

ECLAG ADVOCACY BRIEFING
for the signature and ratification of the UN Convention against Cybercrime
by the EU and its Member States
September 2025

The steering group of the ECLAG coalition* urges **all 27 Member States and the European Union to stand with children and sign and ratify as soon as possible the [UN Convention against Cybercrime](#)**, adopted by the United Nations General Assembly on 24 December 2024. The Convention contains key articles—**notably Articles 14, 15 and 16**—that address **online child sexual abuse and exploitation as crimes** and provide a global, harmonised legal basis for prevention, protection and prosecution.

Executive summary:

- **Unprecedented Child Protection Crisis:** Europe is facing an alarming surge in online child sexual abuse, with 1 in 5 children experiencing sexual violence and nearly 200 million abusive images and videos circulating online in just two years. The urgency to act has never been greater.
- **A Global Solution for a Global Problem:** The UN Cybercrime Convention provides a unified, global framework for combating online child sexual abuse, ensuring cross-border cooperation, holding perpetrators accountable, and protecting all children under 18 years old from exploitation.
- **Strengthening Legal Accountability:** The Convention criminalises child sexual abuse material (CSAM), grooming and the non-consensual dissemination of intimate images. It mandates accountability for both individuals and legal persons involved in child abuse, extends statutes of limitations to prevent offenders from escaping justice. The Convention sets minimum global standards that allow to cover emerging threats, including AI-generated child sexual abuse material, with a staggering 1,325% increase in reported cases in 2024, ensuring that both real and digitally created abuse are treated as serious crimes.
- **A Call for EU Leadership:** ECLAG urges the EU and its 27 Member States to sign and ratify the Convention as soon as possible, reinforcing their global leadership in child protection and aligning EU laws with a powerful international standard. ECLAG Coalition welcomes the European Commission two proposals to enable the EU to [sign](#) and [ratify/conclude](#) the UN Convention against Cybercrime. We call on the European Parliament to consent to EU's conclusion and the Council to move ahead on both procedures.

Online child sexual abuse is spiraling out of control

Europe is facing an **alarming child sexual abuse crisis**. **1 in 5 children** is subject to sexual violence and abuse. This is not confined to any one background or country: children from **all social, cultural, and economic groups** are affected and face abuse in diverse environments and countries.

The scale, severity and violence of online child sexual abuse is spiralling out of control, with [more than half of young people having experienced some form of sexual harm online](#). For the past 2 years,

conservative estimates suggest that almost [200 MILLION pieces of content](#) (images or videos) featuring a child being sexually abused have circulated widely on the Internet. In 2024, the Internet Watch Foundation received a [record-breaking number of reports](#), linking to a 729,696 (images or videos) featuring a child being sexually abused have circulated on the Internet, [44% of this content featured a child under the age of 10 in 2023](#). The [latest NCMEC report](#) shows a rise of +192% of online solicitation of children for sexual purposes or ‘grooming’ and sexual extortion reports. The true scale is likely far worse as many cases go undetected and unreported. Perpetrators are exploiting rapid technological advances to reach and harm children.

Behind these figures lie child victims with long term trauma. The fight against child sexual abuse has become more complex with developments in new technology, such as the **rise of text-to-image based Generative Artificial intelligence (AI)**. AI-generated child sexual abuse is a growing concern, especially as AI image-generation tools are evolving rapidly and becoming easier to use. In 2024 alone, NCMEC [reported](#) a 1,325% increase of reported AI-generated child sexual abuse material up from the previous year.

A global response to a global borderless crime

No single State alone can tackle these heinous crimes against children. Their borderless nature demands a **coordinated global response**. The Convention against Cybercrime offers a key framework to strengthen the global protection of **all children below the age of 18**, by:

- **Criminalising child sexual abuse material (CSAM)** (article 14) and **grooming** (article 15) both applicable when committed to children below 18 years old regardless of the age of sexual consent; **and non-consensual dissemination of intimate images** (article 16).
- **Ensuring accountability of legal persons**, by requiring States to establish the liability of companies and organisations involved in these crimes, in addition to individual offenders’ accountability (article 18).
- **Extending statutes of limitations** to reflect the severity of these crimes, by encouraging longer limitation periods or by suspending the status of limitation when offenders evade justice, ensuring time does not shield them from accountability (article 20).
- Encouraging states to take effective steps to ensure compliance with requests to **remove or render inaccessible content such as CSAM** (article 34).
- Establishing **cooperation mechanisms** for cross-border investigations of these crimes (article 35 and following).
- Requiring **tailored preventive actions to safeguard children**, including but not limited to legal reforms, education, training and awareness raising campaigns (article 53).

All these provisions would **unify the global response against perpetrators of sexual crimes against children drastically facilitated by technologies**. The Convention will **enhance cooperation in fighting the most heinous crimes against children** by creating a set of standards that would facilitate information sharing, coordinate investigations, and identify as well as protect children who have

been subjected to sexual exploitation. Moreover, it will give law enforcement agencies the information and resources they need to bring perpetrators to justice. Once the UN Convention enters into force (after the 40th ratification), the Conference of the States Parties will convene periodically to improve the capacity and cooperation amongst partners and to promote and monitor its adequate implementation globally including across the EU.

Why should the EU ratify the Convention?

The EU's ratification of the Convention will reinforce the EU's legal framework to end child sexual abuse and position the EU as global leader in the fight against child sexual abuse and exploitation.

At the EU level, where [over 62% of the child sexual abuse material assessed by the IWF in 2024 was found to be hosted](#), the Convention will reinforce the obligations existing in the EU's legal framework for prevention and prosecution being an add on to the instruments already in place (Digital Services Act, Artificial intelligence Act., the Directive to combat child sexual abuse and exploitation and the much needed [Recast](#) to this Directive and [proposal for a Regulation to prevent and combat child sexual abuse](#)).

The Convention will act as an external legal and political anchor that can help justify and **reinforce the EU's internal push to harmonise criminal law and digital safety standards across all Member States**.

Furthermore, the EU's ratification will also **reinforce the EU's position as a global leader in the fight against child sexual abuse and exploitation**. The EU will strengthen its commitments to tackle online child sexual abuse and exploitation across the EU and globally. The EU will gain a seat at the table in the Conference of the State Parties, coordinating all the EU Member States that ratify, influencing the Convention's implementation and interpretation. ECLAG calls on the EU to play a crucial leading role in the Conference of State Parties, to shape the implementation and future interpretation especially when it comes to Human Rights safeguards, protection of children and vulnerable groups and use of AI tools for engaging in these crimes against children.

The UN Convention sets **global standards establishing a floor of minimum obligations all EU countries must meet**; thus helping prevent regulatory fragmentation. The Convention does not constitute a ceiling and explicitly allows countries to adopt or maintain higher protections. This means that where the EU has higher legal standards (this is especially the case when it comes to AI-generated CSAM or intimate material), they will continue to apply and Member States will be obliged to comply with EU rules even where they go beyond what is required by the UN Convention.

The UN Convention incorporates human rights safeguards: investigative and procedural powers must respect data protection and due process, in line with EU law and the Charter of Fundamental Rights.

ECLAG welcomes the key provisions of the Convention addressing child sexual abuse

Specifically, ECLAG welcomes the Convention's provisions 14 to 16 on online child sexual abuse or child sexual exploitation material; ; **solicitation or grooming for the purpose of committing a sexual offence against a child; and the non-consensual dissemination of intimate images, that are aligned with international best practices such as the Lanzarote Convention and existing EU law.**

As explained below, there are key aspects of the definitions in the UN Convention that should be considered during the **current negotiations of the RECAST Directive on child sexual abuse**. Amongst the calls detailed below, ECLAG stresses its demand for the definitions of crimes against children not to be dependent on whether the child is aged above or below the age of sexual consent and to align penalties.

Offences related to online child sexual abuse or child sexual exploitation material

Article 14 provides a comprehensive definition for CSAM that criminalises those who produce, offer, sell, distribute, transmit, broadcast, display, publish or otherwise make available, as well as those who solicit, procure, possess or access CSAM through information and communication technology systems). Implicit in the obligation to 'criminalise access, distribution, production and possession of CSAM' is the requirement to **detect and remove** such material and to hold intermediaries accountable when they knowingly facilitate or allow the spread of CSAM.

Article 14 provides a definition of CSAM that could cover simulated or fictional depictions of children, including persons appearing to be children and synthetically generated realistic representations. The definition in **Article 14(2)** refers to any material that "depicts, describes or represents any person under 18 years of age" in sexual contexts — the sexual parts of a child for primary sexual purposes; a child engaged in real or simulated sexual activity; present in any sexual activity; or subjected to torture, cruel or degrading treatment and such material is sexual in nature. According to this wording, **AI-generated**, simulated and **digitally altered representations** of children could be criminalised in so far as the material visually or descriptively portrays any of the above. In line with previous international standards¹, article 14(3) allows (but does not require) States to choose to limit the definition of CSAM to depictions of 'an existing' person. **ECLAG calls on the Recast EU Directive to ensure that it** criminalises synthetic and AI generated CSAM. This is absolutely essential since the **protection of children must extend to preventing both direct and indirect exploitation** and in so far as AI Generated CSAM:

- derives from real CSAM used to train generative AI models. Its creation mostly relies on previously existing CSAM materials, involving the real abuse of an existing child;

¹ Council of Europe Convention on Cybercrime (2021), known as the Budapest Convention, Article 9(4).

- is often indistinguishable from real images, violates children's dignity and contributes to their re-victimisation;
- fuels demand by validating and/or normalising abuse, desensitising users and escalating risk-taking behaviour, leading to further exploitation of children.

Article 14(4) of the Convention allows States to **exclude the criminalisation of consensual production, possession, or transmission of self-generated sexual material by children**, where such material involves legal conduct and is intended solely for private, consensual use. This is a vital safeguard that balances the need for protection with respect for the evolving capacities of children. It ensures proportionality and avoids prosecuting adolescents **engaging in mutually agreed private acts. This is especially relevant in cases of sexting between peers**, which can be a consensual and healthy part of adolescent relationships and sexual development. Children must be protected from criminalisation in these situations. This derogation helps ensure that child protection laws remain focused on addressing genuine abuse and exploitation, rather than criminalising developmentally appropriate sexual exploration or consensual behavior between peers. Criminalising such consensual behaviour would lead adolescents to not report sexual abuse and harm as they would fear being blamed or criminally charged for being victim of abuse. In alignment with this provision of the UN Convention, **ECLAG calls on the Recast EU Directive to ensure that the consent definition and the derogations on consensual acts of children above the age of consent are limited only to consensual relations exclusively between peers who are close in age, maturity and development².**

Solicitation or grooming for the purpose of committing a sexual offence against a child

Article 15 criminalises online grooming, regardless of the age of the perpetrator³ nor the age of the child victim⁴. We highly welcome this approach, as protection from grooming will apply to all children below 18, regardless of age of sexual consent. **This extension of protection to all children including those above the age of sexual consent is a novelty in comparison to previous international standards and a development we very much support.** This is crucial to ensure that adolescents are not discriminated against and left unprotected, while they are the majority of victims of online grooming⁵. Protection must not end the moment a child reaches the age of consent nor should it depend on whether coercion or deceit is used. In this regard, in alignment with the UN Convention, **ECLAG calls on the recast Directive to provide a clear obligation to protect all children from sexual abuse and exploitation until the age of 18 without exception⁶.**

² ECLAG calls for the amendment of article 3 of the proposal for a RECAST Directive. We support the text of the European Parliament however for the final text adopted in Trialogues it is crucial to ensure that consensual sexual activities of children above the age of consent are **limited only to relations between peers**. The **definition of 'peer'** in article 2(8) must be amended as per the European Parliament proposal to ensure that a peer is considered as a person close in age, maturity and (instead of or) development.

³ Article 15 (4) States Parties may take steps to exclude the criminalization of conduct as described in paragraph 1 of this article when committed by children.

⁴ A person believed to be a child could also be covered as per the provision in article 14 (3) if Member States consider extending the scope.

⁵ Research conducted by NSPCC shows that girls aged 12-15 are most likely to be victims of online grooming.

⁶ ECLAG calls for the amendment of article 6 on solicitation of children for sexual purposes of the RECAST Directive as per the proposal of the European Parliament, 'as per the text adopted by the LIBE committee of the European Parliament on 13 May 2025.

The definition of grooming in the Convention also **adapts to new digital methods to establish contact**. The article applies to any intentional act of establishing contact⁷ with a child through information and communication technology systems. That should include social media, chat platforms, gaming environments, or private messaging apps. Grooming is limited to the purpose of committing a ‘sexual offence against a child’ as per article 14 on CSAM *and as defined in domestic law*. This is why it is also crucial to ensure the **criminalisation of all forms of child sexual abuse at EU and national level. ECLAG calls for the inclusion of the purpose of soliciting explicit images, sexual extortion and instructed self-penetration**. ECLAG requests that these crimes are adequately defined in the new Recast Directive on CSA, as per the European Parliament proposal.

Non-consensual dissemination of intimate images

Article 16 requires the criminalisation of **non-consensual dissemination of intimate images**. The article focuses on **“reasonable expectation of privacy”** and **lack of consent**, the provision protects victims from victim-blaming and secondary trauma, sending a clear message that dissemination—not the creation or sharing of the image in private—is the crime. While the article refers to a person above 18 years old, paragraph 3 provides the option to Member States to extend the definition of intimate images to children above the age of sexual consent as defined in national law, given that the image does not depict child abuse or exploitation. This is very relevant as these children are disproportionately targeted by this form of abuse. The Convention **builds a framework for protecting teenagers whose images are illegally shared**, especially in dating or peer contexts. Often, children are too ashamed or afraid to report these crimes, believing they are at fault for their abuse. This **perception of guilt prevents them from seeking justice and healing**.

Furthermore, the Convention **removes ambiguity around consent** by clearly stating in article 16 (4) that no child below the age of 18 can consent to the dissemination of their intimate images when those images constitute child sexual abuse or child sexual exploitation material as defined in article 14. This provision **strengthens the basis on which perpetrators can be prosecuted and reinforces the message that no child can consent to their abuse**. By removing ambiguity around consent, the Convention **empowers survivors to seek justice** without fear or stigma, knowing they are not to blame, their actions are not criminal and the law is there to protect them from further exploitation and manipulation. As indicated above, ECLAG calls **on the negotiators of the Recast EU Directive to ensure that the definition of consent and the derogations on consensual acts of children above the age of consent in a relationship with a peer are up to the standards**.

Preventive measures

Finally, **Article 53** of the UN Convention against Cybercrime requires States to adopt preventive measures, including legislative and administrative actions to prevent the crimes of online child sexual

⁷ Article 15 (1) “the act of intentionally communicating, soliciting, grooming, or making any arrangement through an information and communications technology system for the purpose of committing a sexual offence against a child, as defined in domestic law, including for the commission of any of the offences established in accordance with article 14 of this Convention.”

abuse, grooming and non-consensual dissemination of intimate images. It explicitly calls for **cooperation with the private sector** in prevention efforts. This article encourages the adoption of effective measures potentially targeting tech platforms and service providers that should engage in transparent and responsible cooperation with authorities. This framework not only permits but encourages regulatory **obligations on online platforms**. This broad obligation justifies the legal duties for technology companies to design and implement stronger safety protocols. It implicitly **supports the enforcement of child safety-by-design principles**, such as CSAM detection tools, age-appropriate safeguards and responsible content moderation practices. Article 53 complements the Convention's criminal provisions (Articles 14–16) by emphasizing that **prevention should not be merely reactive, but integrated into the architecture of digital platforms**, reducing the opportunities for perpetrators to exploit online spaces. It aligns with the EU's DSA, reinforcing the rationale that platform responsibility is a key component of effective child protection; and aligns with ECLAG calls for a robust [Regulation to prevent and combat child sexual abuse](#).

Conclusion

ECLAG calls all 27 Member States and the EU to be **ready to sign and ratify as soon as possible** the **Convention** to address this **unprecedented child sexual abuse crisis** and build a safer online environment where children's rights are fully protected and upheld - ensuring that no child is left behind in the digital age.

ECLAG Coalition welcomes the European Commission two proposals to enable the EU to [sign](#) and [ratify/conclude](#) the UN Convention against Cybercrime. We call on the European Parliament to consent to EU's conclusion and the Council to move ahead on both procedures.

*The [European Child sexual abuse Legislation Advocacy Group \(ECLAG\)](#) is a coalition of over 70+ child rights NGOs joining forces to fight to protect children from sexual violence and abuse. ECLAG Steering Group is formed by [ECPAT International](#), [Eurochild](#), [Missing Children Europe](#), [Internet Watch Foundation](#), [Terre des Hommes](#) and [Thorn](#).