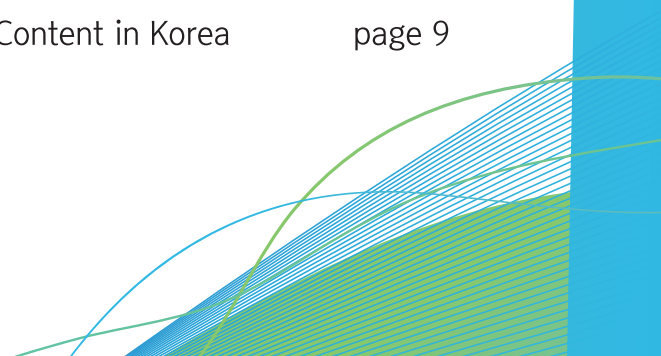


Korea Communications Standards Commission Combating Digital Sex Crime Content online



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Defining 'Digital Sex Crime Content' in Korea

Digital Sex Crime Content is a term used in the Republic of Korea to refer to illegal, explicit and private media content depicting oneself and/or others by means of digital or mobile devices. This includes but is not limited to the non-consensual sharing of intimate images (NCII), image-based abuse, revenge porn, up-skirting, and deepfakes.

About Korea Communications Standards Commission (KCSC)

The KCSC is an independent statutory organization that oversees TV broadcasting content, broadcasting advertisement, and Internet communications including digital sex crime content circulated on the Internet.

Major Activities

▶ Broadcast content review

The KCSC regulates the content of TV programs to guarantee its public nature and fairness and complies with the principle of accountability to the public. Based on a thorough review procedure, the KCSC determines appropriate disciplinary actions for breaches of the broadcasting rules identified in the programs concerned.

▶ Illegal and harmful online content review

The KCSC regulates illegal and harmful content released and circulated on the Internet and demands corrective actions where necessary.

▶ Digital sex crime content review

The KCSC regulates digital sex crime content that is circulated on the Internet and demands corrective actions where necessary.

▶ Defamation disputes mediation

The KCSC mediates disputes over online content deemed to be an infringement of users' rights, including defamation and invasion of privacy.

▶ Research on media content review

The KCSC research into the latest reviewal trends among its domestic and foreign counterparts as well as engaging in international cooperation activities in order to accommodate today's constantly changing media landscape.

▶ Media education and campaigns

The KCSC initiates and develops a wide range of media education and campaigns aimed at creating a healthy media environment.

▶ Other activities

The KCSC actively pursues diverse activities to ensure accountability to the public as well as to safeguard the fairness of broadcasting and Internet communications content.

The KCSC's role in combating Digital Sex Crime Content in Korea

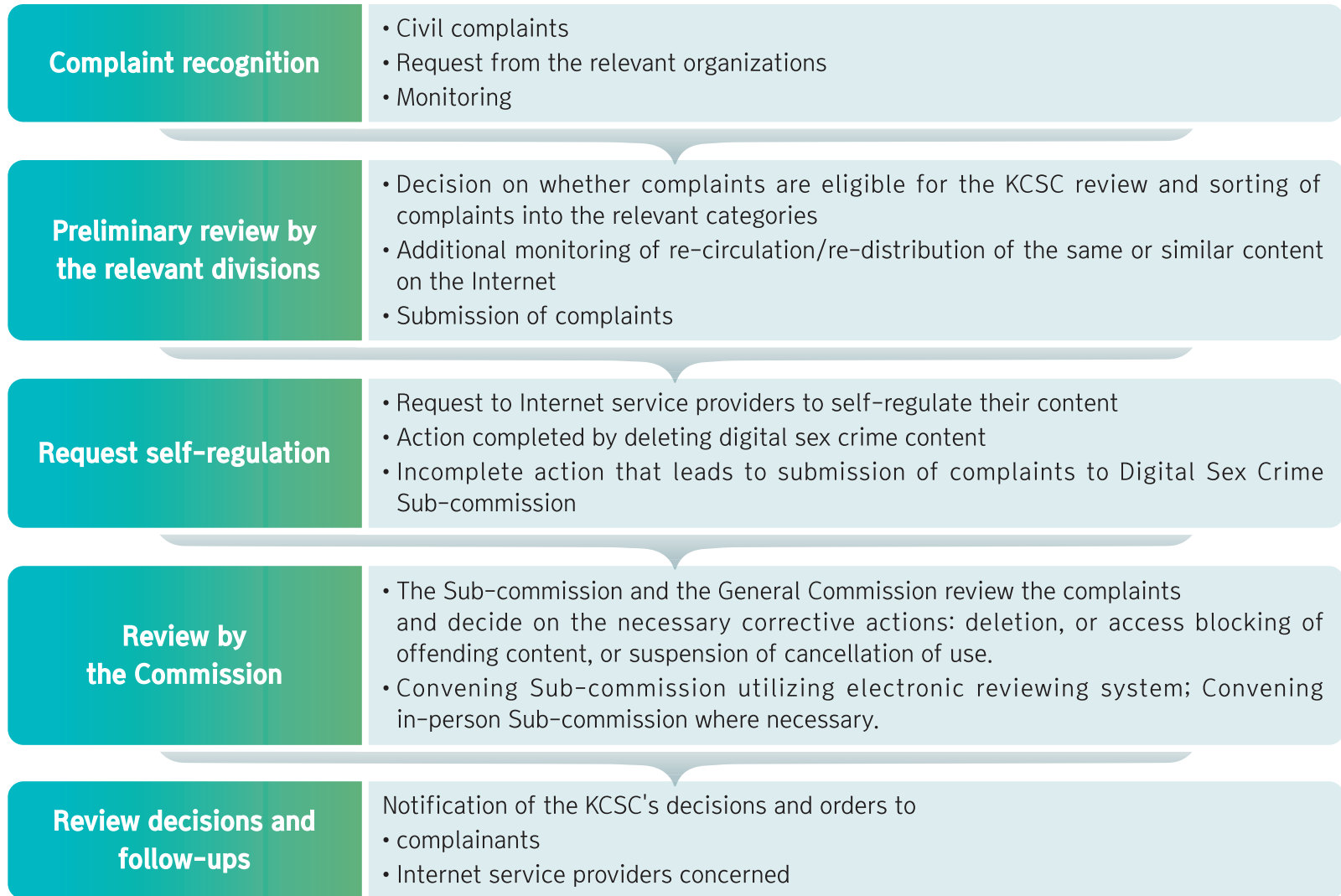
The KCSC regulates digital sex crime content online and demands corrective actions where necessary within 24 hours. In addition, the KCSC operates a 24/7 national helpline service for victims of digital sex crime content and provides consultation services on how to respond to damages. For easy access by victims, the KCSC accepts complaints through various channels, including a fixed hotline (☎1377), its website (www.kocsc.or.kr), smartphone application (Android OS), as well as AI counseling chatbot on the Korean instant-messaging app: KakaoTalk. To access the AI Counseling chatbot, search for “KCSC Digital Sex Crime Content Report Counseling Talk” using the search function on the contact-list screen of the KakaoTalk app.

Digital Sex Crime Information Review Bureau			
Non-Proliferation Division	Victim Reporting Reception Division	Emergency Response Division	Youth Protection Division
Operation of Digital Sex Crime Sub-commission	24/7 in-house monitoring and operation of helpline	Review of digital sex crime content	Review of sexually suggestive content
International relations and cooperation with global counterparts to combat digital sex crime content online	Victim support and complaint registered with the KCSC	Request to Internet Service Providers to self-regulate their content	Support Internet Service Providers to self-regulate their content
Establishment and management of the public 'digital DNA' database	Request to Internet Service Providers to self-regulate their content	Recruitment, operation and management of in-house monitoring staff	Recruitment, operation and management of in-house monitoring staff
Management of statistics for digital sex crime content review		Extraction of DNA-like digital feature information from digital sex crime content	Extraction of DNA-like digital feature information from illegal and harmful content online
		Request to investigate digital sex crime content	

A diagram to show how the KCSC works with its relevant parties in Korea



The KCSC's review process in regards to Digital Sex Crime Content

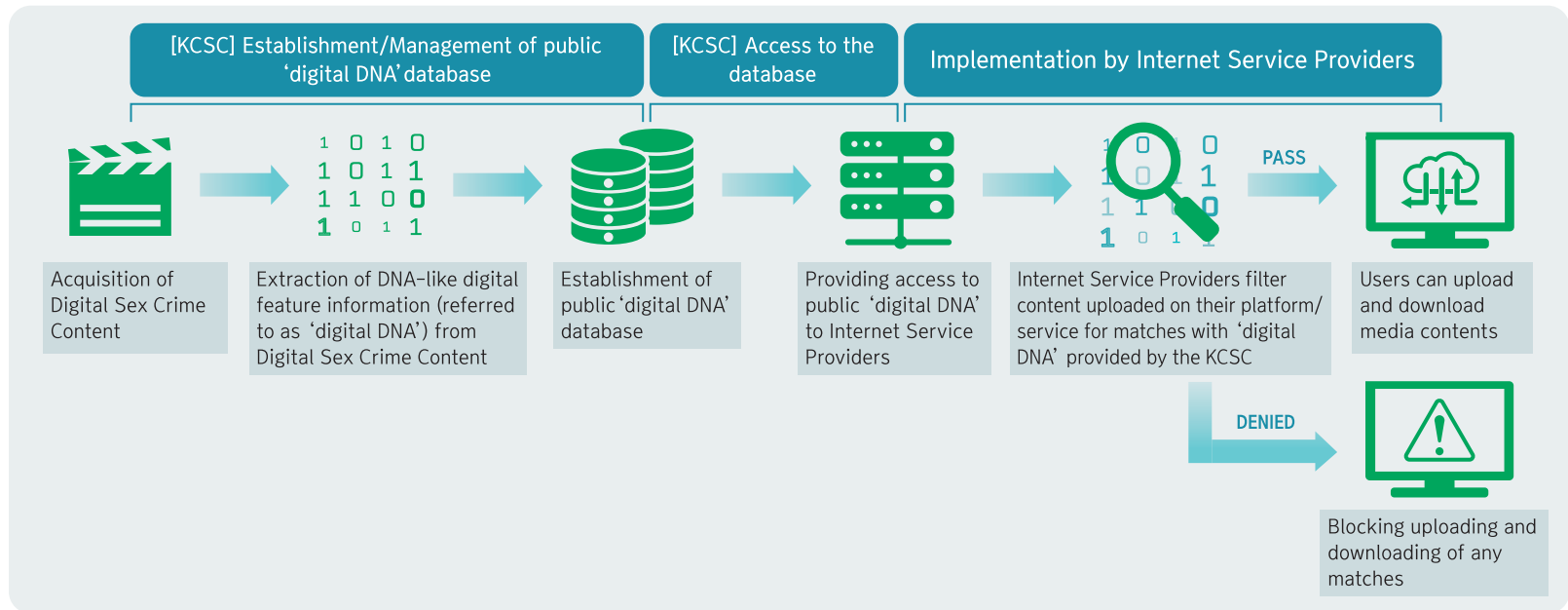


The KCSC's effort to STOP Digital Sex Crime Content online: Public "Digital DNA" database

To eradicate digital sex crime content online, it is critical to stop recirculation and redistribution of such content on the Internet. To facilitate this, the KCSC maintains a public "digital DNA" database, which it makes available to platform providers and Internet service providers to prevent identical or similar content from being recirculated.

Public "digital DNA" database

A database provided by the KCSC for platform providers and Internet service providers to filter digital sex crime content on their services. The pan-governmental integrated database is built with "digital DNA" of digital sex crime content collected by the KCSC during the course of review activities in collaboration with the National Police Agency, Korea Communications Commission and other entities engaged in the prevention of digital sex crime content.



International Cooperation to combat Digital Sex Crime Content online



In a global Internet, content is shared and accessed across international borders. The borderless nature of the Internet means that now more than ever, we must work together globally to safeguard people online.

As online activities increase due to the COVID-19 pandemic, image-based abuse/digital sex crime information is also increasing worldwide. We agree that international cooperation is essential to addressing the distribution of non-consensual content.

Securing the active engagement and solidarity of the international community is a priority. Government and organizations around the world, as well as social media and digital platforms, should recognize the seriousness of image-based abuse/digital sex crime information and commit to addressing it.

-From the joint statement issued by the KCSC of Republic of Korea and eSafety Commissioner of Australia



To forge stronger ties with its overseas counterparts, the KCSC has signed a number of joint statement and Memoranda of Understanding (MoU) with various government agencies and international organizations:

Joint Statement	Australia	eSafety Commissioner	Joint Statement on Image Based Abuse and Digital Sex Crimes	2021
	France	Point de Contact	Combating Digital Sex Crime Online: a joint statement between the KCSC and Point de Contact	2022
MoU	USA	National Center for Missing & Exploited Children (NCMEC)	Nonprofit Hash-sharing database agreement	2021

Annex. Relevant Provisions on Digital Sex Crime Content in Korea

Action	Relevant provisions	
<p>Illegally filmed adult sexual abuse material</p> <p>※adult porn is illegal in Korea</p> <p>Production (including deepfakes)</p>	<p>consensual imagery</p>	<p>None</p> <p>※ As stated in article 244 of the Criminal Act, a person, who for the purpose of accomplishing the acts as prescribed in Article 243, manufactures, possess, imports, or exports obscene goods can be punished</p> <p>※ Criminal Act, Article 243 (Distribution, etc. of Obscene Pictures) : Any person who distributes, sells, lends, openly displays or shows any obscene documents, drawing, pictures, films or other things, shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding five million won. [This Article Wholly Amended on Dec. 29, 1995]</p>
	<p>non-consensual imagery</p>	<p>Act On Special Cases Concerning The Punishment Of Sexual Crimes Article 14 (1), Article 15</p> <p>※ Regarding deepfakes: Act On Special Cases Concerning The Punishment Of Sexual Crimes Article 14 (2), Article 15</p>

Annex. Relevant Provisions on Digital Sex Crime Content in Korea

<p>Illegally filmed adult sexual abuse material</p> <p>※adult porn is illegal in Korea</p>	Action	Relevant provisions		
	<p>Dissemination (irrelevant to question of assent when filming and irrelevant to question of reproduction)</p>	<p>consensual image sharing</p>	<p>Act On Promotion Of Information And Communications Network Utilization And Information Protection Article 44-7 (1), Article 74 (1)</p>	
		<p>non-consensual image sharing</p>	<p>Act On Special Cases Concerning The Punishment Of Sexual Crimes Article 14 (2), Article 15 ※ Regarding deepfakes: Act On Special Cases Concerning The Punishment Of Sexual Crimes Article 14 (2), Article 15</p>	
	<p>Downloading (in possession)</p>	<p>Act On Special Cases Concerning The Punishment Of Sexual Crimes Article 14 (4), Article 15</p>		
	<p>Streaming (watching)</p>	<p>None</p>		
	<p>Intimidation and coercion using illegally filmed audiovisual content</p>	<p>Criminal Act Article 283 (Intimidation), Article 324 (Coercion)</p>		
		<p>Act On Special Cases Concerning The Punishment Of Sexual Crimes Article 14-3, Article 15</p>		
<p>In case where Internet service providers refuse to remove content as advised</p>	<p>Telecommunications Business Act Article 92, Article 104 ※ Limited to telecommunications business operators among information and telecommunications network service provider</p>			

Annex. Relevant Provisions on Digital Sex Crime Content in Korea

	Action	Relevant provisions		
Illegally filmed child sexual abuse material	Production · Import · Export (including criminal intent)	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (1) · (6)		
	Dissemination	for-profit	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (2)	
		not-for-profit	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (3)	
	Downloading (in possession)	for-profit and dissemination	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (2)	
		not for profit and dissemination	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (4)	
	Streaming (watching)	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (5)		

Annex. Relevant Provisions on Digital Sex Crime Content in Korea

	Action	Relevant provisions
Illegally filmed child sexual abuse material	Pimping minors for child sexual exploitation material producers	Act On The Protection Of Children And Youth Against Sex Offenses Article 11 (4)
	Trafficking · transferring minors for child sexual exploitation material production	Act On The Protection Of Children And Youth Against Sex Offenses Article 12
	Sexual abuse for the purpose of child sexual exploitation material production	Child Welfare Act Article 17, Article 71 (1) ※ "Child" in accordance with the Child Welfare Act: persons under 18 years of age "Child and Youth" in accordance with the Act On The Protection Of Children And Youth Against Sex Offenses: persons under 19 years of age
	Communication with minors for sextortion purpose (including online grooming)	Act On The Protection Of Children And Youth Against Sex Offenses Article 15-2
	Exempted investigation method probing digital sex crime targeted minors (Introduction to undercover investigation)	Act On The Protection Of Children And Youth Against Sex Offenses Article 25-2, 25-3, 25-4, 25-5, 25-6
	In case where Internet service providers refuse to remove contents as advised	Act On The Protection Of Children And Youth Against Sex Offenses Article 17 ※ Limited to telecommunications business operators

Annex. Relevant Provisions on Digital Sex Crime Content in Korea

	Action	Relevant provisions
<p>Obligation of telecommunications business operators to prevent circulation (of illegal contents)</p>	<p>Obligation of information and communications service provider to delete and report illegally filmed materials</p>	<p>Telecommunications Business Act Article 22-5 (1)</p>
	<p>Obligation of information and communications service provider to take technical measures on illegally filmed materials</p>	<p>Telecommunications Business Act Article 22-5 (2)</p>
	<p>Imposition of punitive penalties on information and communications service provider</p>	<p>Telecommunications Business Act Article 22-6</p>
	<p>Introduction to offshore regulations on foreign business operators</p>	<p>Telecommunications Business Act Article 2-2, Article 22-8 Act On Promotion Of Information And Communications Network Utilization And Information Protection Article 5-2, Article 32-5</p>
	<p>Introduction to 'Persons responsible for prevention circulation of illegally filmed materials or the like'</p>	<p>Act On Promotion Of Information And Communications Network Utilization And Information Protection Article 44-9</p>
	<p>Submitting transparency reports on disposition of illegally filmed materials or the like circulated through information and communications services rendered by the provider</p>	<p>Act On Promotion Of Information And Communications Network Utilization And Information Protection Article 64-5</p>

