and presented as a threat as such as well as the extraordinary measures that would be subsequently adopted to tackle it in order to be accepted as an actual security threat.

Further, as the securitization theory highlights, the power relation is a determining factor since it gives different capabilities to the securitization actor. In this case, the European Commission is in a significant position of power since, when a State Member accepts to be part of this international organization, a binding agreement is signed, entrusting the EU to adopt extraordinary

measures if needed and the State Members agree to comply with the EU laws. This power position that the European Commission holds gives this entity the authority to determine what issues constitute a security threat to the alliance.

Another pivotal factor is the context in which this strategy has been adopted. As the strategy acknowledges, several pieces of evidence point out that Covid-19 and the global pandemic have had a significant impact on online child sexual abuse (European Commission, 2020b, p. 1). This new context contributed to the increase of circumstances that could be a potential risk for the safety of children online such as an increase of the time online along with lack of supervision in this realm or fewer social actors who could intervene as teachers or community workers (INTERPOL, 2020, p. 4).

The securitization theory provides a theoretical framework that considers the context and how it affects how the threat is addressed. This can be seen in the case of the EU strategy for a more effective fight against child sexual abuse since the covid-19 pandemic situation and the subsequent increase in the prevalence of this threat has had a remarkable influence on the production and urgency of this strategy and its initiatives.

#### **Chapter 4: Methodology**

This study will benefit from the use of critical discourse analysis (CAD), a qualitative research method, to achieve the aim and objectives of this study. As Taylor (2004) states, critical discourse analysis's goal is to "explore the relationships between discursive practices, events, and texts; and wider social and cultural structures, relations, and processes" (p. 435). Hence, critical discourse analysis will be benefitting analysing the EU strategy for a more effective fight against child sexual abuse and understanding the European Commission's actions in order to achieve the objectives and initiatives proposed in the strategy. Since this methodology explores both, practices as well as texts, it shall allow the analysis of the securitization process following Balzacq's



conceptualization and taking into account both approaches, securitization through the speech and the practices.

#### Chapter 4.1: What does CAD mean by discourse and critical?

Even though critical discourse analysis is a well-known and commonly used research method, there is not an agreed definition of what discourse means. For instance, some scholars argue that this concept refers to any type of human interaction, no matter if that interaction is verbal or not, whereas others affirm that the concept exclusively refers to verbal communications (Tenorio, 2011, p. 185; Janks, 1997; Wodak, 2011, p. 39).

Indeed, Van Dijk (1997), cited in Tenorio (2011), presents definitions from three different approaches. The first definition comes from a linguistic approach, he suggests that the discourse is created at syntactic and semantic levels, with concrete rhetoric and stylistic. The second approach is related to the cognitive perspective, meaning that how the creator of that discourse understands and processes the discourse must be taken into account. Last but not least, the discourse must be acknowledged in the social context and approach in which it was produced. If the same discourse is produced in two different social contexts or settings, it could have two completely different meanings.

Even though the concept of discourse is frequently just associated with oral communication such as speeches, some experts advocate for the extension of what discourses cover. In this vein, according to Mullet (2018), discourses can take different forms, texts such as policies, letters, textbooks or talks, such as meetings, conversations, or movies... (p. 119). Hence, this research method is suitable to analyse the strategy from a qualitative perspective since this document can be considered a form of discourse itself given by the European Commission.

On the other hand, it is essential to mention that being critical does not mean being judgemental or entailing a negative connotation per se, but to use rational thinking to be able to analyse social issues such as privileges, prejudice or not equal access to resources or power as well as the predominant social practices that underlie those social issues and that are challenging to be identified at first sight (Wodak, 2011, p. 40; Mullet, 2018, p. 117; Fairclough, 2009, p. 163).

One important aspect of Critical Discourse Analysis is that its scope is not only limited to the language. This methodology also focuses on analysing and exposing the patterns and mechanisms of the reproduction of asymmetric power dynamics. In its origin, CDA was designed to examine the status quo and to oppose the adoption of power abuse positions in the discourses of both, the public and private spheres. (Tenorio, 2011, p. 187-188). For that reason, it is important to be critical when analysing the EU strategy for a more effective fight against child sexual abuse as well as the European Commission, to understand the document and the entity not just to the surface but to a deeper level.

#### Chapter 4.2: Why is critical discourse analysis suitable for this study?

Like any research method, critical discourse analysis is not exempt from critics. One of the most common shortcomings is that this method lacks consistency since concepts and categories are used irregularly. Furthermore, some authors argue that, even though the context is key, it is also undetermined. It cannot be stated that meanings are the results of the interaction between linguistics and context. If this was the case, the interpretations of the interaction are imprecise and subjective thus potentially biased. According to these authors, it is not possible to conduct a strict analysis since more factors will have an impact on how the texts are approached and, therefore, on the types of discourse attained from them (Tenorio, 2011, p. 195). Notwithstanding the deficiencies of this

theory, as the next section will highlight, this method provides useful insights when researching similar topics and it is widely used in academia.

Despite the critical discourse analysis's weaknesses and needs to keep improving that have been mentioned in this section, this method is considered a good tool to answer many research questions. It puts together the linguistic analysis of the text as well as the analysis of the social context and settings, making it a particularly relevant instrument for the analysis of policies. This method has highlighted the importance to understand the relationship among discourses, powers, and progressive social changes (Baker-Beall, 2009). For that reason, critical discourse analysis is becoming more popular for analysing strategies, their processes and their organization (Vaara et al., 2010, p. 686),

As Vaara et al. pointed out:

Strategy texts are not mere documents representing specific ideas, but strategy texts have force potential and textual agency. That is, strategy documents serve several purposes: they communicate socially negotiated meanings, legitimate ways of thinking and action and de-legitimate others, produce consent but may also trigger resistance, and have all kinds of political and ideological effects, some more apparent than others (2010, p. 686).

For the abovementioned reasons, it is fundamental to analyse the strategy texts and CDA is a rather suitable approach to successfully achieve this goal as this chapter has outlined.

#### Chapter 4.3: Research methods and data

As previously mentioned, when employing the critical discourse analysis method, there is not a unique accepted method to gather data. Therefore, the chosen procedure to collect the data and analyse it depends on the research's goal as well as the resources to conduct the study (Wodak, 2011, p. 52; Mullet,

2018, p. 123). In this case, to achieve the goal of comprehending the securitization process of online sexual abuse by the European Commission, the EU strategy for a more effective fight against child sexual abuse published in 2020 by the European Commission, itself will be the object of analyses. However, this document will not be the only one to be analysed, it will be complemented with other relevant sources such as press releases, speeches or statements that are related to the topic and published by the same institution.

In order to identify and select the additional sources to be included in the research, the process that has been followed is the next. In the first place, all the data has been collected directly from the official European Commission website. On this website, there is a section “press corner” in which can be gathered different types of press materials from the Commission. Furthermore, this section allows filtering the search according to different criteria such as keywords, document type, publication dates, or even policy areas. Hence, the data collection process has benefited from the filtering criteria since it has narrowed down the search to a more specific scope (European Commission, 2022a).

To collect the data for this research, two filters were selected to narrow down and get the most relevant results for the analysis. First, the keywords “fight child sexual abuse” were chosen to identify the documents that contained suitable information about the strategy. On the other hand, the data was filtered to the ones that had been published after the first of January 2019. The reason to choose this timeline instead of choosing the documents published after the publication of the strategy in July 2020 is that thanks to this way, it is possible to collect any other document that includes a conversation about the strategy previous to its publication. This way, it will be possible to detect and understand potential changes in the discourse that lead to adjustments, modifications or developments of the strategy itself.

The results of the search when selecting the abovementioned filters reached a total of 39 documents. The website does not have an option to import the outcome hence a manual review of the documents has been conducted to make sure they are related to this matter and to classify them according to the type of document, date and content. The following section shall go into detail about these results and explain the process of elimination of results.

- Overview of the dataset

After conducting this additional search, filtering and sorting out the results by the chosen criterion, the search came up with a result of 39 different sources. Nevertheless, after conducting the manual review and classification of these documents attending not just to their title but taking into account the content of the documents, 16 of those documents were ruled out for the reasons outlined hereafter.

In the first place, the reason for the decision to rule out these 14 documents is they mentioned the term “child sexual abuse” but they do not refer to this strategy, but other spheres that also have an impact on children’s well-being. For instance, they bring this term up when talking about fighting the exploitation of migrants, human trafficking or children’s rights day. Nevertheless, they do not address it specifically or provide any type of information relevant to the object of the study.

That being said, 25 documents have been added to the dataset as sources to the analysis. These results have been included and not ruled out on the grounds of providing valuable information to move forward in the analysis, conducting a deeper and more comprehensive study, thus, enriching the research. Besides, it is important to mention that not all the documents have fully been analysed, in some only sections that were relevant to the study since some of them included unrelated information regarding the object of the research. The following table shows the distribution of the type of documents of the accepted outcomes of the first search (see Annex A for more information).

<b>Type of document</b>	<b>N° of results</b>
Daily News	11
Press release	4
Speech	3
Questions and answers	3
Infridgment decisions	2
MEMO	1
Statement	1
<b>Total</b>	<b>25</b>

#### Chapter 4. 4: Limitations, biases and ethics

##### - Limitations

The first limitation that this research countered is the lack of information about the effectiveness of this strategy and the development of its implementation since its publication is fairly recent. Furthermore, this subject remains rather unstudied since it will take a certain time to be able to analyse the long-term consequences that online child sexual abuse had on the victims. Another limitation is the lack of access to more extensive and detailed information about certain aspects, for instance, it was not possible to gather more data about the Child Sexual Abuse Prevention Network (CSAPN). This limited the insights and inferences since firm statements could not be stated as the possibility that there was more information concerning this issue but just not publicly available. On top of this, the impossibility of exporting the documents from the search directly from the European Commission website hampered the data collection, categorization and analysis. Nonetheless, this limitation has been mitigated by conducting the exportation and data manipulation manually.

#### - Biases

In all research, it is essential to acknowledge the influence that the researcher has on the study as well as the potential biases, particularly in qualitative research in which the reflection of the researcher is needed (Sutton and Austin, 2015, p. 226). Addressing the potential biases and subjectivity shall improve the integrity and reliability of the analysis and interpretations, thus, the quality of the study's outcomes and conclusions (Finlay, 2002, p. 531).

For instance, confirmation biases are the tendency to look for the evidence that confirms what the researcher expects that shall happen and reject the pieces of information that are not aligned with that belief. In other words, if the researcher of this study thought that the European Commission did or did not securitize the online sexual child abuse before conducting the study, it would have had an impact on how the data is looked at and analysed, hence, the insights. For that reason, the researcher of the study aimed to have a "neutral stance" before conducting the study (Morse, 2015 p. 1215; Azzopardi, 2012, p. 28). If the biases are not borne in mind, they can have a significant impact on the study, conditioning the trustworthiness of the research. Considering the complexity and sensitivity of this matter, it is fundamental to ensure that the research on the topic is as accurate and fair as possible.

#### - Ethics

Moreover, it is vital to acknowledge the research from an ethical point of view. It is essential to consider the conclusion and outcomes of any research, particularly if it can be prone to misinterpretation or manipulation without contemplating the bigger picture, the context and analysis (Combe, 2020, p. 308). Besides, it is fundamental to assure that the study does not hurt any victim, in the case of this research, the children could feel like their experience is not being acknowledged and that they are just part of the system, potentially leading to revictimization. For that reason, it is fundamental to recognise that behind

each child who has been a victim of online sexual abuse there is a unique story (Schrittwieser, Mulazzani and Weippl, 2013, p. 2).

### **Chapter 5: Analysis of the documents prior to the EU strategy for a more effective fight against child abuse:**

Examining the gathered sources related to the strategy after 2019 and before its publication, it is apparent that the Commission has stated on several occasions the importance of fighting against child sexual abuse for the institution, even considering it as one of the top priorities. However, one of the main findings of this chapter is that even though the narrative of the Commission seems directive and clear to tackle this issue, the actions that have followed the discourse do not meet what it should be done in order to achieve this goal. Hence, as this chapter aims to go over, it can be noted a mismatch between the European Commission's narrative and sense of urgency to tackle this matter and the real aftermath resulting from the previous strategy, as this section aims to go over. Moreover, it can be inferred that the Commission has politicized this security issue since it is undoubtedly present in the political agenda and public speech. However, as it happens with the mismatch between words and actions, it cannot be stated that this issue has been securitized.

Analysing the additional documents attending to their chronological order, they can be grouped according to two main themes that will be further developed in two sections: the first documents touch upon the previous directive 2011/93 on child sexual abuse and its failing implementation whereas the second group of documents allude to the new EU strategy that this matter. The following parts, building upon this theme's differentiation, shall explain both as well as the found inconsistencies.



## Chapter 5.1: Failing to implement the Directive 2011/93

It is interesting to analyse the first documents (a MEMO, two infringement decisions and a press release) since they share the almost same composition. They do not just have a similar structure but, indeed, some sentences were almost identical in several documents had been identified. They all touch upon formal notices to countries that had not implemented the required rules indicated in the Directive 2011/93 on combating the sexual abuse and sexual exploitation of children and child pornography. On the 24th of January 2019, the European Commission sent a formal letter to Portugal, Spain, and Italy since they were not complying with the mentioned rules. In fact, as the title of the section of the document highlighted, the Commission urged these countries to put into place actions to ensure that the rules started to take effect (European Commission, 2019a). In the same vein, six months after those notifications, the Commission gave formal notice to more State Members: Sweden, Malta, Romania, Germany, Lithuania, Bulgaria, and Slovakia for the same reasons stated before in the case of the three southwestern Mediterranean countries (European Commission, 2019b). On top of this, in October of the same year, more formal notifications were sent regarding the same matter was sent to Poland, Hungary, Estonia, Czechia, Austria, Slovenia, Belgium, Latvia, France, Greece, Croatia, Luxembourg, and Finland (European Commission, 2019c).

It is evident that in all those documents there is a particular sentence that is repeated in three documents with just slight modification in the documents:

- “The EU has strict rules criminalising such abuse across Europe, ensuring severe penalties for offenders, protecting child victims and helping to prevent such offences from taking place in the first place” (European Commission, 2019a).
- “The EU has strict rules criminalising such abuse across Europe, ensuring severe penalties for offenders, protecting child victims, and

helping to prevent such offences from taking place in the first place” (European Commission, 2019b).

- “The EU has strict rules criminalising child sex abuse across Europe, that include penalties for offenders, protection for child victims and measure to help prevent such offences from taking place in the first place” (European Commission, 2019c).

The replication of this clause is significant because it calls attention to the fact that all the countries were neglecting the same rules and not complying with the previous legislation. It is of great importance to consider this question in regard to two aspects, the audience and the securitizing actor’s power relation. First of all, it can be stated that before the EU strategy for a more effective fight against child abuse, the online child sexual abuse threat had not been successfully securitized since the audience, the State Members noticeably had not implemented the rules and complied with the previous directive.

The second relevant aspect is that this phenomenon shows, following Balzacq’s interpretation of this theory, the importance of the power relations dynamics within the securitization process and the acceptance of the audience of a security issue as such (Balzacq, Léonard and Ruzicka, 2016, p. 502). Hence, this point raises questions about the real power that the European Commission holds to execute its decisions and, therefore, whether it has the necessary authority and control to be a securitizing actor and designate if a threat is securitized or not. Further, none of the old directives or the key decisions infringements packages specifies the sanctions that would take place if the State Members did not respond and comply with the rules. Hence, these circumstances add more pressure and concern to the question of the actual “enforcement power” that the European Commission holds, as the securitization actor that ensures that the extraordinary measures are being implemented.

The fact that those formal notices were sent can give a strong feeling that the European Commission gives great importance to preventing this crime and

making sure that the State Members comply with the mandates to accomplish it. Nonetheless, this perception can be inaccurate since it is important to note that the intended deadline to implement the rules included in the Directive 2011/93 was December 2013. Notwithstanding this time limit, the formal letters to notify the State Members that they were not meeting the rules were sent several years after the deadline was already over, in 2019. Indeed, in the same vein, the press release of the 30th of October 2019 highlighted once again that there was a total of 23 State Members that were not executing the rules to criminalise offences to tackle child sexual abuse introduced by the Directive 2011/93, thus, they were not enforcing the EU Law (European Commission, 2019d).

Therefore, an incongruity in the speech act and the measures that should have been implemented and the real execution of these can be observed. There could be different explanations for this phenomenon. For instance, this security threat that was presented to the audience had not been accepted as such and, hence, the adopted measures to tackle it were not adopted. In other words, a possible explanation is that the State Members do not consider this matter as a security threat or, maybe, not at the same level that the European Commission does. Thus, they do not implement the measures with the urgency that the higher institution aims to.

Therefore, it seems that there was a gap between the sense of urgency and importance that appeared to be in the documents as well as the European Commission's speech and narrative with the real actions and outcomes. It is stated the strict rules that the EU holds to fight against child sexual abuse, nonetheless, no rule would accomplish its goals if they were not executed by the State Members in a timely fashion. Indeed, it took six years from the end of the deadline for the implementation of the directive and the formal notification to the State Members that were not meeting that criterion. Hence, the time gap indicates that the prioritization and importance that is shown do not match with

the real practices or outcomes. These circumstances had an impact on the last EU strategy for a more effective fight against child abuse, as will be explained later.

#### Chapter 5.2: Towards a new strategy.

Moving forward in time, the next documents were published on the 24<sup>th</sup> of July 2020, the same day that the strategy was officially published. That day, the European Commission conducted a press release about the EU strategy for a more effective fight against child abuse and other two initiatives presented regarding the Security Union Strategy.

In this press release, Commissioner Ylva Johansson contextualized the problem of child sexual abuse crime, emphasizing the role that Covid-19 and the global pandemic had on this crime and the prevalence of this crime in the European territory. Besides, it stands out the narrative employed in this document to describe this crime: strong language was used, showing the complete rejection when it was described as a “repulsive crime” (European Commission, 2020c). Moreover, during her speech, it stressed the vital importance of addressing this matter and it was called into attention to the need of developing shaper instruments for achieving these goals as, for instance, the creation of a European centre specialized in preventing this crime.

Further, the new strategy is mentioned in the other documents on key dates as “the European day on the protection of children against sexual exploitation and sexual abuse” (European Commission, 2020e) or Universal Children’s Day (European Commission, 2020f). In those documents, the idea of how important and necessary this type of strategy is to tackle child sexual abuse is reinforced yet again. Furthermore, it is stressed that it is a priority for the EU to fight against this crime and guarantee the safety of all children.

Hence, the documents mentioning the strategy, even if they do not go into further detail about it, they bring attention to the threat, thus, online child sexual abuse is placed in the politicized stage within the securitizing process. In other words, the Commission as the securitizing actor is presenting online child sexual abuse as a security threat, including it in the public opinion, presenting it as an issue that requires further actions and measures. Therefore, it is justifying the employment of extraordinary measures and the investment of remarkable resources and funding of the new strategy. Thus, it can be inferred that this issue has been successfully politicized, but just from this data, it cannot be stated that it has been securitised.

Thus, thanks to the Commissioner's discourse, it can be drawn up different considerations. The first deduction that can be observed is that the sexual child abuse issue is being placed in the politicized stage. In other words, this matter was brought back to the public opinion and debate, justifying and stating the importance and the need to take other extraordinary measures in order to tackle it, such as setting up a new European centre or an Innovation Hub that focuses on preventing this issue (European Commission, 2020d). Ergo, if the matter is placed again in the politicized stage, it means that it had not been previously fully securitized. However, even though several factors such as the context and the way that online child sexual abuse is carried out have evolved to a degree, the factors highlighted in the previous section point out to the conclusion that this matter was never successfully securitized before.

## **Chapter 6: Analysis of The EU strategy for a more effective fight against child sexual abuse**

Chapter 6.1 First initiative: Ensure complete implementation of current legislation (Directive 2011/93/EU)

### **Securitization through speech**

The first initiative of this strategy addresses an issue that has been mentioned previously by the European Commission. As explained in other sections, the preceding legislation of this strategy had not been fully implemented by the time that the succeeding strategy was published. This section calls attention to the fact that the Member states “have made substantial progress” (European Commission, 2020b, p. 3), nonetheless, it acknowledges that it has not achieved its complete maximum potential in areas such as prevention, criminal law, and programs to support and protect the victims of this crime remained as problematic matters in, at least, 23 State Members of the EU (European Commission, 2020b, p. 3). Thus, it can be inferred from the strategy’s speech that the securitization had not been successfully achieved since it mentions that they have not met all the criteria nor reached its highest potential.

Besides, this statement brings up several interrogations. It can be reflected in what the European Commission considers substantial progress for various reasons. First, the European Union is formed by 27 State Members (European Union, 2022) and 23 out of the 27 State members that belong to the alliance have not implemented the directive yet. In other words, none of the Member States (Denmark is excluded from this list since it was not bounded to this Directive) has executed the measures to comply with the previous directive, except for Ireland, Cyprus and the Netherlands since the dialogues about the implementation were still ongoing by the time of the strategy’s publication. On top of this, it also questions what areas and to what extent they have made any significant progress if it does not include the prevention, criminal law or support and prevention programs. Thus, it seems like there is a lack of criticism of the

actions that had, or had not, been taken into this problem. Further, it shows that the securitization process stopped at the politicisation phase. Hence, more attention is being placed on the positive outcomes of the preceding strategy and recognising the slight improvements made by the State Members.

### **Securitization through practice**

Another important point that is mentioned in the key action of this initiative: “The State Members must finalise the implementation of the Child Sexual Abuse Directive as a matter of priority. The Commission will continue to make use of its enforcement powers under the Treaties through infringement procedures as necessary to ensure swift implementation” (European Commission, 2020b, p. 4). The decision to choose this specific verb, as well as verbal tense, “will continue” using the enforcement powers suggests that it has already been executed. However, when the actions or power that the European Commission has actually carried out regarding the infringement procedure, it can be observed another gap, as explained hereunder.

The European Commission had several years to take action on this matter as the rules had not been implemented for many years when the State Members were required to do so. This fact can question and even weaken the enforcement power or the authority that this institution holds. Hence, it could be hypothesized that the European Commission has included this first initiative in the strategy to reinforce its power position and to make sure that, as the key action mentions, it will employ its “enforcement powers”. Considering that the previous securitization process failed since the measures were not implemented by the State Members, it is key for the securitization process to occur that the State members adopt and comply with the new legislation, ensuring that the previous errors are not followed one more time. The circumstance of questioning the current enforcement power that the Commission holds is vital since it means questioning its authority as the securitizing actor and potentially jeopardising its power relations.

Chapter 6.2: Second initiative: Ensure that EU legislation enables an effective response

### **Securitization through speech**

The second initiative focuses on legislative responses that the EU can make use of to fight this crime, particularly in the private sector. Two actors come into play in this part, the securitizing and functional actor, however, some particular conditions position the European Commission in a distinct situation in this relationship regarding the power dynamics, as this section shall highlight.

According to the Commission's considerations, there should be a mandatory responsibility in the private field to detect and report content related to child sexual abuse online since collaboration with the private sector is vital to tackle this crime as well as to ease law enforcement work. For that reason, the key actions of this second initiative are:

In the first stage, as a matter of priority, the Commission will propose the necessary legislation to ensure that providers of electronic communications services can continue their current voluntary practices to detect in their systems child sexual abuse after December 2020. In a second stage, by Q2 2021, the Commission will propose the necessary legislation to tackle child sexual abuse online effectively including by requiring relevant online services providers to detect known child sexual abuse material and require them to report that material to public authorities. (European Commission, 2020b, p. 5)

The issue that this initiative aims to address relates to the functional actors in different areas, first the communications in the private sector and then the current legislation that addresses them such as the e-privacy Directive and the Electronic Communications Code that shall be explained hereafter. The first part of this key action aims to temporarily overcome the issues resulting from



the implementation of the new European Electronic Communications Code (“EECC”) in December 2020. In short, the concern with the new legislation is that it introduces a new definition of electronic communication services, and this definition includes certain number-independent interpersonal communications services such as emails or messaging services. Hence, these communication services would fall within the ePrivacy Directive’s scope, and they would have to comply with it.

The problem emerges because, if the specified services providers have to comply with the ePrivacy Directive due to the new definition of electronic communication services, they have to act in accordance with the confidentiality rules in the communications. Thus, it could potentially infer with voluntary practices that were ongoing in these types of communication services to detect content that involves child sexual abuse on the internet. On top of this, the ePrivacy Directive does not include any specific legal basis that allows for voluntary data processing for the purpose of fighting against this crime. In other words, the service providers would have to stop carrying out voluntary actions to detect content related to online child abuse and report it to the competent authorities to comply with the ePrivacy Directive since they would then fall under the umbrella of this regulation.

In this regard, this initiative highlights that the investigations conducted by Europol and its capacity to assist the State Members in this matter are hindered by the lack of direct access to the personal data that comes from the private sector. However, according to the European Commission’s point of view, the detection and report of child sexual abuse content online should be a mandatory obligation for the private sector. Hence, there is an interesting and different power dynamics since, even when the European Commission aims to securitize this issue, the securitization through practice is hampered by the private actors. The Commission aims to spend resources on prevention tools and measures to quickly detect and remove this type of content from the internet, nevertheless,

the correct implementation and execution of those do not just depend on the institution but it depends on the functional actors. Therefore, it changes the relationship among the actors in which commonly the securitization actor completely holds the power. In this case, the functional actor, due to the particular nature of this crime, is key to detecting and tackling online child sexual abuse. The European Commission depends, to a certain extent, on the collaboration and willingness of the private entities. Thus, the private sector is given exceptional power within this sphere of the securitization process. This alteration in the power dynamics makes even more complex an appropriate securitization of online child sexual abuse.

### **Securitization through practices**

To temporally overcome this issue and to allow the service providers to assist with the fight against this crime and to comply with the new regulation, it was published “the regulation (EU) 2021/1232 of the European Parliament and of the Council on 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” (European Commission, 2021). Therefore, the Commission did carry out the necessary measures to temporarily achieve the goals stated in the key action of this initiative.

Moreover, this initiative touches upon another feature of the European Commission as a securitizing actor: it has the power to designate what threats are more important and should be protected, even if they interfere with other security issues that have been previously securitized, as it is, in this case, the right of confidentiality and data protection. In this instance, the need to detect content related to online child sexual abuse and take action justifies taking into place extraordinary measures such as the provisional derogation from particular provisions, even if it has an impact on the right of confidentiality and data

protection that the Commission additionally aims to protect. Due to time constraints and the scope of the research, this study does not go further and analyse how this particular security threat and its securitization process is managed in relation to other security issues as well as its impact on other areas such as data protection.

Chapter 6.3: Third initiative: Identify legislative gaps, best practices and priority actions.

### **Securitization through speech**

The third initiative looks for the gaps and challenges that are potentially not being addressed in the strategy but that are important to fight against online child sexual abuse. As the strategy acknowledges, due to the current technological environment where the developments and changes are conducted at a high-speed pace, it is key to ensure that the legislation still fits and safeguard the right of the children in the online world. For that reason, the key action of the third initiative is that “The Commission will launch by the end of 2020 an extensive study to identify legislative gaps, best practices and priority actions at EU level in the fight against child sexual abuse online and offline” (European Commission, 2020b, p. 7). Hence, the strategy aims through this initiative to ensure that the adopted measures will still be suitable to tackle this crime even if that are significant changes.

### **Securitization through practices**

Several attempts have been made to find the study that is mentioned in this strategy since, according to the given deadline, it was supposed to be published by the end of 2020. However, when a search is conducted in the Publications Office of the EU website of the documents that the European Commission published in 2020 related relation to this issue (using several keywords and filters, following a similar process already explained in the research methods

section), there are only three results. However, none of the results match the extensive study that the Commission speaks of in this key action statement. Besides, there are no results when an additional search is conducted with the same filters but selecting the 2021 timeframe. Hence, it cannot be stated that the Commission has met the mentioned goals of identifying legislative gaps or best practices for tackling this issue through practices.

It is important to mention that it is possible that the study, or part of it, has been carried out but remains private for unknown reasons and is solely for the State Members as well as the relevant authorities and organizations involved in fighting online child sexual abuse. However, this possibility does not seem likely since when further research was conducted, a section available on the European Commission's website about this particular initiative had been found. It showed that the study is in its early stages of development. In October 2021, it received the first feedback round about the roadmap and impact assessment of this initiative from a non-governmental organization, private businesses, and even citizens from the Union. The second feedback round is expected to close by July 2022 and, according to the website's timeline, the Commission would adopt its plans for this initiative during the first quarter of 2023 and open space for feedback (European Commission, 2022b). Therefore, it seems that the strategy has not accomplished its goal and it will not be reached until next year.

The strategy itself it is highlighted the importance of this initiative and it goes into detail about its significance in determining the efficacy of this strategy and, further, goes ahead of potential new issues related to this security threat, being key in the prevention sector. Thus, if this initiative is this important for the strategy overall, questions are made about the reasons for taking three years longer than it was expected to publish the mentioned study. Therefore, this fact shows that, even though certain efforts are made in the stated direction and aim to achieve the goals, the concern arises about the timing as well as the alleged urgency in which the initiative shall be implemented. On the other hand, it

further questions the real power that the Commission holds to carry out this type of initiative since it involves the State Members but also different organizations all across the institution. Again, a lack of congruency between what the strategy stated would be done and when and what has actually been executed can be observed.

Chapter 6.4. Fourth initiative: Strengthen law enforcement efforts at the national and EU level

### **Securitization through speech**

The fourth initiative focuses on the role of EU State Members' law enforcement agencies in tackling this issue. In this section, the strategy highlights the importance of their work as well as the need to count on specialized and trained teams and units. Further, the essentialness of developing suitable and modern technologies to acquire the best possible digital capabilities to provide law enforcement with the necessary equipment to perform their roles as effectively as possible is also assessed. In consequence, the Commission decided to supply the State Members with funding designed specifically for these purposes. What stands out about the first part of this initiative is the language that is employed. It states that the European Commission gives "advice" to law enforcement, in fact, the modal verb "should" is used several times along this initiative. For instance, it is mentioned that the Member States "should consider", "should be able to participate" or "consideration should be given to..." (European Commission, 2020b, p. 7-8). This phenomenon can have several interpretations or inferences. First of all, it shows a feature of the EU as a securitizing actor and it is that, despite the fact that the Commission constitutes a higher power than the State Members, it does not have jurisdiction over its national law enforcement regulations. On the other hand, another potential explanation is that the Commission chose to not use stronger or more direct language. This last possibility would entail, then, that addressing online sexual child abuse is not

considered such a high priority for the European Commission, thus, not all the available resources and tools are needed to be employed for it.

### **Securitization through practices**

On the other hand, the second part of this initiative mentions that Europol will establish an Innovation Hub and Lab to provide better access for the State Members to technical tools and shared insights on the matter (European Commission, 2020b, p. 8). Following this initiative, Europol did create the EU Innovation Hub and Lab to comply with this strategy. More information about the role and work that the Innovation Lab aims to carry out is developed in public documents as well as Europol's website (Europol, 2022a). Despite the fact that the Commission executed the measures to put into practice what had been stated in this initiative, questions arise about the real effectiveness, viability and purpose of the creation of this new Innovation Hub and Lab. In the strategy, it is mentioned that the new centre aims to further assist the Member State's access to means and equipment of Europol's European Cybercrime Centre (EC3). Hence, queries emerge about the real need for this Innovation Hub since it could be more effective to destinate those economic resources and funds to smooth the access to the EC3 itself directly, avoiding adding another element in the chain.

Chapter 6.5: Fifth initiative: Enable State Members to better protect children through prevention

### **Securitization through speech**

The fifth initiative works on the prevention factor to guarantee children's protection. It is emphasised its importance and relevance, highlighting factors that minimize or hamper the prevention efforts such as not effective communication among the practitioners who work in the field and the researchers who study the phenomenon from a scientific approach. That being

the case, the European Commission aims to work on this issue and create a network of both fields, enabling better collaboration among their practices and looking for the best practices possible. Another aspect this initiative makes efforts on are media campaigns to increase the awareness of this concerning issue and provide suitable training, tailored and targeted depending on the groups they are intended to reach (European Commission, 2020b, pp. 9-12).

Considering this initiative's goals, it can be inferred that it is an important step the fact that the European Commission identified a relevant gap between theory and practice. Consequently, this gap extends further to the researchers and practitioners as well as the studies that have been carried out on this matter and the actual execution of the programs to tackle this issue. This lack of communication and synergy among these groups has caused a deficiency in the efforts and initiatives concerning fighting against online child sexual abuse, causing poorer outcomes and, in the end, undermining the ultimate goal of preventing this crime. Therefore, it is key that the Commission acknowledges this problem to address it and invest in programs that, combining and benefiting from both fields, have a real impact on this crime and prevent it. Besides, the language employed in this section reflects that effective prevention is a top priority since the key action affirms that the Commission would start taking action on the subject immediately.

### **Securitization through practices**

Taking into account the securitization through practice, the Commission created the prevention network, known as the Child Sexual Abuse Prevention Network (CSAPN). Hence, the institution seems to have acted in accordance with the urgency or immediacy that was reflected in the initiative. However, there is a lack of further information available about the members or institutions that conform and about the work that is conducted, thus, it hampers further analysis of the practices carried out by it. Besides, in the publication section of their

website, no document published by the CSAPN is available (European Commission, 2022c).

Nevertheless, several issues regarding this initiative and its practicality have been identified. First, this initiative brings out the need of avoiding duplication of efforts to ensure the effectiveness of the prevention and the strategy. However, even in this same initiative, it can be noted that there could be potential duplication of efforts issues, at least to some extent.

Considering the creation of the CSAPN, it should be mentioned that the Commission provides funding to other organizations that work as networks to fight against this crime, such as Better Internet for kids or INHOPE (European Parliamentary Research Service, 2021). The former organization aims to give insights and resources about a better and safer use and internet environment for children (Better Internet for kids, 2022a). However, the latter is a network that operates worldwide, formed by hotlines to enable the identification and removal of content involving child sexual abuse (INHOPE, 2022).

Another illustration of this concern is campaigns created to raise awareness about online sexual child abuse and the need of using the internet safely. According to this initiative, it is among the CSAPN's responsibilities to support the Member States and the Commission in the work concerning these campaigns. Notwithstanding, it affirms that the Commission, in addition, funds the network of Safer Internet Centre (Better Internet for Kids, 2022b). Hence, it can be inferred that the Commission set up a network whose responsibilities are to some extent being covered by a previous network which is also being partly funded by the Commission. It seems like there is a duplication of efforts and that considerable economic resources are destined to entities whose work could presumably overlap.

Hence, even though there are pieces of evidence that suggest that the Commission is working actively to build and maintain strong connections and a network of professionals, doubts arise if those efforts are more oriented to



providing funding to private or third organizations to take over them or the own European Commission is in charge, as the initiative suggests it would be. Therefore, clear conclusions about the projects and the effectiveness of the work done by this network (CSAPN) cannot be inferred due to the lack of public information about it.

It can be observed also in the language that the Commission highly regards its system as when it talks about the European Criminal Records Information System (ECRIS), it defines it as a “highly effective EU system” (European Commission, 2020b, p. 11). Nonetheless, the choice of words can also show a lack of criticism, as this system is not exempted from critics. For instance, Jones (2011) points out several issues that this system faces, such as data protection, trust in an unreliable automatized translation software and the absence of the needed supervision (p. 2). Further, this author also criticises other features of the system as the inclusion in the database of Third-Country Nationals since it involves differential treatment between non-EU nationals and EU nationals (Jones, 2019, p. 16).

Chapter 6.6: Sixth initiative: A European centre to prevent and counter child sexual abuse

#### **Securitization through speech:**

The sixth initiative aims the creation of a European centre that concentrates on tackling and preventing child sexual abuse, following the example and success of this kind of initiative of other countries such as the United States of America and their National Centre for Missing and Exploited Children (NCMEC).

Indeed, this initiative aims to be the central point for the rest of the initiatives, bringing them all together and allowing more effective cooperation among all the essential spheres to tackle this crime: governmental authorities, the private sector and the community. This centre aims to be the entity of reference on this

issue and represent the EU's expertise on it, combining the two types of initiatives included in this strategy: the ones formulated from a legislative approach and the cooperation and funded-needed ones.

### **Securitization through practice:**

The key action of this initiative states that “the Commission will launch immediately a study to work towards the creation of a European centre to prevent and counter child sexual abuse to enable a comprehensive and effective EU response against child sexual abuse online and offline” (European Commission, 2020b, p. 14). A section of the Commission’s website provides information about the different stages the initiative has gone through. In December 2020, a feedback period was opened to receive reports about the roadmap and impact assessment published by the Commission. The feedback response and participation were considerably higher, as not only non-governmental organizations, private companies, and citizens took part but also among public authorities as well as academic institutions. In this way, the Commission is able to get insights into the perspective and input from functional actors as well as the audience that would be directly influenced by the creation of the abovementioned centre (European Commission, 2022b).

As in the previous section, potential issues in the securitization through practice once the Commission set up the Centre and it is operative to start working can be identified. This initiative acknowledges the necessity of avoiding overlapping efforts, however, the description of this potential prevention centre’s responsibilities could show otherwise. For instance, among its functions, it is suggested that the centre could manage a single database for material concerning online child sexual abuse and assist in the coordination of taking down illegal content detected through hotlines (European Commission, 2020b, p. 13). Nevertheless, it is important to note that Europol also runs the European Cybercrime Centre - EC3, created in 2013, to fight against cybercrime. Among its goals and responsibilities, it aims to counter child sexual

exploitation online and some of its current functions could overlap with this centre's ones (Europol, 2022b).

Therefore, questions emerge as, for instance, the potential overlapping of work of both centres and the unnecessary expenditure of resources and the economic costs due to the creation of a new whole centre. This centre would need to be provided and equipped with all the needed features to perform its work successfully, nevertheless it could seem needless when there is already a European agency that is working, at least partially, on the same concern. Thus, there is a potential chance that it would be more efficient to invest those resources in giving the already existing European Cybercrime Centre - EC3 more means and capital to improve its systems and capabilities as well as create the areas that this centre would cover but that Europol does not do already.

In the same vein, this centre would work upon the network mentioned in the previous section in order to support the prevention area to tackle this crime. One of the reasons for its creation is that it would connect and coordinate more effectively resources. However, it can be wondered why the CSAPN, mentioned in the fifth initiative, is not allocated within the scope of this centre. If it was, the coordination and communication would be eased and it would eliminate additional steps and additional resources as well as it would prevent the overlapping of functions since all the tasks would fall under the same institution.

Chapter 6.7: Seventh initiative: Galvanise industry efforts to ensure the protection of children in their products

#### **Securitization through speech:**

The seventh initiative places value on the indispensable role of the functional actors, industry and online service providers, to fight online child sexual abuse and make sure that children are protected in the online realm. It is highlighted the contribution that Facebook has done reporting a high volume of cases of

content that involved sexual abuse of underage individuals and this information was crucial to moving forward several investigations, and detaining individuals across Europe. Indeed, even the strong and direct language that is employed in this section shows the importance of their collaboration. It is stated that they detected imminent risks to children and it was instrumental to save children from abuse in Europe.

Further, if companies such as Facebook implement the features that they are planning to, such as end-to-end encryption, it would significantly hamper the identification of this type of content and the reports would decrease by more than half and up to two-thirds. Nevertheless, this shows an imbalance in the securitizing and functional actor since the securitizing actor has to rely on the willingness of the functional one to be able to reach its goal of protecting the children from abuse in the online realm.

The Commission considers that the industry's efforts to fight against this crime should be supported, as a matter of fact, it is stated that it is key that they take responsibility. Paying closer attention to this fact, it seems like the Commission through its speech is not actually aiming to securitize this threat since it is putting the burden of taking the measures in another actor, in this case, the functional one. Further, it should be mentioned that the Commission acknowledges the incapacity to intervene in the private's sphere and considers that giving that responsibility to the functional actors is the best way to push them to collaborate in this matter.

### **Securitization through practices.**

The key action of this initiative is: "Under the EU Internet Forum, the Commission has launched an expert process with industry to map and preliminarily assess, by the end of 2020, possible technical solutions to detect and report child sexual abuse in end-to-end encrypted electronic communications, and to address regulatory and operational challenges and opportunities in the fight against these crimes" (European Commission, 2020b,

p. 16). It employs previous resources that the Commission counted on, such as the EU Internet Forum (EUIF), broadening its scope to also cover online child sexual abuse. This forum was created first in 2015 with the intent to address content related to terrorism and its narratives online. Thanks to this initiative, tackling child sexual abuse on the internet has been included as one of its assignments (European Commission, 2022d). This Forum differs from other organizations mentioned in the strategy in that it “brings together EU Home Affairs Ministers, high-level representatives of major internet companies, the European Parliament and Europol” (European Commission 202b, p. 15). Hence, there would not be a duplication or overlapping of efforts because it includes organizations that are not gathered in the other initiatives.

Moreover, it can be stated that the actions match the words in this initiative, in other words, the speech and practices are aligned. The EUIF implemented what was stated in this initiative in a relatively short timeframe, including improving the fight against this issue in its agenda and activities in both, 2021 and 2022. It has established concrete commitments and actions to achieve the goals in relation to technical solutions in the end-to-end encrypted electronic communication to detect content involving child abuse (European Commission, 2022d). Further, it has also included a timeframe to meet the objectives that the EUIF has established for this issue. Hence, it can be inferred that the actions are being executed in the same direction to meet the key action of this initiative.

Chapter 6.8: Eighth initiative: Improve the protection of children globally through multi-stakeholder cooperation

#### **Securitization through speech and practices.**

The case of the last initiative is rather particular since, as this section shall outline, it does not move forward or propose any new initiative or practice. This initiative focuses on the cross-borders feature that unavoidably child sexual abuse has in both, the online and offline realm. The language that is employed

in this part is considerably strong and direct, emphasizing the risk that the offenders possess for children. The Commission used a particular adjective to define the criminals, they have been defined as “predators” in the online realm. Further, in this strategy the language emphasises additionally the need for collaboration and cooperation around the world to fight against this crime, it is explained that “it takes a network to defeat a network” (European Commission, 2020b, p. 16-17). It is highlighted the importance of coordination efforts with different stakeholders around the world since it would only be possible to fight against this crime if they are all made in the same direction from a global perspective.

Besides, it is a different initiative because the Commission does not hold the power to securitize this issue to regions where it does not hold authority, as is the case of non-EU countries. Thus, the institution acknowledges the need for global cooperation, but it is also aware that it lacks the power to impose measures. For that reason, the Commission funds and is on the policy board of international organizations whose scope goes further than the European Union, such as INHOPE or WePROTECT Global Alliance to End Child Sexual Exploitation Online. Due to its extensive network and members, the involvement of the Commission in the organizations is key to ensuring that the initiatives carried out globally are aligned and coherent with the ones in the EU.

That being said, the language used in this initiative seems to point out that it is not securitizing the security threat neither through speech nor practices. As it is stated, for instance, in its key action: “the Commission will continue contributing to increase global standards for the protection of children against sexual abuse by promoting multi-stakeholder cooperation through the WePROTECT Global Alliance, and through dedicated funding” (European Commission, 2020b, p. 18). The fact that it states, “will continue contributing” (also mentioned in other parts of this section) reveals that it is an action that the Commission has been carrying out for some time. Therefore, if the Commission

will keep executing the same actions regarding this matter, it cannot be stated that it will help to tackle child sexual abuse more effectively. It does not entail that this type of initiative is not beneficial, but the critique comes from the perspective, that this strategy is not addressing any new plan that the Commission had not implemented before. Thus, it could have been more beneficial to not include this initiative in the strategy since it had already been implemented and can disrupt the focus on new initiatives.

Chapter 6.9: Analysis of the final section: the next steps

### **Securitization through speech**

The final section of this strategy, the next steps, outlines the importance of this strategy and that it will be the reference framework for addressing child sexual abuse between 2020 and 2025. Out of all the sections of the strategy, this uses the strongest and most direct language to make clear its decisiveness and will to fight against this crime.

For instance, it is reflected the need for urgency to fight this crime in words such as “increase threat of child sexual abuse” (European Commission, 2020b, p.18), “complex issue” or “urgent need to take effective action” (European Commission, 2020b, p.19). Further, it is employed adjectives that reflect the implication of the Commission such as “work closely”, “maximum cooperation” or “the Commission will spare no efforts” (European Commission, 2020b, p.19).

Indeed, this sense of urgency is reflected in almost every initiative. Terms related to immediately or immediate are repeated 6 times in the strategy and terms related to “as a matter of priority” or “as a matter of urgency” are repeated 5 times in a 20-page long document, being a distinguishable feature of this document. The use of this type of saying that emphasizes the necessity of addressing this issue as soon as possible is particularly highlighted in the first

part of the strategy, the legal framework section. Overall, in four out of the eight initiatives, these terms are included in the key action section and most of the initiatives include in some parts terms that refer to this sense of urgency.

Besides, it is rather significant in the last paragraph that the Commission states to close up the strategy: “Our children are our present and our future. The Commission will continue using all available tools to ensure that nothing steals that future from them” (European Commission, 2020b, p.19). The language that is employed in this last section is greatly relevant since it shows the implication and firmness of the institution to fight this crime, using the most direct language to achieve so. The fact that the Commission is “ensuring” is giving the guarantee and reassuring regarding the children’s future protection. It gives a sense of prioritization since it is stated that all the possible tools will be used to fight online child sexual abuse, being a matter of greatest importance.

### **Securitization through practice**

As outlined before, gaps and questions come up when comparing the determination that can be inferred from this strategy and what has actually been done by the Commission, in other words, the securitization through speech and practice. Indeed, this section includes the timeframe in which the strategy will be the reference framework for the EU on this matter, from 2020 to 2025. Nevertheless, several of the initiatives have not been implemented by 2022 and it can be questioned how well-implemented they will be by the mentioned deadline. One may wonder about the real influence and control that this institution holds to implement the policies as well as the real resources to do so. Because, if it is employing all the possible tools, as it is affirmed in the strategy that will, then concerns arise about how those tools are being used or whether the real instruments that they have are, indeed, lower or less powerful than it wants to be shown in the strategy.



## **Chapter 7: Conclusions**

This research has focused on analysing the securitization of online child sexual abuse carried out by the European Commission. For that purpose, the initiatives of the EU strategy for a more effective fight against child sexual abuse have been examined from both perspectives, securitization through speech and actions. In addition, more documents previous to the publication of the strategy have been analysed to get a more comprehensive analysis and to get insights from the bigger picture. Several conclusions have been drawn up after conducting the study.

- Securitization of online child sexual abuse has not been successfully achieved.

First of all, the most important conclusion is that, despite all the efforts that have been put on the subject, it cannot be stated that the security threat of online child sexual abuse has been completely securitized. As mentioned in the study, it can be observed that many of the initiatives successfully conduct securitization through the speech. However, when the practices or the actions that have been carried out following the speech are examined, in many of them, it can be noted that they have not been successful in their purposes. In other words, there is an evident gap between words and actions in several parts of the document.

As mentioned in this study's theoretical framework, to consider that a security threat has been successfully securitized, it should be considered not only the speech act but also the practices carried out to reach this goal. Although the additional documents that have been analysed show that this issue has been placed at the politicized stage, being part of the public debate of the Commission and justifying the need to execute measures to tackle it, issues emerged when this institution attempted to securitize it.

It seems that the Commission could potentially be repeating the same mistakes that the institution acknowledges that were made with the implementation and practices of the previous document tackling this matter, the Directive 2011/92

on combating the sexual abuse and sexual exploitation of children and child pornography. Several factors could have had an impact on the failed securitization process, such as the securitizing actor's power, the context, and the unacceptance of the audience of this matter as an issue to be securitized, among others, as the next sections shall highlight.

- The European Commission's power as the securitizing actor.

Many circumstances can be inferred that have had an impact on the power relations of the European Commission as a securitizing actor and have affected its authority. It is interesting to note that in the initiatives in which the securitization was carried out both, through speech and practices, the actions depended more on the Commission rather than the audience or functional actors carrying them out. For instance, in the first part of the initiatives related to the legal framework and the State Member's implementation of the strategy, it can be observed that they had not executed them, questioning the real "enforcement power" that the Commission holds. On the other hand, when the initiatives touch upon the functional actors, the private sector, it can be observed as an unbalanced relation of power in which the higher institution lacks complete power over the private sector companies. This fact undermines the authority position as well and it could potentially weaken the securitizing actor figure, thus, having an impact on the failed securitization process.

Another point that has been highlighted is the sense of urgency that is repeated along the strategy. The terms that have been chosen and their frequency seem to point out the prioritisation of tackling this issue. Hence, the concern arises from the paradoxical idea that if everything is important, then nothing is important. This fact also shows the Commission's unwillingness or inability to prioritize actions or measures. Further, it could exhibit a lack of executive power, funding or other resources when the issue is not that the institution cannot carry out the initiatives but that it cannot execute all of them at the same time.

Another aspect that has been pointed out in this research is the Commission's lack of criticism in certain aspects, being another potential factor that led to the same mistakes that were made in the previous directive. For instance, the institution considered that substantial progress was done in the implementation of the former document, however, infringement procedures were opened again by almost every single State Member. In this vein, it is shown that the Commission has high standards, not only for the State Members but also for the systems that the EU employs such as the ECRIS. This system has been shown to have certain shortcomings that the Commission seems to ignore or, at least, not acknowledge in the strategy and, on top of this, it places this system in a highly regarded position that has nothing to do with this matter. Hence, the choice of words is important since it reflects the relationship between structures, processes, and practices. A potential explanation is that the Commission aims to conceal potential weaknesses, so it attempts to look at the bright side of the outcomes, instead of being critical and overcoming the flaws.

In addition, it seems to be a lack of connexion among the initiatives in the second part of the strategy. For instance, in theory, the Commission aims to create the European centre to prevent and counter child sexual abuse and, further, this centre would perform as the central point of all initiatives, bringing them all together (European Commission, 2020b, p. 14). Nevertheless, the first time this centre is mentioned is on page 14 and none of the other initiatives is linked to this centre. Hence, even though this centre aims to work as a connexion point, that link is even missing in the description of the initiatives themselves and the strategy. Moreover, this could lead to another potential issue that has been identified several times in the strategy: the overlapping of efforts. For instance, one of the initiatives advocates for the creation of a prevention network within the Commission, nevertheless, this institution had already been funding similar networks that operate in this region as well, thus, their work could potentially overlap. Likewise, the function of the European prevention centre

that this strategy aims to create may overlap with responsibilities that currently are being executed by the European Cybercrime Centre - EC3, run by Europol.

This research covered the securitization process of online child sexual abuse that the European Commission aimed to achieve, analysing the EU strategy for a more effective fight against this matter and other additional sources. However, throughout the analysis, certain aspects remained unstudied or not enough attention was paid to them due to the scope of the research. For instance, it would be beneficial for future lines of research to conduct deeper research comparing the content of the last directive and the current strategy, highlighting the differences and how, according to the European Commission, the former is more effective to tackle this crime.

On the other hand, it would help to study other functional actors within the international scope that could influence or be influenced by this strategy more directly or indirectly, such as United Nations, Interpol, Europol, NATO... Understanding this phenomenon would enrich the understating of the securitization process as well as underlining factors that influence it. Besides, future lines of research could focus on the impact that the securitization of this threat could have on other securitized issues, such as the right to confidentiality and data protection. It would be beneficial to comprehend how the securitizing actor manages the phenomenon of two threats that could interact overlapping each other and being, to some extent, mutually exclusive.

Overall, online child sexual abuse requires to be tackled, hence, securitized with practices that are aligned with the importance and urgency that the speech demands. This study has pointed out several problems within the strategy as well as the failed securitization process of this issue. The consequences and impact that the failed securitization process has on the integrity and right of the children cannot be ignored. The need for measures that appropriately counter this matter has been explained and justified as the world keeps evolving, as well as the crimes and the way they are perpetrated, it is vital that the protection of

children advances in the right direction to ensure their protection and safety in all aspects of their lives.

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### Annex A: European Commission documents analysed

Type of Document and date	Title	In-text reference	
EU Strategy 24/07/20	EU strategy for a more effective fight against child sexual abuse	European 2020b	Commission,
MEMO 24/01/19	January infringements package: key decisions	European 2019a	Commission,
Infringement Decisions 25/07/19	July infringements package: key decisions	European 2019b	Commission,
Infringement Decisions 10/10/19	October infringements package: key decisions	European 2019c	Commission,
Press release 30/10/19	Security Union: Significant progress and tangible results over past years but efforts must continue	European 2019d	Commission,
Press release 24/07/20	Delivering on a Security Union: initiatives to fight child sexual abuse, drugs and illegal firearms	European 2020c	Commission,
Questions and answers 24/07/20	Delivering on a Security Union: Questions and Answers		
Speech 24/07/20	Press statement by Commissioner Johansson on initiatives to fight child sexual abuse, drugs and firearms	European 2020d	Commission,
Daily News 10/09/20	Daily News 10 / 09 / 2020		
Daily News 18/11/20	Daily News 18 / 11 / 2020	European 2020e	Commission,
Statement 19/11/20	Universal Children's Day: Joint Statement by the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy	European Commission, 2019f	
Press release 09/12/20	Security Union report: Keeping up the momentum on implementation of key initiatives		
Daily News 25/01/21	Daily News 25 / 01 / 2021		
Speech 14/04/21	Press remarks by Vice-President Schinas on EU Strategies to tackle Organised Crime and fight Trafficking in Human Beings		

Questions and answers 24/04/21	Questions and Answers: Comprehensive Strategy on the Rights of the Child and European Child Guarantee	
Press release 29/04/21	Fighting sexual abuse of children: Commission welcomes political agreement on interim rules for voluntary detection measures by online service providers	
Daily News 30/04/21	Daily News 30 / 04 / 2021	
Daily News 21/06/21	Daily News 21 / 06 / 2021	
Speech 23/06/21	Remarks by Vice-President Schinas at the press conference on the Recommendation on building a Joint Cyber Unit	
Daily News 27/08/21	Daily News 27 / 08 / 2021	
Daily News 16/11/21	Daily News 16 / 11 / 2021	
Daily News 17/11/21	Daily News 17 / 11 / 2021	
Daily News 26/01/22	Daily News 26 / 01 / 2022	
Daily News 07/02/22	Daily News 07 / 02 / 2022	