

Challenges and Gaps for International Cooperation in Investigating and Prosecuting OSEC in ASIA

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PRESENTATION OUTLINE

- Current Landscape on Online Sexual Exploitation of Children in ASIA (SEA)
- Regional Legal Framework
- Challenges/Issues/Gaps
- Recommendations
- Conclusion

ASEAN Member Countries



Internet Use: Regional Overview

JAN 2019

INTERNET PENETRATION BY REGION

INTERNET USE BY REGION, COMPARING THE NUMBER OF INTERNET USERS TO TOTAL POPULATION (REGARDLESS OF AGE)



SOURCES: INTERNETWORLDSTATS, ITU, WORLD BANK, C.A. WORLD FACTBOOK, EUROSTAT, LOCAL GOVERNMENT BODIES AND REGULATORY AUTHORITIES, MIDAS2WEDIA.ORG, REPORTS IN REPUTABLE MEDIA, SOCIAL MEDIA PLATFORM USER NUMBERS. **NOTE:** PENETRATION FIGURES ARE BASED ON TOTAL POPULATION, REGARDLESS OF AGE, RECORDING AS DEFINED BY THE UNITED NATIONS GEOSCHEME.

Population by Region

JAN
2019

POPULATION BY REGION

THE NUMBER OF PEOPLE LIVING IN EACH REGION, IN MILLIONS



Forms of OSEC in the Region

1. Production and Sharing of CSEM
2. Online Grooming
3. Live-Streaming of CSEM
4. Self-Generated CSEM
5. Sextortion

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Key Precursors

1. Poverty, Economic Disparity and Inequality
1. Gender Norms and Beliefs



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Poverty is not the main reason for OSEC
proliferation

OSEC is primarily fueled by **DEMAND** from
online child sexual predators



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How prevalent is OSEC in the region?

What we've learned in the Philippines today

CASES
SUPPORTED

157

VICTIMS
RESCUED

527

ARRESTED
SUSPECTS

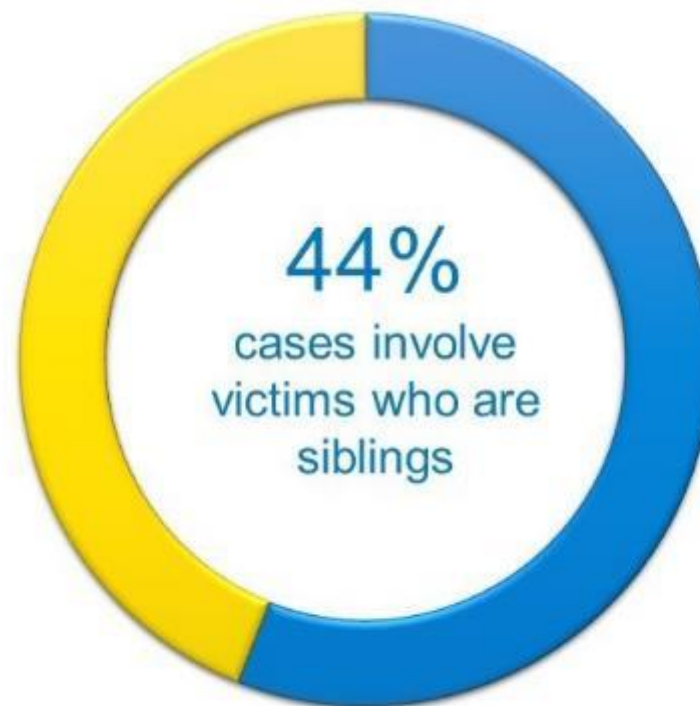
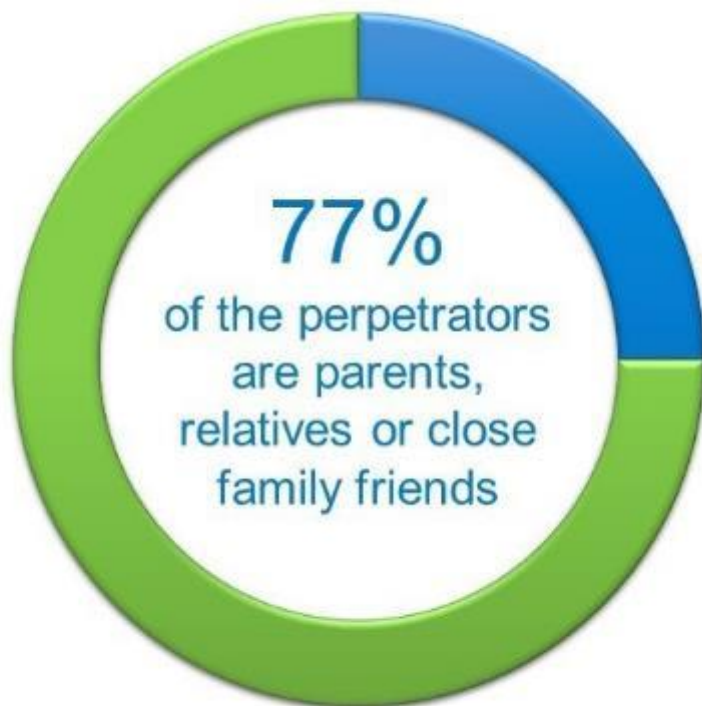
224

PERPETRATORS
CONVICTED

69

*All statistics are from International Justice Mission's Collaborative Casework data from 2011 to September 2, 2019.

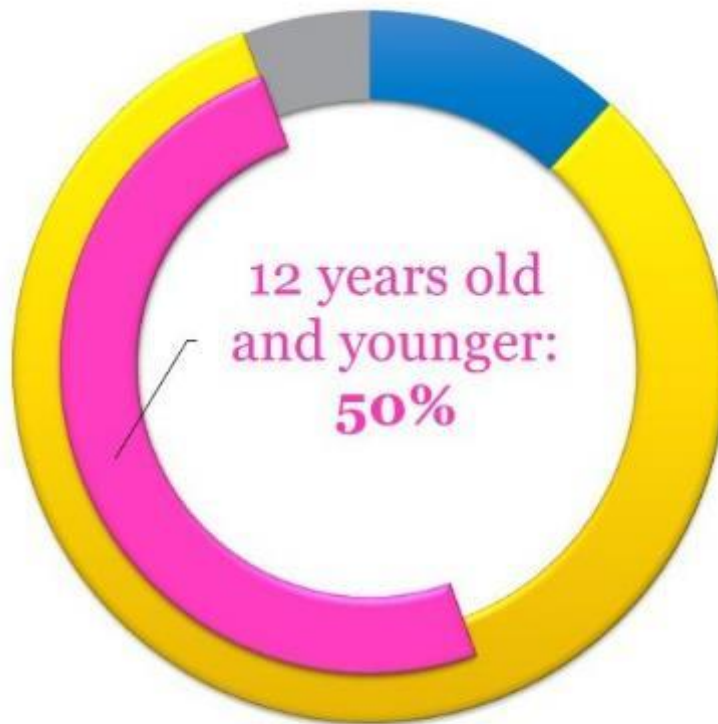
What we've learned in the Philippines today



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What we've learned in the Philippines today

87.86%
minors



■ Age is not indicated
■ Adults

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REGIONAL OVERVIEW: LEGISLATION

	Expressly criminalizes 'child pomography'	Clear definition of 'child pomography'	Criminalizes simple possession	Reporting obligation for ISPs	Criminalizes sexual grooming
Brunei Darussalam	Yes – Penal Code	Yes – Penal Code	Yes – Penal Code	No	Yes – Penal Code ¹
Cambodia	Yes – Law on Suppression of Human Trafficking and Sexual Exploitation	Yes – Law on Suppression of Human Trafficking and Sexual Exploitation	No	No	No
Indonesia	Yes – Law concerning Pornography and Law concerning Electronic Information and Technology	No	Yes – Law concerning Pornography and Law concerning Electronic Information and Technology	No	No
Lao PDR	Yes – Law on the Protection of Rights and Interests of Children and Law on Preventing and Combating Violence against Women and Children	No	No	No	No
Malaysia	Yes – Child Act ⁵	No	No	No	No
Myanmar	Yes – Child Law ⁶	No	No ⁷	No	No
Philippines	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act
Singapore	Yes – Films Act and Undesirable Publications Act ⁸	No	Yes – Films Act and Undesirable Publications Act	No	Yes – Penal Code
Thailand	Yes – Child Protection Act ⁹ and Penal Code	Yes – Penal Code	Yes – Penal Code	No	No
Viet Nam	Yes – Penal Code ¹⁰	No	No	No	No

Key Challenges and Gaps

1. Victim identification
2. Gaps in Domestic Legislation
3. Inadequate/Inefficient Law Enforcement Response to OSEC
4. Incomplete, or Non-Existent National Plans of Action
5. Lack of Cooperation from Private sector companies

Recommendations

1. Harmonize National Legislations
2. Enhance Interconnection of law Enforcement Data Bases in the region
3. Strengthen Law Enforcement Response to OSEC
4. Implement National Plans of Action
5. Implement clear regulations for Private sector companies

Conclusion

OSEC represents a heinous crime that continues to plague Southeast Asia despite international efforts to combat it. While many advances have been made to fight the phenomenon, the problem continues relatively unabated. It is hoped that our agenda in the region, as summarized in the **ASEAN Declaration to Prevent and Combat Cybercrime**, particularly online sexual exploitation of children, may move forward and result in coordinated global approach which is the key to fight this transnational crime.



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THANK YOU

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