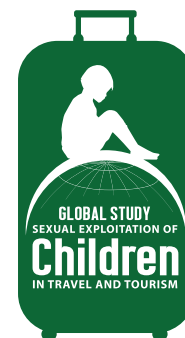


EUROPOL APPROACH TO TRANSNATIONAL CHILD SEXUAL EXPLOITATION



ANETTE PAAVILAINEN

INTRODUCTION



Europol, the European Law Enforcement Office, is mandated to support European Union Member States' law enforcement bodies (EU Member States Law Enforcement). This mandate is to counter and investigate specific crime areas as dictated in the European Council Decision of 6 April 2009, establishing the European Police Office (Europol) (2009/371/JHA)¹. These serious crime areas focus on investigation and prevention of serious harm to persons, critical infrastructure and the democratic integrity of member states, including various forms of organised crime and crimes that fall under the European CyberCrime Centre's (EC3) directive.

EC3 was established in January 2013. It is mandated to work on different areas of cybercrime and cyber facilitated crime being committed by organised groups to generate large criminal profits (such as online fraud), causing serious harm to the victim (such as online child sexual exploitation) or affecting critical infrastructure and information systems in the European Union.

FOCAL POINT TWINS – TEAM WORKING ON CHILD SEXUAL EXPLOITATION IN EC3

EC3 has a dedicated team, Focal Point Twins², working on crimes against children. The focus is on all forms of criminality including the activities of criminal networks involved in the sexual exploitation of children and other associated forms of crime³. The team is located in the European CyberCrime Centre (EC3)⁴.

Focal Point Twins has, during the last years, supported the EU Member States and partners in many complex international investigations through the coordination of cases and extensive analysis. As a result, hundreds of child victims have been identified and safeguarded, which remains the priority of any investigation, and child sex offenders have faced justice in the EU Member States and beyond. This is the outcome of years of cooperation and networking between the Europol EC3 Twins team, the EU Member States and cooperative partners like INTERPOL, Eurojust and several countries outside the EU.

EUROPOL PROJECT HAVEN ON TRANSNATIONAL CHILD SEXUAL OFFENDERS

In addition to the efforts to prevent online child sexual exploitation, other aspects of the crime are being addressed by Focal Point Twins. In the area of transnational child sexual offending (TCSO), Europol has worked since 2010 within Project HAVEN (Halting Europeans Abusing Children in Every Nation).

The project's initial objectives were short-, medium- and long-term. They include: (1) a baseline EU situation report, (2) joint actions for the EU Member States Law Enforcement and (3) the creation of a permanent flagging system or database of Europeans (and persons residing in the EU) posing a threat to children. In addition, the need to enhance the cooperation with destination countries is acknowledged.

Focal Point Twins wanted to get a better understanding of the capabilities and barriers of the EU Member States Law Enforcement in the investigation of child sexual exploitation to support them better. Towards this goal, (1) an EU situation report on "child sex tourism" was drafted in 2010-2011 based on the information gained from the EU Member States Law Enforcement and other relevant sources.

(2) Joint Actions have been coordinated in many of the EU Member States' main international airports focusing on arrival and departure check-ups of persons (mainly) on flights to and from known hotspots for transnational child sex offenders. The last one, GLOBAL HAVEN Joint Action, was organised in September 2014 in the EMPACT⁵ framework. The Joint Actions have not only been for Operational results, but also to derive data necessary to pursue changes at the strategic level.

Plans are made for further cooperation with EU Member States and other partners included in discussions being held on the way forward.

OPERATION RAVEN

The Child Sexual Exploitation Team in Europol's EC3 (Focal Point Twins) launched Operation RAVEN (Recording Europeans Abusing Victims in Every Nation) in April 2013.

Operation RAVEN is a Europol initiative that focuses on criminal intelligence on persons with a sexual interest in children in the EU, and it represents the long-term objective (3) of Project HAVEN (above). The aim of Operation Raven within Europol Information System EIS is to allow countries to detect by cross matching persons who pose a danger to children, in other words the main focus is to identify and prioritise persons with sexual interest in children that can travel and relocate in the EU.

Operation RAVEN is executed within the Europol Information System, to which only competent restricted EU law enforcement personnel have access. Europol Information System is designed to assist EU Member States in detecting persons who may be involved in criminal activity. This is achieved by cross matching the personal data of those travelling against data stored in Europol Information System.

The EU Member States and partners are asked to insert criminal data or intelligence on persons posing a danger to children in the Europol Information System, manually or by means of data loaders. Through the receipt of this information Operation Raven aims at identifying links and crossovers between countries when they occur through Europol Information System, and initiating international cooperation on those links when needed.

The cooperation started in the summer of 2013. After an initial exponential growth of data in Europol Information System, the growth has stabilised, but it is still considerable. Focal Point Twins is continuing with this Operation.

MOVING FORWARD

Project HAVEN, its actions and Operation RAVEN, amongst other things, have provided a picture of the needs of the European Law Enforcement for more effective actions against TCSOs.

Transnational child sexual offenders are child sex offenders. The child sex offenders should not be divided into strict categories by Law Enforcement. First of all, we should try to address the issue from the view of persons' sexual interest in children, not separating them by focusing on the tool or means of access used to abuse or exploit a child. Whether the abuse takes place at home, abroad or on the internet, the main common feature is the sexual interest in a child, not the means used to access the child for sexual gratification.

Many of the persons convicted for child sex offences in the EU travel outside the area for easier access to children. They are not the only ones Europol and the EU Member States Law Enforcement are concerned about. There are also offenders that were not known to the Law Enforcement of their origin country prior to offending abroad. This aspect has to be taken into consideration when planning actions against TCSO and addressing areas like preventive work, crime detection and cooperation with destination countries.

Not all EU Member States Law Enforcement have direct contacts to countries outside the area, where child sexual offences by their nationals or permanent residents takes place. Europol is working on creating contacts in cooperation with INTERPOL, for example, and through sharing good practises and discussions with Law Enforcement on a closed Internet forum, Europol Platform for Experts⁶.

Prevention of a crime should always be first on the list of any counter crime actions. This is also the case for transnational child sexual offending. However, not many countries have a real possibility of finding a known child sexual offender that plans to travel, and to prevent him/her from

travelling or notify the destination country.

In order to flag the known child sex offenders that may pose a risk to children, Law Enforcement should have access to proper passenger data in a timely manner. This would be needed to facilitate any data base comparison allowing targeted actions, not to mention international cooperation. The pending Passenger Name Record (PNR) Directive in the EU can change the situation for the most serious cases for the EU Member States Law Enforcement.

Inside the EU, (only) a child sexual criminal database on persons that are convicted of sexual crimes against children, and may pose a threat to children, would make a difference in child protection across the EU. However, the database would not be enough. Further powers, like the possibility to limit travel of persons posing a threat to children would be needed.

Many countries have criminal intelligence on persons dangerous to children, but it is not shared for various reasons, including limited personnel or legislative or regulatory problems that hinder any exchange of data on persons known to have a sexual interest in children. Whatever the reasons are the criminal intelligence on child sex offenders should move better than it does today between the competent authorities in order to make a real difference in this field.

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1. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:121:0037:0066:EN:PDF>
2. <https://www.europol.europa.eu/ec3/focal-points>
3. https://www.europol.europa.eu/sites/default/files/publications/2csefactsheet2012_0.pdf
4. <https://www.europol.europa.eu/ec3>
5. European Multidisciplinary Platform against Criminal Threats www.europol.europa.eu/content/eu-policy-cycle-empact
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