



DEFINITION

Sexting*

'Sexting' has been defined as the "self-production of sexual images", or as "the creating, sharing and forwarding of sexually suggestive nude or nearly nude images through mobile phones and/or the internet".

It is a frequent practice among young persons and often a consensual activity between peers. There are also many forms of 'unwanted sexting'. This refers to the non-consensual aspects of the activity, such as sharing or receiving unwanted sexually explicit photos or messages.

* Definition derived from Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse



Criminal Offense?

Sexting is not criminalised in any of the relevant regional or international legal frameworks on sexual exploitation of children.

However, in some countries the law may consider sexting between children as violation of 'child pornography' laws because it involves production, offering and distribution of a sexual picture of a minor. The person recording and/or sending sexually explicit messages of a child, could be charged with production and distribution of child sexual abuse/exploitation material. In addition, the person receiving the material could be charged with possession of or accessing child sexual abuse/exploitation material.

In dealing with cases related to sexting, it is crucial to not blame children for self-generation of content that may have put them in an abusive/exploitative situation, or hold the child criminally liable for the production of child sexual abuse material.

While many prosecutors and law enforcement will not prosecute children for engaging in sexting, in some jurisdictions children have in fact been charged with child sexual abuse/exploitation material offenses.

Why and How do Children Engage in Sexting?

- Children themselves generally record and share images at their **own initiative or at the request** of another person;
- Images can be recorded with **different devices**. Often mobile phones are used to produce content that is shared via text, chat or social media platforms online;
- **Content is shared** with a boyfriend or girlfriend, other peers or people they are communicating with online;
- Childrens' **motivation** for sexting can vary, including gratification in a sexual relationship, experimenting, soliciting compliments or attention and affirming a commitment to someone. Their motivation can also be related to **peer pressure**;
- Sexting is problematic as children often do not understand the **potential consequences** of their behavior and do not take measures to hide identifying information;
- Sexting is even more problematic when the content produced involves **criminal or abusive elements** such as adult involvement or lack of consent in sharing it;
- Sexting **makes children vulnerable** to becoming victims of sexual extortion** and cyberbullying and sometimes having their picture copied or used in collections of child sexual abuse/exploitation material.

** Please see ECPAT SECO Manifestations factsheet - Sexual extortion

What can you do?



Educate and raise awareness among children, parents and caregivers about the risks and potential consequences of sexting;



Advocate and cooperate with Internet Service Providers to prevent circulation of sexting content online and advocate with mobile operators to implement appropriate measures for collaboration with authorities when required (e.g. sharing user data on request).

