

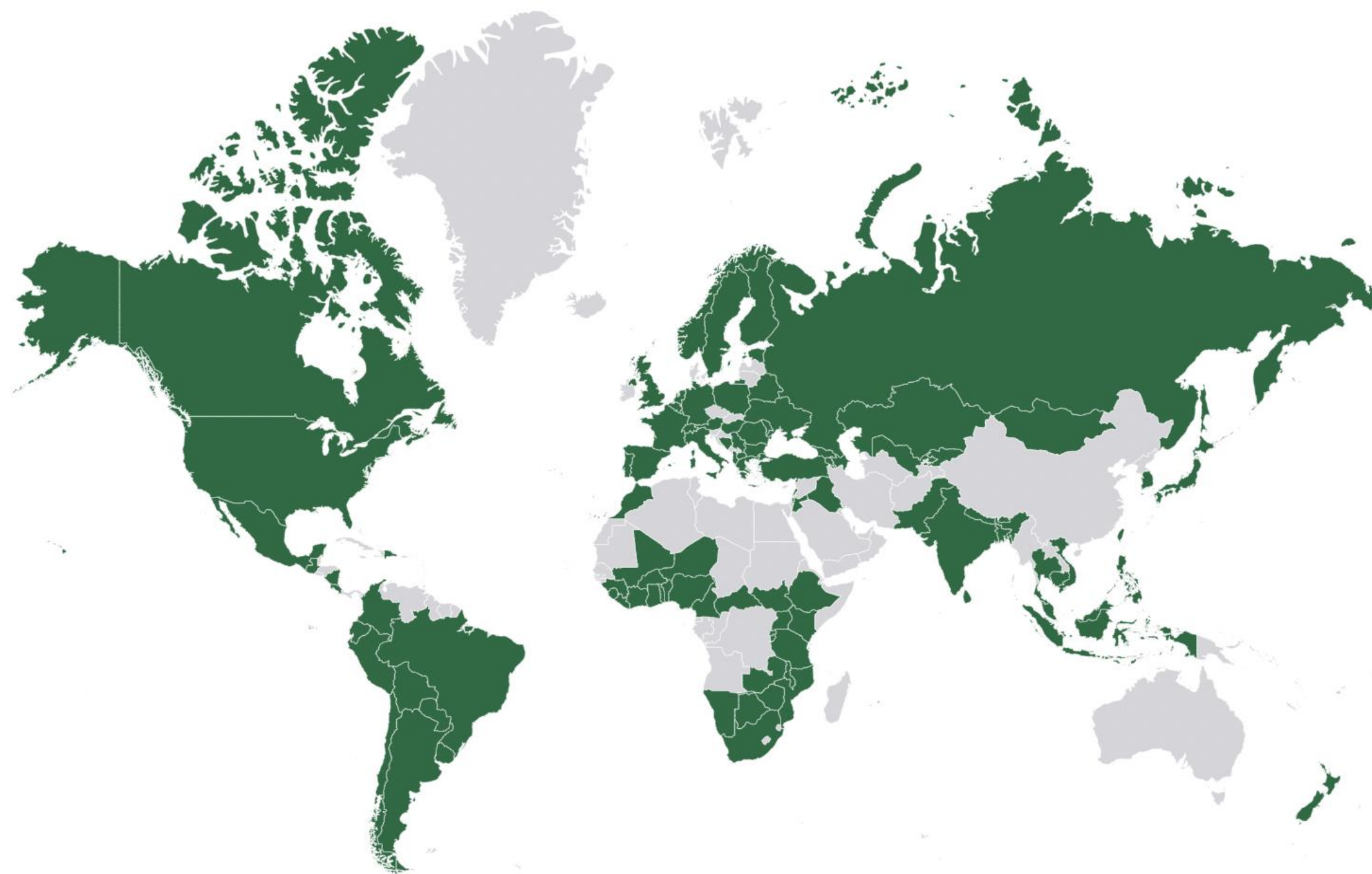
Renewed Opportunities: Countering the Use of ICTs for Criminal Purposes to Further Strengthen the Protection of Children

Third Intersessional Consultation of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes

3 November 2022, Vienna (online)



Our global network



120+
members in
104 countries

United in
ending the
sexual
exploitation
of children

Global
dimensions of
technology-
facilitated
sexual
exploitation

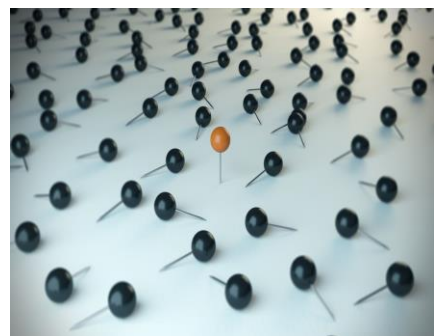
Putting Children First



Child Rights-based approach



Child Sexual Exploitation and Abuse as Cybercrime



Recommendations for the Cybercrime Convention

All Children's Right to Protection

- UN Convention on the Rights of the Child
- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
- General Comment #25 on Children's Rights in Relation to the Digital Environment



Online Child Sexual Exploitation and Abuse (OCSEA)

Situations involving digital, internet and communication technologies at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

OCSEA refers to an evolving range of practices including:

- **Child sexual abuse material (CSAM)** - production, circulation, viewing and possession.
- **Solicitation** of children online for sexual purposes (grooming).
- **Live streaming** of child sexual abuse and other related behaviours such as **sexual extortion**.
- **Non-consensual sharing of self-generated sexual content involving children.**
- **Unwanted exposure to sexualized content.**

Luxembourg Guidelines: Interagency Terminology and Semantics Project on the Sexual Exploitation and Sexual Abuse of Children



Impact of Child Sexual Exploitation and Abuse Online

- Victims of all ages and genders.
- Severe and long-term impact caused by knowledge of images and videos circulating online.
- Societal and economic costs of violence against children.



“What will they say? What will the community say? That’s where the fear started coming in whereby my reputation will be ruined and I don’t know what this man will say about me and what people will think.” (Girl Survivor, Namibia).

Child Sexual Exploitation and Abuse as Cybercrime

- Offences occur within and across national borders.
- Links to in-person offences.
- Inter-jurisdictional cooperation to identify victims of child sexual abuse and exploitation online, initiate investigation, and bring forward a case to prosecution.
- Ever increasing volume of content circulating online and seized from offenders.
 - 29.3 million reports to the National Center for Missing and Exploited Children in 2021
 - 2022 arrest in Australia seized 10 TB of child sexual abuse material
- Victims and perpetrators in every region.



Research Findings

- 1-20% of children had experienced online sexual abuse or exploitation in the past 12 months.
- Most online child sexual exploitation and abuse is not disclosed, and not reported to police.
- Law enforcement and justice professionals often lack capacity, knowledge and resources
- Cooperation between internet service providers and law enforcement is not always working well.
- Once reported, the pathway to conviction of offenders has many obstacles.
- Comprehensive ongoing support is key to recovery.
- Compensation was rarely obtained.

Disrupting Harm (<https://www.end-violence.org/disrupting-harm>) is a research project conceived and funded by the End Violence Fund through its Safe Online Initiative. The project is implemented by ECPAT, INTERPOL and UNICEF and generates national evidence on online child sexual exploitation & abuse. **Conducted in:** Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania, Uganda, Cambodia, Indonesia, Malaysia, Thailand, the Philippines, Viet Nam.

"The police did not do their duties. I was really hurt when I went and reported my case to them, and they did not help me. They did not take action. I felt bad. [...] When I told them my problem, they were blaming me, asking me why I would do such a thing and why I behaved like that." Girl Survivor Uganda



Barriers to Inter-Jurisdictional Investigation

- Lack of universal terminology and definitions.
- Inconsistent laws and policies regarding online child sexual exploitation and abuse.
- Inconsistent applicability of provisions on sexual exploitation and abuse depending on the age and gender of the child.
- Barriers to data sharing.
- Non- or incomplete ratification of international instruments to prevent sexual exploitation and abuse of children.



"Live-streaming is not defined in our law; so prosecuting such a case is difficult." Investigator from the Anti-Human Trafficking & Child Protection Unit, Kenya

Recommendations

- Make explicit reference to existing **international instruments**.
- Use recommended **terminology** in particular **child sexual abuse material**.
- Ensure **inclusive definitions** of offences, including offences of **solicitation (grooming) with/without intent to meet offline; live-streaming of child sexual abuse; child sexual abuse material offences (production, distribution, possession without intent to distribute, viewing, monetisation), sexual extortion**.
- **Exempt minors (<18) from prosecution** for age-appropriate consensual sexual activity.
- Enable **extraterritorial prosecution, remove statute of limitations and remove requirement for double criminality** for online child sexual abuse offences.
- Include **specific child-centric procedures** for children in contact with the justice system.



"I felt so worried because the offenders were sitting behind me, and I was in the middle of the courtroom... They could hear what I was saying. I was afraid that they would hate it. I was afraid they would hate me, and one day... they would take revenge because I had ruined their futures." Girl Survivor Thailand



ENDING THE SEXUAL EXPLOITATION OF CHILDREN



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