

# The Importance of Terminology Related to Child Sexual Exploitation<sup>1</sup>

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The purpose of this paper is to present the importance of terminology related to child sexual exploitation, and is based on a research project that included five European countries (Slovenia, Norway, Finland, the United Kingdom and Poland) and Europol. A qualitative approach was used to analyse the data, which was collected by means of unstructured interviews, which focused on the term *child pornography*, which is commonly used all over the globe. Nevertheless, the term *child pornography*, while appropriate from the linguistic aspect and widely known, accepted, and used in many official documents and by experts in different fields, might be misleading for non-experts who might not be aware of the seriousness of the crimes related thereto.

Many different expressions can be found in the area of child sexual exploitation and much consideration must be devoted to this topic to avoid any misunderstandings. The main goal of this paper is to suggest terms that are applicable, relevant, understandable, and inoffensive to the victims as these crimes have a major impact on their lives. The term *child pornography* is therefore slowly being abandoned in professional circles, as it minimises the seriousness of the criminal offence and contributes to the stigmatisation and re-victimisation of victims. On the basis of the research findings, the authors agree that term *child sexual exploitation material* [CSEM] should be used instead of *child pornography*. In addition, there is also another relevant term that can be used as a CSEM subtype, i.e. *child sexual abuse material* [CSAM].

**Keywords:** child pornography, child sexual exploitation material, child sexual abuse material, terminology

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## 1 Introduction

In most legislative systems, child sexual exploitation is one of the most serious criminal offenses, and given the outrageous

nature of this crime, some people feel very uncomfortable addressing the reality of the increasing threat of child sexual exploitation. Furthermore, sexual exploitation of children is currently greater due to the various *modus operandi* utilising information communication technologies (ICT) and the Internet.

Child sexual exploitation is a broad topic that requires a great deal of dedication, expertise and understanding from every professional working in this field. Among the different aspects that should be taken into consideration (the child's victimisation, detection and investigation, evidence gathering, international cooperation, prevention, etc.), the use of terminology that maintains the dignity of the victims is of primary importance.

<sup>1</sup> According to EU Policy Cycle 2014–2017 (EU Crime Priority G2) related to combating organised and serious crime, Step 3 – EMPACT (the European Multidisciplinary Platform against Criminal Threats) was established to combat priority threats, therefore various operational action plans (OAP) were set out. One of the OAPs in 2014, related to cybercrime and child sexual exploitation, is to promote the use of proper terminology in this field through the media. The participants are Slovenia, the United Kingdom, Finland, Poland, Norway, Europol and Interpol. The present contribution is a result of this OAP.

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When we speak about terminology, we usually speak about concepts and terms. A term is a linguistic representation of a concept, and should be established such that experts know them and use them often in their communications. A term should not be too long and should be correct from the aspect of the language system, however, in some cases the sensitivity of people and their understanding of the presented topic are relevant as well. Experts in the field of child sexual exploitation define the concept differently than offenders; therefore the authors of this paper suggest terminology that does not have connotations of any kind. This is essential because this terminology is used in international treaties, national legislation, official documents, and in wider public discussions and concerns.

## 2 Methods

The project included five countries in Europe (Slovenia, Norway, Finland, the United Kingdom and Poland), and Europol, and a qualitative approach was used to analyse the collected data. The data were collected by means of unstructured interviews, which provided open-ended responses to questions (Hagan, 2003). According to Ragin (2007), the interview is one of the methods of gathering data aimed at a detailed analysis of the selected topic, and “in-depth interviews are optimal for collecting data [...] when sensitive topics are being explored” (Family Health International, n. d.: 2).

The research was conducted in three parts. The first included a literature review and preparation of the questionnaire in English, which was sent via e-mail to experts in the relevant fields. The primary focus was on the term *child pornography*, while some other expressions that are used by various groups were included as well. In the second part of the research, the questionnaire was completed by all the experts individually. Finally, the terms used by various groups and the terms suggested by interviewees were compiled, discussed and defined by the authors of this paper. The limitations of the research were indicated by the large numbers of different expressions for the same concept.

## 3 Pornography

Pornography in its general meaning is an expression for accepted and legal material of an erotic nature, and is defined as describing or displaying sexual objects and actions without ethical content for the sexual arousal and imagination of readers or viewers (Tavzes, 2002). It is “visual or aural material that is sexually titillating” (Mitchell, 1978: 631). Pornography “refers to books, magazines, films, etc., that are designed to cause sexual excitement by showing naked people, referring

to sexual acts” (Sinclair, 1993: 1114). It indicates material that aims to arouse adults in a sexual manner and refers to something legal that is made by adults for adults. Its intention is to sexually arouse consumers, facilitating their sexual enjoyment, and perhaps even sexual satisfaction (Košček, 1986). Its goal is to show sexuality merely for erotic stimulation (Fran, 2015).

Pornography is about writings, literature, drawings, pictures, movies, etc., and refers to erotic stimulation, sexual arousal or pleasure in showing sexuality (Fran, 2015). It describes sexual objects (Tavzes, 2002), sexual aspects (Wahrig, Krämer, & Zimmermann, 1983), can facilitate sexual enjoyment (Košček, 1986), shows naked people, and refers to sexual acts (Sinclair, 1993), or contains explicit descriptions or displays of sexual organs or activity intended to stimulate sexual excitement (Oxford dictionaries, 2014). At the same time, the definition of pornography also reflects the voluntary consent of adults (pornographic actors) engaging in sexual activities intended for public consumption.

## 4 Child Pornography

*Child pornography* is a term that is widely and commonly used in almost every society, profession and occupation. It is used in official documents, court decisions, legislation, treaties, research<sup>10</sup>, and in the press. The term *child pornography*, especially its informal version *child porn*, is also used by offenders (see Figure 1), who employ many different expressions in their argot to directly designate particular child sexual exploitation material (e.g. images, pictures, videos, photographs, texts, cartoons, etc.). Offenders’ expressions also include: baby fuck, baby porn, incest, juvenile porn, kid porn, kiddie fuck, kiddie porn, kiddy pic, kiddy porn, kiddy sex, lolita fuck, lolita porn, lolita porno, pedo love, porn, pedo porn, pornography, teen porn, etc. Offenders occasionally use pedo-pornography and paedophile pornography, while among some experts the term *virtual child pornography* can be found, but the meaning refers to *child pornography*.

The expression *child erotica*<sup>11</sup> can be found in manuals for law enforcement and NGO practitioners, while the expressions *child erotica images*, *child nudity*, *erotic child modelling*

<sup>10</sup> Internet Child Pornography (Akdeniz, 2008), Extreme Pornographic Material (National offender management service, 2006).

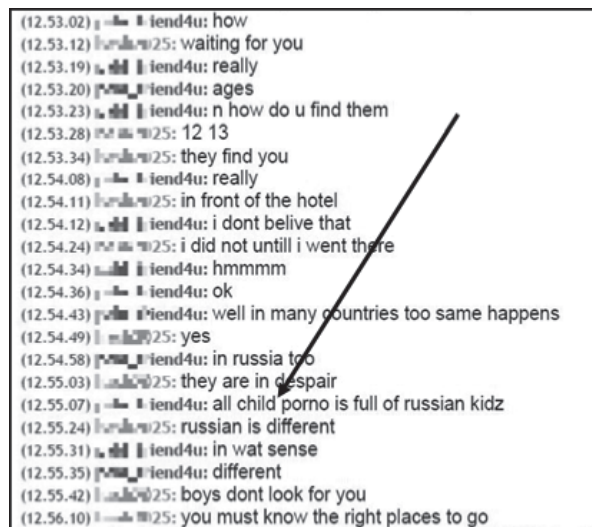
<sup>11</sup> According to the NCMEC, “child erotica is broader and more encompassing than *child pornography*. It is non-pornographic material related to children, used by individuals for sexual purposes (also known as pedophile paraphernalia), and it incorporates different material (such as nonsexual images, books or magazines on children or pedophilia, toys, diaries, clothes, etc.), which may cause sexual arousal of individual” (NCMEC, 1992: 26).

or posing, etc., are commonly used in various public circles<sup>12</sup>. Some of the previously mentioned expressions used by offenders are also used by the press<sup>13</sup> for their “shock effect”<sup>14</sup> to reach as many readers or viewers as possible, and to sell their products (newspapers, magazines, advertising space, or the news itself).

<sup>12</sup> These expressions, especially when used in combination with the expression child erotica, are an attempt to describe a sort of beauty in each child, but minimise the actual problem, i.e. a child being sexually exploited or abused. The depicted material is occasionally found in commercial advertisements and even some rudiments may be found in art. Examples: a) *for commercial purposes*: images of a 10-year-old girl in provocative poses were published in French Vogue in 2011, which provoked an international discussion about the sexualisation of children; or the public reaction in 1976 when the album Virgin Killer by the German heavy metal band the Scorpions was released; the original cover featured a nude pre-pubescent girl with a shattered glass effect directly obscuring her genitalia; b) *for artistic purposes*: in High Mannerism: Venus, Cupid, Folly and Time [Allegory of the Triumph of Venus], artist: Il Bronzino, 1503-1572, where nude children as well as adults were depicted. Nudity, as depicted from Greek classical art onwards (the Renaissance, Mannerism, the Baroque, Rococo, Neoclassicism), was most commonly conceived as a form of culture that celebrated the beauty of the human body. The nude act (nudity) became an independent genre motif, and even one of the central tasks of fine art. Such nudity was not meant to be a sort of (child) eroticism, or even pornography. (F. Šerbelj, personal communication, August 22, 2014). This interpretation is greatly simplified, but it must be considered that each art period has its own peculiarities and this is a brief explanation that allows comparisons or gives an insight into modern art and nowadays the (general) understanding of nudity, even sexuality (in Impressionism: the Lèveil du Printemps, 1884, by Nicolas Luc-Olivier Merson; in Expressionism: the ‘Schwarzhaariger Mädchenakt’, 1910, by Egon Schiele, etc.).

<sup>13</sup> For example in the following headlines: Police arrest wannabe teen porn producer in Arizona (2011); Man was looking for ‘pedo porn or the real deal’ (2013); Man and girlfriend arrested in ‘violent baby porn’ sting operation (2015); Fairfax County police officer arrested for child porn, released on bond (2015); etc.

<sup>14</sup> A good example of the self-regulated approach was made by *The Guardian*, which received a request from a reader to not use the phrase “child porn” with very strong objections to it. In response, Chris Elliot, the *Guardian* readers’ editor, did some quick research and realised that the Internet Watch Foundation (UK) uses the term child sexual abuse content to accurately reflect the gravity of the images they deal with and that “child pornography”, “child porn” and “kiddie porn” are not acceptable, while the National Society for the Prevention of Cruelty to Children (UK) typically uses the term “child abuse images” as they consider this provides a more accurate indication of what these images portray (Elliot, 2011). Elliot (2011) also wrote that the editor of the *Guardian*’s style guide intended to create a new entry (i.e. child abuse images) in their guide and informed all staff of the new style. He also wrote that a new style guide entry does not stop the terrible abuse of children, but when they describe such images it will separate a despicable crime from the broader area of human sexual activity that washes back and forth across moral and legal boundaries that are harder to define.



**Figure 1:** A short section of communication between offenders in an operation carried out by the Norwegian Police.

Newer trends in the ICT environment have shown the possibilities for creating virtual people, including minors. Duignan (n. d.) presents how the U.S. Supreme Court in *Ashcroft v. The Free Speech Coalition* upheld a lower court’s decision that the provisions of the Child Pornography Prevention Act of 1996 were vague and overly broad and thus violated the free-speech protection contained in the First Amendment to the U.S. Constitution. The act specifically proscribed computer-generated or altered – depictions of minors engaging in explicit sexual conduct (so-called *virtual child pornography*) and images of explicit sexual conduct by adults who portray themselves as minors. Cisneros (2002) stated that the U.S. Supreme Court held that the government may not criminalise such action, because the production of *virtual child pornography* does not sexually abuse an actual child. Liu (2007: 2-3) explains that *virtual child pornography* can be divided into three general categories: wholly computer-generated *child pornography*, morphed *child pornography*, and *child pornography* made by using youthful-looking adults. Wholly computer-generated *child pornography* is made with computer-generated images, without using any actual children or photos of actual children; morphed *child pornography* is made with photos of actual children manipulated into an unidentifiable minor.<sup>15</sup> The material confiscated in such criminal investigations is referred to as “pseudo material.”

<sup>15</sup> Some parallels can be drawn with the case of a fictitious, virtual 10-year old girl, called Sweetie, in a project entitled “*Stop webcam child sex tourism!*” carried out by the Dutch NGO Terres Des Hommes. For more on this, see <http://terredeshommesnl.org/en/sweetie>.

The term *child pornography* is widely known<sup>16</sup>, accepted<sup>17</sup>, and used globally. It is also used among different groups in informed circles (the police, judicial authorities, teachers, counsellors, lawyers, policymakers, public relations experts, etc.) and in international treaties.

#### 4.1 Child Pornography in International Treaties

The term *child pornography* can be found in various international treaties and conventions. In two out of the four relevant documents (presented below), the term is also used in the title.

##### a) At the level of United Nations (UN)

- *The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography* (United Nations, 2000) – the term *child pornography* is used 14 times and in the title.

The Protocol states that for the purposes of the aforementioned protocol, *child pornography* means “any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes” (see Article 2/c).

##### b) At the level of the European Union and Europe

- *Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA* (2011) – the term *child pornography* is used 20 times in the preamble alone, afterwards 13 times, and in the title. The Directive states that (Article 2/c):

“(c) ‘child pornography’ means:

- (i) any material that visually depicts a child engaged in real or simulated sexually explicit conduct;
- (ii) any depiction of the sexual organs of a child for primarily sexual purposes;
- (iii) any material that visually depicts any person appear-

ing to be a child engaged in real or simulated sexually explicit conduct or any depiction of the sexual organs of any person appearing to be a child, for primarily sexual purposes; or

- (iv) realistic images of a child engaged in sexually explicit conduct or realistic images of the sexual organs of a child, for primarily sexual purposes.”

- *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse* (Council of Europe, 2007a) – the term *child pornography* is used 3 times in the preamble alone, and afterwards 11 times.

The Lanzarote Convention states that the term *child pornography* shall mean any material that visually depicts a child engaged in real or simulated sexually explicit conduct or any depiction of a child’s sexual organs for primarily sexual purposes. Furthermore, the Explanatory Report (Council of Europe, 2007b: Article 20/2, Paragraph 143) states:

“Paragraph 2 is based on the *Optional Protocol to the United Nations Convention on the Rights of the Child*. It defines the term *child pornography* as any visual depiction of a child engaged in real or simulated sexually explicit conduct, or any representation of a child’s sexual organs ‘for primarily sexual purposes’. Such images are governed by national standards pertaining to bodily harm, or the classification of materials as obscene or inconsistent with public morals. Therefore, material having an artistic, medical, scientific or similar merit, i.e. where there is absence of sexual purposes, does not fall within the ambit of this provision. The visual depiction includes data stored on computer diskette or on other electronic means or other storage device which are capable of conversion into a visual image.”

- *The Convention on Cybercrime* (Council of Europe, 2001) – the term *child pornography* is used 7 times. Article 9/2 – Offences related to child pornography – provides that the term *child pornography* “shall include pornographic material that visually depicts:

- (a) a minor engaged in sexually explicit conduct;
- (b) a person appearing to be a minor engaged in sexually explicit conduct;
- (c) realistic images representing a minor engaged in sexually explicit conduct.”

In legislation in the United States, *child pornography* means “any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where: (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; (b) such visual depiction is a digi-

<sup>16</sup> According to Wolack, Finkelhor, & Mitchell (2005) and the International Centre for Missing & Exploited Children (2012: iv), the term *child pornography* “is retained because it is the expression most readily recognized by the public at large, at this point in time, to describe this form of child sexual exploitation.”

<sup>17</sup> In the mind of non-experts, the term can reflect their perception of pornography in general. They can believe that *child pornography* is another type of legal pornography, where children are voluntarily actors; otherwise, they would not participate and cooperate in sexual acts.



tal image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct” (Legal information institute, n. d.: Article 2256, Paragraph 8).

## 5 Child Pornography and Child Sexual Exploitation Material

The term *child pornography* is appropriate from the linguistic aspect; the problem with using it, however, arises from the process of determinologisation, which means the transition of a term from a specific terminology to the general language; i.e. from scientific texts to texts aimed at the general public, especially for the mass media. Furthermore, it might be misleading for non-experts who might not be aware of the seriousness of these crimes, who might not be aware that *child pornography* is in fact, a serious crime and not yet another type of legal pornography. The term *child pornography*, which emerged decades ago, is therefore slowly being abandoned in professional circles, mostly within Europe, as it minimises the seriousness of the criminal offence and contributes to victims’ stigmatisation and re-victimisation.

On the basis of the research findings, the authors propose that the term *child sexual exploitation material* [CSEM] be used instead of *child pornography*. In addition, there is also another relevant term<sup>18</sup> that can be used as a subtype of *child sexual exploitation material* [CSEM]; i.e. *child sexual abuse material* [CSAM]. It derives from the terms *child sexual exploitation* [CSE] and *child sexual abuse* [CSA], which indicate a criminal offence against a child. These terms need to be further explained in order to be properly used by experts and non-experts.

Figure 2 shows the connections between different concepts regarding *child sexual exploitation*. The term *child sexual exploitation* should be understood as the broader term for any kind of activity involving a child related to his or her sexuality, intimacy, privacy, or against his or her sexual integrity, sexual intimacy, or sexual privacy (intrusion, invasion). As stated by HM Government (2009: 9):<sup>19</sup> “Sexual exploitation of children

and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition; for example being persuaded to post sexual images on the Internet or send such via mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.” To conclude this explanation, many different forms of conduct can be understood under the term *child sexual exploitation*; e.g. sexting, grooming, modelling, and making images with intimate content, as well as actual child sexual abuse. All the aforementioned forms of conduct involve children, meaning persons the age of 18.

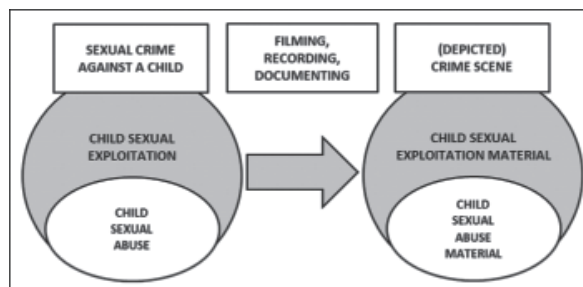


Figure 2: The connections between different concepts regarding child sexual exploitation.

As outlined above, the term *child sexual exploitation material* is defined as recorded, filmed or documented sexual activities of or against children – i.e. persons under the age of 18. *Child sexual exploitation material* encompasses pictures, films, videos, movies, photographs, sketches, images, self-generated images of naked persons (“naked selfies”), texts, voice and audio recordings with sexually explicit content<sup>20</sup>. It also includes

<sup>18</sup> Law enforcement agencies and the judiciary in the UK use the term *indecent images of children* [IIOC], which is strictly related to child sexual exploitation cases.

<sup>19</sup> “This definition arises from joint work between the project members of the National Working Group for Sexually Exploited Children and Young People (NWG) 2008. The National Working Group is a support group for individuals and service providers

working with children and young people who are at risk of or who experience sexual exploitation. The Group’s membership covers voluntary and statutory services including health, education and social services.” (HM Government, 2009: 9)

<sup>20</sup> As CSEM content is related to actual sexual abuse, the content can include the following: sexual intercourse, rape, sexual molestation, tying, binding or other ways of torturing children during sexual abuse, oral, vaginal, or anal penetration of human sexual

material produced during the offender's online grooming of the victim. Among investigators and other experts, the term *child sexual abuse image* is used to describe the format on which the evidence of actual child sexual abuse is shown (e.g. photographs, pictures, video recordings). The term is sometimes also used to describe *child sexual abuse material*.

*Child sexual abuse* is an act involving a dependent child's participation in any sexual activity with an adult or a person who is larger, older, stronger, and taller than a child (i.e. an offender), whereby the child is abused as a sexual object to satisfy the offender's sexual needs, while the child has no opportunity to choose not to be engaged in the sexual activity, due to his or her naivety, distress, thoughtlessness, lack of experience and knowledge, or due to the threat or use of force by the offender, or due to the inequality regarding the powers of the child and the offender. Finkelhor et al. (1986) argued that the phenomenon called *child sexual abuse* has been defined in different ways by different experts. Prevalent studies differ to some extent according to what ages, acts and types of relationships are included in their definitions of the term *child sexual abuse*. In addition to the given definition, *child sexual abuse* can also be committed via information-communication technologies. Carr and Hilton (2010) have used the expression *Internet child sexual abuse*, while law enforcement investigators in Europe mostly use the expression *child sexual abuse online*.

*Child sexual exploitation material* is a basic concept, and includes the subtype *child sexual abuse material*, which labels a narrower concept that encompasses material in which actual child sexual abuse is shown, such as photographs, pictures, movies, images, sketches, texts, audio recordings, etc. These materials are produced while the offender is committing a sexual crime against a child and his criminal act is somehow documented.

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organs, bestiality, etc. While CSEM is primarily related to other forms of sexual exploitation of children not as illustratively described above, the majority of the content comprises images of different sexual positions of children, naked, partially naked, or not naked. Girls mostly pose in various forms of dress (showing their intimate body areas – genitals or breasts), some in erotic clothes (short nylon stockings, panties, bras, short skirts, high-heeled shoes, jewellery, etc.), and with special make-up (highlighted lips, eyes, facial features, etc.) in order to emphasise their childishness or adulthood – depending on the target population (i.e. the offenders). If the boys are dressed, then they often wear swimwear, sportswear, showing their body (muscles) etc., with or without erections/ejaculations of their sexual organs. The depicted material is typically made in children's rooms, many of them in front of computers or mobile phones, bathrooms, bedrooms, photo studios, etc., even in public places (parks, forests, vehicles, etc.).

## 6 Discussion

The term *child pornography* is commonly used and accepted. As explained above, the problem arises when non-experts are not aware of the true meaning of the term *child pornography* and get the misleading impression that this is yet another type of pornography that presents children in (their) voluntary sexual activities. Taking part in producing pornographic materials, however, requires someone's consent. Pornography is a legal business accepted in many societies, and should not be used to describe child sexual exploitation, and connecting child sexual exploitation with pornography gives the wrong impression that children are voluntary actors and that their participation is evidence of their consent.<sup>21</sup> A child<sup>22</sup> can never consent to such activity as it is always a criminal act, whether achieved by force or through other means.

Furthermore, pornography by definition does not include children; therefore the term *child pornography* is misleading and inappropriate. It cannot encompass or entail the representation of (1) sexuality (as it presents documented child sexual exploitation); (2) erotic stimulation (as it is not erotic stimulation, but somehow a pathological dependence (a psychological disorder) on material with child sexual exploitation; it implies the imagination of the offender that the sexual acts (i.e. abuse) are very pleasing to children, when in fact this is not the case; or (3) voluntary consent, which cannot be given by minors. Filming, recording or reproducing images of sexual activities intended for the wider public is possible only when the person involved has reached at least 18 years of age.<sup>23</sup> There can either be pornography, which means, *inter*

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<sup>21</sup> According to the national legislation of the countries included in this research, children under the age of 18 cannot consent to take part in pornographic recordings. This should not be confused with the sexual consent of children, which varies among countries (e.g. in Slovenia and Poland it is 15, while in Norway, Finland and the United Kingdom it is 16 years of age).

<sup>22</sup> The Convention on the Rights of the Child (United Nations, 1989: Article 1) defined children as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier".

<sup>23</sup> Fathaigh (2011) explained that the applicant in the case *Karttunen v. Finland*, No. 1685/10 at the European Court of Human Rights (ECHR) was an artist from Finland who had included hundreds of photographs of minors engaged in sexual acts in an exhibition entitled the "Virgin-Whore Church", in Helsinki. The applicant had downloaded these images freely from the Internet, and the purpose of the exhibition was to encourage discussion on the ease of access to *child pornography* and its widespread existence. But the Finnish police seized the pictures on the opening day, and the exhibition was closed down. The applicant found herself in criminal proceedings initiated by the public prosecutor, and she was subsequently convicted of possession and distribution of sexually obscene pictures de-

*alia*, text, pictures or films showing the sexual intercourse of adults, or materials showing the sexual abuse and exploitation of children. Adult pornography is more of a moral concern than a legal one, while documented child sexual abuse is a crime in and of itself and depicts the commission of a crime against a minor. The two are worlds apart. The documentation of child sexual exploitation thereof cannot be understood as pornography, but is evidence of a crime that has been committed against a child, and documented by the offender(s).

Terminology related to child sexual exploitation should be inoffensive and respectful to the victims, and should not minimise the seriousness of the criminal offence nor contribute to victims' stigmatisation or re-victimisation. To avoid any misunderstandings, a great deal of consideration of different expressions must be given to this topic. On the basis of the research findings, the authors propose that the term *child sexual exploitation material* be used instead of *child pornography*.

The authors propose the use of the term *child sexual exploitation material* due to its broader meaning. It includes any kind of documented sexual activity of or against children – i.e. persons under the age of 18. *Child sexual exploitation material* encompasses pictures, films, videos, movies, photographs, sketches, images, self-generated images of naked persons (“naked selfies”), texts, voice and audio recordings. It also includes material that was produced during the offender's online grooming of the victim. Furthermore, the term *child sexual exploitation material* clearly indicates that the crime that was committed against a child, which is of central importance. The term, therefore, cannot be misunderstood and the crime against a child cannot be overlooked.

In addition, there is also another relevant term that can be used as a subtype of *child sexual exploitation material* [CSEM]; i.e. *child sexual abuse material* [CSAM], which includes any kind of material of actual child sexual abuse. It derives from the established terms *child sexual exploitation* [CSE] and *child sexual abuse* [CSA], which indicate a criminal offence against a child.

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picting minors. The ECHR in this case recognised that conceptions of sexual morality have changed in recent years, whilst the ECHR did not find the view taken by the Finnish courts unreasonable, especially as the present case concerned minors or persons likely to be minors. The domestic courts, especially the District Court which balanced at length the relationship between freedom of expression, on the one hand, and morals and the reputation and rights of others, on the other, found that the applicant's freedom of expression did not justify the possession and public display of *child pornography* (from the court decision, paragraph 23). An additional note: the term *child pornography* was used by the ECHR, and also the offensive term “porn actors” in relation to minors being sexually abused.

The terms in the area of child sexual exploitation are connected to the same concept system. In addition to *child pornography*, which was discussed in detail in this paper, there are some other terms that should be addressed as well; such as *child prostitution* and *child sex tourism* which have the same tendency to be misunderstood. Again, non-experts can get the misleading impression that this is something acceptable, otherwise children would not cooperate in such activities. Furthermore, they could also believe that paying for children's services is one way to help them, but in fact by doing so children are sexually abused and exploited. Children can be neither prostitutes nor a tourist attraction, and when they engage in such activities, they are either victims of child sexual exploitation and/or trafficking in children, or they are being forced to find a way to survive due to social vulnerability and the deteriorating social conditions in their country of origin. The use of terminology that clearly indicates that children are thereby sexually abused and exploited are therefore of utmost importance. The authors believe that the use of the suggested terminology is essential for experts (the police, judicial authorities, teachers, counsellors, lawyers, policymakers, public relations experts, etc.), while they recommend the same for the press and the public in general.

The use of the new terminology would have a tremendous impact in many ways; e.g. several administrative departments, offices, and units would be renamed, there would be changes in official documents, legislation, official job descriptions, working titles, etc. A strategy for implementing the new terminology should therefore be carried out carefully, step by step, and in cooperation with experts in different fields, legislators, and the mass media.

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Danijela Frangež, Anton Toni Klančnik, Mojca Žagar Karer, Bjørn-Erik Ludvigsen, Jarosław Kończyk, Fernando Ruiz Perez, Mikko Veijalainen, Maurine Lewin: The Importance of Terminology Related to Child Sexual Exploitation

## Pomembnost terminologije, povezane s spolnim izkoriščanjem otrok

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Namen prispevka je predstaviti pomembnost terminologije na področju spolnega izkoriščanja otrok. Članek temelji na raziskavi, v katero je bilo vključenih pet evropskih držav (Slovenija, Norveška, Finska, Združeno kraljestvo in Poljska) in Europol. V raziskavi smo uporabili kvalitativne raziskovalne metode. Podatke smo zbrali z nestrukturiranimi intervjuji. Prispevek se osredotoča na izraz *otroška pornografija*, ki se pogosto uporablja po vsem svetu. Izraz *otroška pornografija* je z jezikoslovnega vidika ustrezen in splošno znan, sprejet in uporabljan v mnogih uradnih dokumentih. Uporabljajo ga strokovnjaki različnih področij. Ugotavljamo pa, da ga lahko laiki napačno razumejo in se ne zavedajo resnosti tovrstnih kaznivih dejanj.

Na področju spolnega izkoriščanja otrok lahko najdemo veliko različnih izrazov. Da bi se izognili nesporazumom, je potreben tehten premislek. Glavni cilj tega prispevka je predlagati izrazje, ki je primerno, ustrezno in razumljivo, hkrati pa ni žaljivo do žrtev, ki občutijo posledice tovrstnih kaznivih dejanj. Izraz *otroška pornografija* se v strokovnih krogih opušča, ker minimalizira resnost kaznivega dejanja ter stigmatizira in reviktimizira žrtve. Na podlagi ugotovitev raziskave avtorji prispevka namesto izraza *otroška pornografija* predlagajo uporabo izraza *posnetki spolnega izkoriščanja otrok* [PSIO]. Poleg tega avtorji ugotavljajo, da obstaja še en izraz, ki je lahko uporabljen kot podvrsta PSIO, to je *posnetki spolnih zlorab otrok* [PSZO].

**Ključne besede:** otroška pornografija, posnetki spolnega izkoriščanja otrok, posnetki spolnih zlorab otrok, terminologija

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