



International Centre
FOR MISSING & EXPLOITED CHILDREN

Asia Pacific Financial Coalition Against Child Pornography

**ASEAN Regional Conference on
Cyber Crime**

**Philippines Department of
Justice & Council of Europe**

**Cebu, Philippines
27-29, June 2017**



Bindu Sharma, Asia Pacific Policy Director

About ICMEC

Vision

Making the world safer for children by eradicating **child abduction**, **sexual abuse** and **exploitation**.

Mission

We **advocate**, **train** and **collaborate** to protect the world's children.

Where we are

- Worldwide Headquarters: Alexandria, Virginia, USA
- Asia-Pacific Office: Singapore
- L. America & Caribbean Representation: Brasília, Brazil

What We Do

- **Research and publish** reports, model laws and frameworks, and best practice guides on child protection issues;
- **Advocate** for changes in laws, treaties, and systems to protect children worldwide;
- **Lead global coalitions;**
- **Train and assist** law enforcement, legal professionals, NGOs, and governments; and
- **Promote** public-private partnerships.

Why Online Child Sexual Exploitation?

- ❖ A significant commercial enterprise
- ❖ Facilitated by electronic payment tools and new currencies
- ❖ Images are disseminated via the Internet



A Common Myth: ... a victimless crime.

Child Sexual Abuse & Exploitation

**1 in 7 girls and 1 in 25 boys
will be sexually abused
in some way by age 18**

(Estimating a Child Sexual Abuse Prevalence Rate for Practitioners:
A Review of Child Sexual Abuse Prevalence Studies, C. Townsend (2013))

**750,000 pedophiles
are online at any given moment**

(Report of the UN Special Rapporteur on the sale of children, child prostitution and child
pornography (2009))

Reality of Child Sexual Abuse

CyberTipline
USA – 2016

- CyberTipline has received more than 12.7 million reports of suspected child sexual exploitation between 1998 and June 2016.

Cybertip
CANADA

- 27 different payments types used
- 85 percent sold memberships, with recurring monthly payments ranging from \$4 to \$490

UNODC
2010

- Industry generates 50,000 new images each year
- Worth USD 250 million globally

Reality of Child Sexual Abuse

Internet Watch Foundation 2016 Report

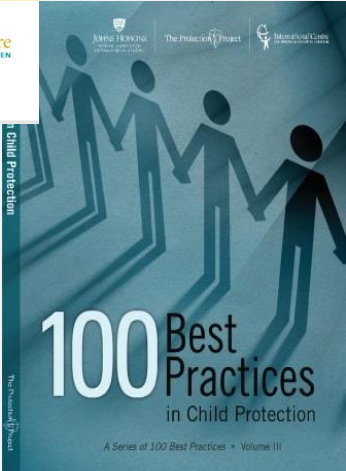
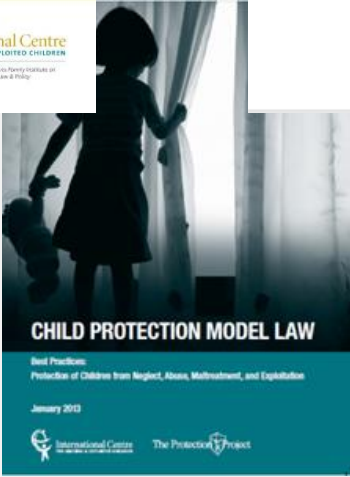
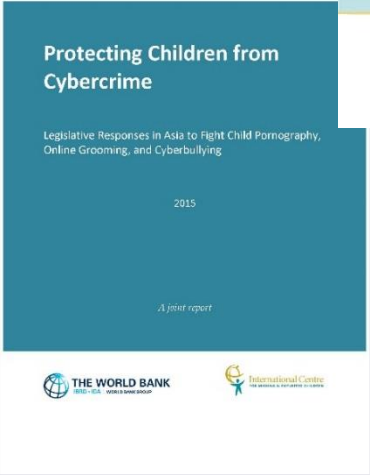
- ❖ 102,932 reports received in 2016 of which 57,335 reports were confirmed as child sexual abuse URLs
- ❖ 53% of victims were 10 years or younger and 2% were 2 years old or younger
- ❖ 28% of the reports depicted the rape & sexual torture of a child
- ❖ 5,452 (10%) of the confirmed child sexual abuse reports were assessed as commercial
- ❖ 42 websites accepting Bitcoin were identified in 2016, as against 4 websites identified in 2015

Live Online Abuse

Live-streamed material is more difficult to discover once the stream has ended, and requires rapid action from law enforcement authorities to combat.



ICMEC Research



Child Pornography: Model Legislation & Global Review

- Review of national legislation in 196 countries.
- First released in 2006.
- 7th edition published in March 2013.
 - Available in Arabic, English, Russian, and Spanish.
- The 8th edition was completed in January 2016.
 - Available in English and soon in Spanish.

Core Criteria

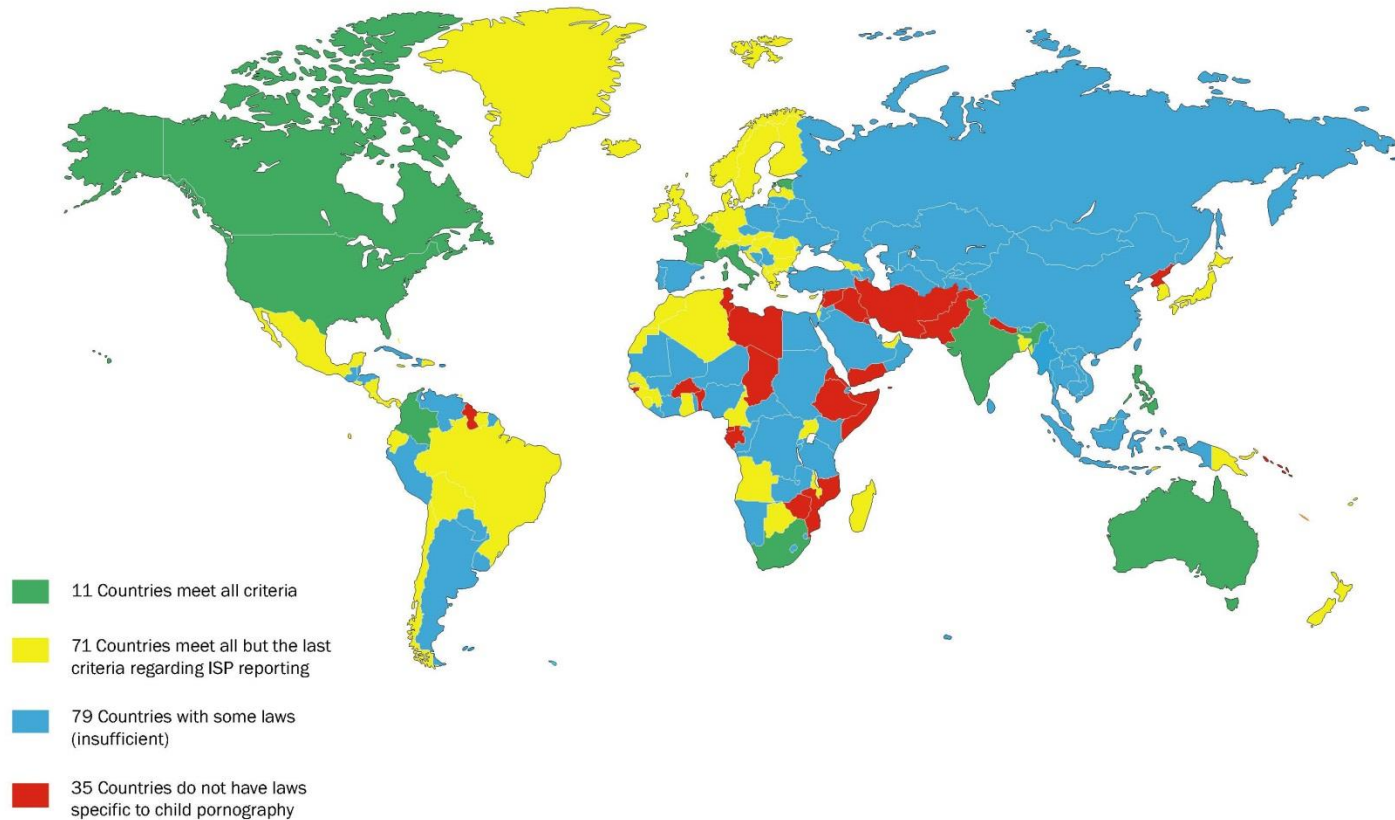
1. Does national legislation exist with specific regard to child pornography?
2. Is “child pornography” defined?
3. Are computer-facilitated offenses criminalized?
4. Is simple possession of child pornography criminalized?
5. Are ISPs mandated to report suspected child pornography?
6. Are there data retention provisions that require ISPs to retain digital user data for purposes of prosecuting online criminal activity?

8th Edition Results

Criteria	8 th Edition
Countries that have legislation <u>sufficient</u> to combat child pornography offenses (at least criteria 1-4)	82
Countries that fulfill the first 5 criteria (excluding data retention)	11
Countries that meet the first 4 criteria, but not ISP reporting	71
Countries that have <u>no legislation</u> at all specifically addressing child pornography	35
Countries that have <u>data retention</u> legislation (broadly) that requires ISPs to retain (i.e., keep, collect) digital user data to ensure access to the data for prosecuting online criminal activity	79

8th Edition Results

Legal Status of Child Pornography - 2016



ASEAN: Country-Specific Findings

Country	Legislation Specific to Child Pornography	Child Pornography defined	Computer Facilitated Crimes	Simple Possession Criminalized	ISP Reporting	Data Retention Broadly
Brunei	✓	✓	✓	✓	✗	✗
Cambodia	✓	✓	✓	✗	✗	✗
Indonesia	✓	✗	✓	✓	✗	✗
Laos	✓	✗	✓	✗	✓	✗
Malaysia	✓	✗	✗	✗	✗	✗
Myanmar	✓	✗	✓	✗	✗	✗
Philippines	✓	✓	✓	✓	✓	✓
Singapore	✓	✗	✓	✗	✗	✗
Thailand	✓	✗	✓	✓	✗	✓
Vietnam	✓	✗	✗	✗	✗	✗

Comparative Results

Criteria	1 st Edition	7 th Edition	8 th Edition
Countries that have legislation <u>sufficient</u> to combat child pornography offenses (sufficient means it meets at least criteria 1-4)	<p>27</p> <ul style="list-style-type: none"> • 5 countries met all 5 criteria • 22 countries met all but ISP reporting 	<p>69</p> <ul style="list-style-type: none"> • 11 countries met all 5 criteria • 58 countries met all but ISP reporting 	<p>82</p> <ul style="list-style-type: none"> • 11 countries meet the first 5 criteria • 71 countries meet all but ISP reporting
Countries with <u>no legislation</u> at all specifically addressing child pornography	95	53	35
<i>Of the remaining countries that did have legislation specifically addressing child pornography:</i>			
Do not <u>define</u> child pornography	54	60	60
Do not provide for <u>computer-facilitated offenses</u>	27	21	26
Do not criminalize the knowing <u>possession</u> of child pornography	41	47	50

Framing Implementation

Are countries enforcing the laws they have in place to combat child pornography/child sexual exploitation?

- Application of civil/criminal penalties
- Other actions that support/enhance the effectiveness of legislative action
- Demonstration of willingness to address child sexual exploitation

Towards a comprehensive child protection framework

Framing Implementation

7 benchmarks related to child sexual exploitation:

1. Investigations, arrests, prosecutions, and convictions
 - Law enforcement undercover operations
 - Cross-border law enforcement coordination
2. Existence of a national strategy /national action plan
 - Funding support for related programs
 - Cross-sector partnerships
3. Reporting mechanisms
4. Awareness building campaigns
5. Capacity building programs
6. Provision of services for victims
7. Research and data collection

Implementation Results

Benchmarks	Countries
Investigations, arrests, prosecutions, convictions	111
Existence of a national strategy/action plan	82
Reporting mechanism	110
Awareness building campaigns	121
Capacity building programs	127
Provision of services for victims	111
Research and data collection	89



"If people were purchasing heroin and cocaine and using their credit cards, we would be outraged and would do something about it. This is worse."

*- Senator Richard Shelby Chairman
U.S. Senate Committee on Banking,
Housing and Urban Affairs*

COLLABORATE

Financial Coalition Against Child Pornography (FCACP)

Financial Coalition Against Child Pornography

Established in 2006 by NCMEC and ICMEC

A powerful alliance of leading financial & Internet companies working voluntarily to address commercial child pornography

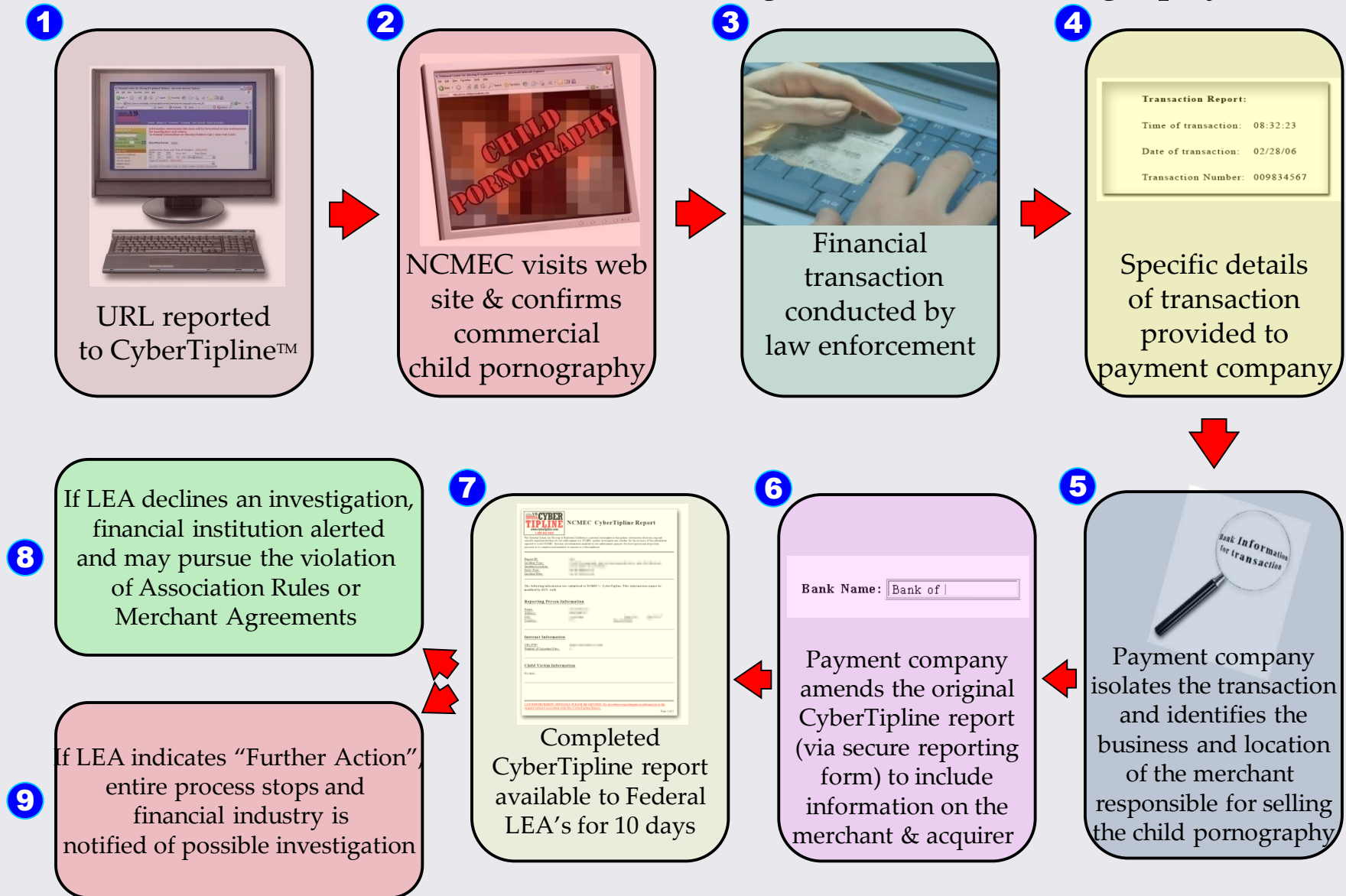


- ❖ Receives reports regarding child sexual exploitation from the public and ISPs.
- ❖ Works with U.S. law enforcement and LEAs in countries around the world.



CyberTipline III

Financial Coalition Against Child Pornography



How do we know it is working?

- ❖ A 50 percent drop in the number of unique commercial CP websites reported into the U.S. CyberTipline
- ❖ Increasingly difficult for law enforcement to do a test transaction with a traditional payment tool;
- ❖ Positive feedback from LE and US Department of the Treasury
- ❖ Some sites refusing U.S.-issued credit cards
- ❖ Significant increase in the subscription price of child pornography sites

Asia Pacific Financial Coalition

Established in 2009 by ICMEC in Singapore

ONE Goal: disrupt the economics of the trade



Awareness, education, due diligence...

<https://youtu.be/JbzDHEBzSA4>

APAC - FCACP Members

- ❖ Abacus Mutuals Australia
- ❖ Allen & Overy
- ❖ American Express
- ❖ ANZ Bank
- ❖ Australasian Cards Risk Council
- ❖ Australian Federal Police
- ❖ Child Wise Australia
- ❖ Citi Asia Pacific
- ❖ Commonwealth Bank of Australia
- ❖ Discover Financial Services LLC
- ❖ Dot Kids Foundation Hong Kong
- ❖ ECPAT International
- ❖ ECPAT Child Alert New Zealand
- ❖ Facebook
- ❖ Google
- ❖ G2 Web Services
- ❖ Global Payments
- ❖ Inter-Agency Council Against Trafficking , Philippines DOJ
- ❖ MasterCard
- ❖ Microsoft
- ❖ National Australia Bank
- ❖ New Zealand Bankers Association
- ❖ New Zealand Department of Internal Affairs / Police / Customs
- ❖ Office of the e-Safety Commissioner, Australia
- ❖ PayPal - Xoom.com
- ❖ Philippines Department of Justice
- ❖ Philippines National Police / National Bureau of Investigation
- ❖ Romulo Mabanta Buenaventura Sayoc & De Los Angeles
- ❖ Standard Chartered Bank, Singapore + HK
- ❖ Simpson Grierson
- ❖ Terre des Hommes, Asia office
- ❖ Thai Bankers Association
- ❖ Trend Micro
- ❖ TrustWave
- ❖ Twitter
- ❖ Uniting Church in Australia
- ❖ U.S. Immigration and Customs Enforcement
- ❖ Visa
- ❖ Westpac, New Zealand Limited
- ❖ Western Union
- ❖ WorldRemit

APAC-FCACP Efforts

- ❖ Regional APAC-FCACP meetings
- ❖ PayPal sponsored Technology Challenges Work Stream
- ❖ Legal Framework Research by Allen & Overy and affiliates in Asia
- ❖ Country-specific Roundtables – New Zealand, Australia and Hong Kong
- ❖ First Data sponsored Industry Education: Webinar - *Keeping Child Pornography Merchants Out of the Payments System*

APAC-FCACP Technology Challenges WG

- ❖ Considerations for Protecting Children & Your Company's Reputation when Engaging with Digital Businesses, *January 2014*
- ❖ Best Practices to Help File Hosting and File Sharing Companies Fight the Distribution of Child Sexual Exploitation Content, *September 2013*

U.S. - FCACP

- ❖ Cryptocurrency and the BlockChain: Technical Overview and Potential Impact on Commercial Child Sexual Exploitation, *May 2017*
- ❖ Internet Merchant Acquisition and Monitoring Sound Practices to Help Reduce the Proliferation of Commercial Child Pornography, *March 2016*

Country Specific Roundtables

2013-2017

- ❖ Allen & Overy – Romulo Mabanta legal research in APAC countries on:
 - ❖ the data protection and privacy rules
 - ❖ banking secrecy rules
 - ❖ criminal law (except for criminal procedure law), and
 - ❖ contract law
- ❖ A platform to:
 - ❖ Share A&O research with APAC-FCACP stakeholders
 - ❖ Engage with targeted industry & government players in-country
 - ❖ Foster local ownership of Coalition activities in-country
 - ❖ Frame best practices with respect to termination of service for certain causes
 - ❖ Collate and share best practices coming out of local laws, across jurisdictions to close loopholes that may arise due to differing legal and regulatory requirements

Philippines Roundtable

February 23, 2017

A multi-stakeholder forum

- ❖ APAC-FCACP Philippines Working Group
- ❖ Law enforcement representation to the Working Group
- ❖ Ensuring engagement with banks and NGO partners
- ❖ Facilitating international law enforcement engagement



Country-specific Roundtables

- ❖ APAC-FCACP in-country Working Group
- ❖ LE & financial payments industry active engagement to understand new business model
- ❖ Review of and discussion on current reporting formats used by banks – STR, AML – to FIUs
- ❖ Ensuring engagement with industry and regulatory bodies
- ❖ Facilitating inter-country law enforcement engagement across working groups



Challenges

- ❖ Online transactions are perfectly legitimate, but offenders abuse the anonymity provided by the Internet
- ❖ Increasingly difficult to attribute the crime – cyberlockers, file hosting and image hosting services add to the challenge
- ❖ There is a need to “follow the money” to understand the business models used
- ❖ Cybercrime transcends national borders and legal jurisdictions

Challenges

- ❖ Issue awareness is low (e.g., missing children, online crimes committed against children, etc.)
- ❖ National legal & policy frameworks vary greatly, and are often inadequate.
- ❖ Cybercrime is transnational, and undermines the application of national child protection laws.
- ❖ Legislating and policing cyberspace is still in its infancy, both at the international and national levels.
- ❖ New emerging technologies, dissemination platforms and payment mechanisms are emerging at a very fast pace.

Looking Ahead

- ❖ Continually raise awareness
- ❖ Update and enhance national & international norms and ensure these are implemented & enforced
- ❖ Train key personnel – LEA, Judiciary, Prosecutors
- ❖ Involve industry & encourage industry ownership
- ❖ Foster collaboration across sectors and borders
- ❖ Disrupt supply and demand - collectively review collaborative action to disrupt this trade
- ❖ Collectively influence public policy

THANK YOU.



Bindu Sharma

bsharma@icmec.org

(65) 6521-3710

www.icmec.org

Know Your Facts

KNOW THE FACTS

In 2013, the UN Office on Drugs & Crime concluded that offenders of online child abuse possess a standard of around

150,000

child abuse images or videos.

YOU HAVE THE
POWER

TO HELP KEEP CHILDREN SAFE

youhavethepower.icmec.org

KNOW THE FACTS

In 2013, Terre des Hommes, a Dutch child rights organization, started a fake advertisement proposing sexual activity with a 10-year-old girl...

1,000 pedophiles from
71 countries were caught.

YOU HAVE THE
POWER

TO HELP KEEP CHILDREN SAFE

Reported in 2013 by Terre des Hommes.
This sting was code named "Sweetie."

KNOW THE FACTS

Child pornography is shared through peer-to-peer programs. Each month, an average of **840,000 unique** users installed these programs.

YOU HAVE THE
POWER

TO HELP KEEP CHILDREN SAFE

According to a report published in 2016 by the University of Massachusetts Amherst.

KNOW THE FACTS

In 2013, Microsoft and Google modified

100,000

search terms to prevent the appearance of videos and images of child sexual abuse.

YOU HAVE THE
POWER

TO HELP KEEP CHILDREN SAFE

Reported in 2015 by the International Watch Foundation.

KNOW THE FACTS

139 million

The number of images and videos found of **child sexual abuse** through the National Center for Missing & Exploiter Children's Child Victim Identification Program from 2002 to 2015.

YOU HAVE THE
POWER

TO HELP KEEP CHILDREN SAFE