

***Regional Plan of Action for the Protection of Children from All Forms
of Online Exploitation and Abuse in ASEAN***

Supplement to the ASEAN Regional Plan of Action on the Elimination of
Violence Against Children

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I. BACKGROUND AND RATIONALE

Thirty years after the adoption of the Convention on the Rights of the Child in 1989, the role and impact of the online world on the lives of children has evolved in ways that could not have been anticipated at the time. The internet has provided positive opportunities for children. However, the internet is also a domain in which children are vulnerable to violence, abuse and exploitation – a risk that grows exponentially with the rapid increase in internet penetration.

Recent years have seen widespread availability of affordable, accessible technology as well as ever-shrinking costs for internet connectivity and children are increasingly exposed to risks not only from perpetrators in their vicinity, but also from perpetrators across the region and the globe. Technology has made it possible for child sex offenders to communicate with children, groom them and participate in sexual encounters without ever leaving their home. Digital devices often come with high quality cameras and webcams, which provides widespread means for anyone to produce child sexual abuse materials (CSAM), and ever evolving technology allows for the distribution or sale of CSAM through virtually untraceable ‘dark web’ networks and forums.

As a result, serious forms of online child exploitation and abuse, including sexual exploitation and abuse have been documented across ASEAN Member States (AMS) by law enforcement, hotlines and civil society working to address the challenge. In addition, the National Centre for Missing and Exploited Children (NCMEC)¹ reported a significant increase in referrals of cases involving CSAMs to ASEAN governments for their action between 2017 and 2019. In 2017, NCMEC referred a total of 290,800 cases to ASEAN countries for their action. In 2018 this number rose to 1,406,500, and by 2019 the number of referrals had risen to 1,011,400². Further, in 2020, following the onset of the COVID-19 pandemic, some AMS began recording an increase in cases of OCSEA.

‘Live streaming’ of child sexual abuse is a globally documented rising phenomenon, and the ASEAN region is home to one of the largest known global hubs for this crime, in which offenders may control the events, and transfer funds for the interaction via online payment platforms. Another trend is when children take images or videos of themselves (commonly referred to as ‘self-generated materials’) and share them digitally with other people. In some cases, child sex offenders actively target and persuade boys and girls to create and share images and videos through grooming, deception, or even in exchange for payment. These types of materials may also be produced under pressure from another child. However they are created, these materials present risks because they have the potential to be shared widely, or can be used to threaten and extort the child into the production of additional materials and further engagement in sexual activities. Cyberbullying among children is also of growing concern in the region.

¹ The National Center for Missing and Exploited Children (NCMEC) is located in the United States and is the global clearing house for reports of CSAM by US electronic service providers and social media companies, which are required by law to report any cases of CSAM that they find on their platforms. NCMEC then refers these cases to countries where the user account of the offender is registered, and/or where they believe the children depicted in the CSAM are located.

² Report of ASEAN Regional Conference on Child Online Protection, 25-27 February 2020, Bangkok Thailand.

Recognising the impact that technology has on children, in November 2017, the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) organised the Regional Workshop for Promoting Comprehensive and Harmonised National Legislation aimed at Preventing and Combating Online Child Sexual Exploitation in ASEAN Member States. As a follow up to this initiative, the Inter-Sectoral Dialogue on Integrated National Responses to End Sexual Exploitation and Abuse of Children Online in ASEAN was held in February 2018 in Jakarta, Indonesia by the Senior Officials Meeting on Social Welfare and Development (SOMSVD). A recommendation of this Dialogue was for ASEAN to develop a declaration to protect children from online sexual abuse and exploitation. Jointly led by ACWC and SOMSVD in common agreement with key sectoral bodies of ASEAN, the Declaration on the Protection of Children from All Forms of Online Abuse and Exploitation in ASEAN was drafted and subsequently adopted at the 35th ASEAN Summit in November 2019 in Bangkok, Thailand. Multisectoral delegations from ASEAN Member States met in Bangkok in February 2020 at the ASEAN Regional Conference on Child Online Protection to consider the key actions necessary to implement the Declaration.

This Regional Plan of Action for the Protection of Children from All Forms of Online Abuse and Exploitation in ASEAN (the “RPA”) elaborates on and provides guidance for the implementation of the commitments articulated in the Leaders’ Declaration on the Protection of Children from All Forms of Online Abuse and Exploitation in ASEAN (the “Declaration”). This RPA provides supplementary guidelines to the overall ASEAN Regional Plan of Action on the Elimination of Violence Against Children (ASEAN RPA on EVAC), recognising the highly specialised and technical nature of child online protection and the need for additional guidance.

The ASEAN Senior Officials Meeting on Social Welfare and Development (SOMSVD) worked jointly with the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) in the formulation of this RPA, in collaboration with ASEAN Digital Senior Officials’ Meeting (ADGSOM) and ASEAN Senior Officials Meeting on Transnational Crime (SOMTC), as well as in consultation with: the Cyber Working Group; ASEAN Senior Officials Meeting on Youth (SOMY); ASEAN Senior Officials Meeting on Education (SOM-ED); ASEAN Senior Labour Officials Meeting (SLOM); ASEAN Senior Officials Meeting Responsible for Information (SOMRI); and ASEAN Senior Law Officials Meeting (ASLOM).

II. TERMINOLOGY AND DEFINITIONS³

In accordance with the UN Convention on the Rights of the Child, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier. Online violence against children can take place in many forms, can be perpetrated by both adults and children, and can have a significant

³ For further details of terms and definitions, please refer to *ECPAT International (2016), Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*, available at: <http://luxembourgguidelines.org/>

impact upon its victims in the physical world just as in the online world. This RPA focuses on some of the most harmful forms of online violence, including online child sexual exploitation and abuse (OCSEA) and cyberbullying. This section explains key terms that are used in the RPA⁴. (Please see Annex 1 for further information.)

- a) **Online Child Sexual Exploitation and Abuse (OCSEA)** is a form of sexual violence against children and the term is used to describe forms of online exploitation and abuse of a sexual nature carried out against a child that have, at some stage, a connection to the online environment. Representing a significant proportion of online violence against children, OCSEA includes any use of information and communication technologies (ICTs) that results in sexual exploitation or causes a child to be sexually exploited or that results in or causes images or other material documenting such sexual exploitation to be produced, bought, sold, possessed, distributed, or transmitted. OCSEA includes grooming, indecent images of children taken through coercion, threats, force, deception or persuasion or through peer-to-peer sharing, and use of children in audio or visual images of child abuse.⁵
- b) **Child sexual abuse materials (CSAMs)** means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.
- c) **Grooming** means the process of an adult establishing or building a relationship with a child either in person or through the use of the Internet or other digital technologies to facilitate either online or offline sexual contact with the child.
- d) **Live streaming of child sexual abuse and exploitation (Live Streaming)** means child sexual exploitation and abuse (CSEA) carried out in real-time and viewed through streaming (and sometimes recording) the content online, while the victim and perpetrator are in different or in the same countries.
- e) **Sexual extortion of children** means the blackmailing of a child with the help of images of that child, including self-generated images of that child in order to extort sexual favours, money, or other benefits from her/him under the threat of sharing the material beyond the consent of the depicted child (e.g. posting images on social media).
- f) **Cyberbullying** means bullying that takes place online and over digital devices. Although cyberbullying may be perpetrated by people unknown to the child and occur solely online, it is often an extension of bullying that occurs offline at the hands of peers such as in school settings.

⁴ Please refer to Annex 1 for additional information regarding the context of forms of online CEA.

⁵ RPA EVAC

III. TIMEFRAME

This ASEAN Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN covers a period of five (5) years commencing in 2021 until the end of 2025, with an option to extend for another five (5) year period from 2026-2030.

IV. OVERALL GOAL AND OBJECTIVES

The overall goal of this RPA is to eliminate all forms of online exploitation and abuse of children, through the implementation of the Declaration on the Protection of Children from All Forms of Online Abuse and Exploitation in ASEAN, within the overarching framework of the ASEAN Regional Plan of Action on the Elimination of Violence against Children (2015).

The objectives of this RPA are to accelerate actions to end all forms of online exploitation and abuse of children in ASEAN, and specifically:

- a) To provide specific and practical guidance on the implementation of the seven commitments (A-G) outlined in the Declaration;
- b) To support and enhance collective efforts of the AMS to strengthen protection measures and services across sectors and across borders to effectively prevent and respond to all forms of online violence, abuse, and exploitation, within the wider framework adopted under the RPA on EVAC for eliminating violence against children in ASEAN;
- c) To provide recommendations for the AMS to strengthen their comprehensive legal and policy frameworks on violence against children (VAC), including by effectively incorporating and addressing all forms of online abuse and exploitation;
- d) To provide recommendations and indicators to support AMS to develop or strengthen national action plans that specifically address online exploitation and abuse of children, and to enable progress to be tracked at national and regional level; and
- e) To enhance international and regional cooperation with external parties including ASEAN Dialogue Partners, UN Agencies, international law enforcement agencies, civil society, community and faith based organisations, academia and private sector entities for the elimination of all of forms of online exploitation and abuse of children.

V. INTERNATIONAL AND REGIONAL FRAMEWORKS AND COMMITMENTS

This RPA, including its indicators, draws on relevant international and regional commitments where applicable, guidance and good practice for elimination of all forms of violence against children, both online and offline.

International frameworks refer to the United Nations Convention on the Rights of the Child (CRC) and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). Guidance has also been drawn from the General Comment No. 13 (2011) on the right of the child to freedom from all forms of violence, General Comment No.25 (2021) on children's rights in relation to the digital environment, and the United Nations Sustainable Development Goals (SDGs).

Guiding regional frameworks include the Declaration on the Elimination of Violence Against Women and Elimination of Violence Against Children in ASEAN (2013) and the ASEAN Regional Plan of Action on the Elimination of Violence Against Children (2015).⁶

International frameworks⁷ specifically related to child online protection that can guide the development of this RPA are limited, due to the emerging nature of online exploitation and abuse of children. Therefore, while not binding on Member States that are not parties to them, guidance may also be drawn, where appropriate, from relevant international normative frameworks such as the Convention on Cybercrime, also known as the 'Budapest Convention', and the Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as 'the Lanzarote Convention'.

VI. GUIDING PRINCIPLES

The ASEAN RPA on EVAC is guided by a fundamental principle that “no violence against children is justifiable. All violence against children is preventable” (UN Study on Violence Against Children 2006). This principle is equally applicable to online violence. This RPA is further guided by the following principles:

Rights-based approach: This RPA aims to strike a balance between the full range of rights to which children are entitled online. Increased online activity supports children’s learning, socialisation and play, but also puts them at heightened risk, although not all risk leads to actual harm. It is important to promote children’s access to the Internet and respect and ensure their rights to freedom of expression, privacy, and access to information, while at the same time recognising their rights to protection from all forms and risks of violence and exploitation online and recognising that children cannot consent to engaging in sexual activities in exchange for material benefits or any other form of consideration.

Multisectoral approach: This RPA promotes the critical engagement and cooperation of multiple ASEAN Sectoral Bodies with key roles in prevention of and response to online abuse and exploitation, as well as the critical engagement and cooperation of key sectoral

⁶Please see Annex 2 for further regional frameworks cited in the Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN

⁷ Additional relevant standards included: WePROTECT Model National Response (MNR) framework; international legal benchmarks contained in the International Centre for Missing and Exploited Children (ICMEC) Model Legislation and Global Review documents; and the ECPAT International’s global database of national legal frameworks for protecting children from sexual exploitation online.

bodies at country level. It also promotes the critical engagement of other stakeholders, including industry actors, the private sector and NGOs, in the development of a multi-sectoral and interdisciplinary response to online VAC.

Cross-border collaboration: Following the approach in the RPA on EVAC, this RPA aims to reinforce common agreements, efforts, and interests of AMS to work together across borders and for AMS to work with other regions including through mutual legal assistance, to address online violence, abuse and exploitation, which frequently occurs transnationally.

Child participation: This RPA was developed in consultation with children from the region, utilising both online and in-person platforms to ensure inclusive and meaningful⁸ participation of children with due weight given to the views of the child. Consultations were also conducted to include vulnerable children and children with disabilities, and in conjunction with the ASEAN Children Forum and its related national structures and processes.

Ensuring recognition of the nexus between online and offline risks, exploitation and abuse: This RPA recognises the inextricable link between offline vulnerabilities and risks, and online harm, as well as the need for a comprehensive and holistic approach to strengthen systems and services of prevention and response for all forms of violence, abuse and exploitation of children. It is not possible to eliminate online violence, support the safeguarding and recovery of victims or hold perpetrators accountable without effective offline systems of child protection and justice. This RPA therefore sits within the broader framework of the RPA on EVAC.

The following actions will be adopted at the regional and national levels. The implementation of these actions will be considered in accordance with regional and national contexts and circumstances.

VII. ASEAN REGIONAL PLAN OF ACTION FOR THE PROTECTION OF CHILDREN FROM ALL FORMS OF ONLINE EXPLOITATION AND ABUSE IN ASEAN (2021-2025)

Focus Area 1: Promote, develop, and implement comprehensive national legal frameworks in each ASEAN Member State and work towards improving child protection standards and policies on all forms of online exploitation and abuse across ASEAN Member States

Activity 1.1: Undertake a legislative review

Activity 1.1.1: AMS will endeavor to carry out a comprehensive legislative review on VAC that includes a review of legislation against applicable international and

⁸ 'Meaningful' encompasses the participation of children throughout the process.

regional commitments related to online violence, abuse and exploitation of children. (National)⁹

Activity 1.2: Strengthen legislative frameworks

Activity 1.2.1: AMS will endeavour to strengthen their legislative frameworks, including to meet the legal standards in Annex 3 for the protection of children from all forms of online abuse and exploitation, and as a minimum:

- 1) The criminalisation of: a) mere possession of child sexual abuse materials (CSAM)¹⁰, b) production and dissemination of CSAM, c) accessing, viewing or participating child sexual exploitation and abuse through live streaming whether or not for commercial purposes, and d) online and offline grooming of children;
- 2) The categorisation of commercial transactions involving a) CSAM and b) use or facilitation of live streaming for child sexual abuse, as predicate offences under anti-money laundering or other applicable legislation.

Activity 1.2.2: Review, revise and enact, as relevant and necessary, policies, laws, regulations and procedures: to ensure a victim-centered approach for children¹¹ and that appropriate support for child victims and child witnesses is provided throughout investigation and judicial proceedings, taking into account relevant international and regional frameworks, where appropriate, including the provision of emotional and psychosocial support, with attention given to the specific needs of child victims whose parents or guardians are perpetrators or facilitators of the exploitation and abuse; and to provide, in accordance with domestic legal frameworks, accessible mechanisms for legal remedies, such as compensation for child victims of OCSEA. (National)

Activity 1.2.3 Review, revise and enact, as relevant and necessary, policies, laws, regulations and procedures to ensure that throughout investigation and judicial proceedings related to OCSEA, children in conflict with the law

⁹This first priority measure in the Declaration is closely related to RPA EVAC Action Point 7: “Undertake a legislative review to ensure that legislation relevant to children’s protection from violence, is in full conformity with applicable international human rights standards, including but not limited to the United Nations Convention on the Rights of the Child and its optional Protocols”.

¹⁰ While there is no universal definition of ‘possession’ in relation to CSAM, a working definition for the purposes of this RPA could be *‘the act of storing or downloading child sexual abuse materials as defined in law in the relevant AMS’*. In the case of ‘mere’, this refers to the fact that there is only evidence that **the offender has downloaded and/or stored CSAM** (i.e. it may be saved in cloud storage rather than on the offender’s device) but not that he/she has produced the images or distributed them to other people (noting that the definition of ‘distribution’ may vary according to the country).

¹¹A ‘victim centered approach’ for children means that the child’s needs and welfare are at the centre of the judicial process, as opposed to the primary focus being on the prosecution.

are provided with emotional, psychological and social support, and measures taken focus on their rehabilitation and reintegration into their families and communities

Activity 1.2.4:AMS will endeavour to establish a legal requirement for private sector companies to report and remove CSAM from their platforms and services when they become aware of it; and for financial institutions to report suspicious transactions that may be related to CSAM or live streaming. AMS will endeavour to impose criminal and civil liability and penalties for non-compliance. (National)

Activity 1.2.5 ASEAN will develop guidelines for harmonised and comprehensive national legislation to ensure protection of children from all forms of online sexual exploitation and abuse. (Regional)

Activity 1.2.6: ASEAN will develop and implement standard operating procedures and a border management programme on cross-border collaboration between law enforcement agencies on cases linked to child sexual abuse and exploitation between the AMS and between ASEAN and other regions. (Regional)

Activity 1.3: Adopt or strengthen national policies and plans of action

Activity 1.3.1:Adopt, strengthen and ensure the implementation of a national policy or multi-sectoral national plan of action that prevents and responds to online abuse and exploitation of children with accompanying monitoring mechanisms and sufficient resource allocation for its operationalisation. (National)

Activity 1.3.2:Ensure that key actions to tackle cyberbullying are identified and incorporated in plans and policies on ending violence against children, including wider strategies to tackle bullying. (National)

Activity 1.3.3: Ensure that the specific needs of vulnerable children¹² are appropriately integrated in the development and implementation of national policies and programs on protection of children from online exploitation and abuse (National)

Focus Area 2: Enhance law enforcement, judicial and legal professional capabilities through regular, relevant and updated trainings and

¹² Please refer to Annex II where the General Comment of the UN CRC provides a description of children in potentially vulnerable situations who are likely to be exposed to violence

sharing and exchange of best practices in the protection of children against all forms of online exploitation and abuse¹³

Activity 2.1: Build the capacity of law enforcement and the judiciary

Activity 2.1.1: Carry out a national assessment of law enforcement, judicial and legal capacities to investigate, prosecute and hear cases of online exploitation and abuse of children, as well as gaps in relation to accessing, collecting, processing, and storing electronic evidence, and any relevant admissibility rules. (National)

Activity 2.1.2: Develop a standardised national and regional training course(s)/manual(s), including pre-service trainings and guidance for law enforcement, the judiciary, lawyers and prosecutors on OCSEA, including the up-to-date context and circumstances in which OCSEA take place, the potential vulnerability of victims/witnesses, the patterns of offending and profiles of offenders¹⁴, and a victim-centered approach¹⁵. Document participation in and curricula of trainings conducted by AMS and by international partners. (National and Regional)

Activity 2.2: Ensure law enforcement and judiciary have the adequate mandate, guidance and tools

Activity 2.2.1: Connect to the INTERPOL International Child Sexual Exploitation (ICSE) database of child abuse material and when connected, utilise it effectively to improve the efficiency and effectiveness of efforts to identify victims and offenders and to avoid duplication of efforts. (National)

Activity 2.3: Strengthen offender management systems

Activity 2.3.1: AMS may consider creating an integrated national child sex offenders' registry that can be shared with appropriate agencies to ensure that limitations are put on offenders' future contact with children.¹⁶(National)

¹³ These criminal justice measures relate primarily to CSEA online rather than to cyberbullying.

¹⁴ Patterns of offending and profiles of offenders may vary between AMS. However, it is essential to develop an evidence-informed approach to offender management based on understanding of commercial and non-commercial forms of exploitation as well the profile of perpetrators, who can range from people in the child's circle of trust to foreign nationals.

¹⁵Key topics include: Proactive/reactive methods of investigations, forensic techniques, electronic evidence, victim identification and child sensitive interviews and investigation; Multi-Disciplinary Team development and trauma-informed criminal justice process; and child friendly justice procedures to ensure effective victim support throughout the country's legal process.

¹⁶WePROTECT MNR – Capability 6 – offender management process

Activity 2.3.2:AMS are encouraged to put in place and/or make use of existing systems and protocols to prevent convicted foreign child sex offenders from entering a country where they are not a citizen or a resident, or from remaining in a country of which they are not a citizen or a resident once they have completed their sentence, and put in place procedures to allow for timely deportation of such foreign offenders¹⁷, including through international cooperation where applicable. (National)

Focus Area 3: Encourage the establishment of a national specialised unit with an explicit remit to lead, support and coordinate investigations

Activity 3.1: AMS will endeavour to establish and/or strengthen, and ensure adequate human and financial resources are allocated for a national specialised law enforcement unit¹⁸ and/or national coordinating task force on crimes against children with an explicit remit to lead, support and coordinate investigations into CSEA both online and offline. This unit should be the point of contact to receive reports from clearing houses such as NCMEC, foreign governments, INTERPOL, and NGOs including hotlines. The unit should be responsible to translate the reported information into actionable intelligence to enable the case to be investigated. (National)

Activity 3.2: Where specialised units and/or a national task force are established or in operation, ensure that the unit is staffed by a multi-disciplinary team comprised of law enforcement officers trained in online victim identification; how to conduct covert OCSEA investigations; how to investigate the financial component in cases of commercial OCSEA; and how to carry out investigations both in the open web and the darknet. These specialised law enforcement officers should work alongside child protection

¹⁷ Existing systems and protocols include the INTERPOL Green Notice and national bilateral notification systems, which may make use of a national sex offender register or other laws and regulations to restrict the international travel of convicted child sex offenders.

¹⁸It is important to identify which specialised unit can lead on cases involving online VAC. This may mean creating a new specialised unit, or identifying lead investigators who can work across both cybercrime units and family violence units as part of a national coordinating task force. The structure and membership of a national specialised unit or national coordinating task force can vary from country to country. However, the main characteristics of a national specialised unit could include: appropriately trained and dedicated law enforcement officers from one or more law enforcement agency in the country, with the mandate to oversee and/or support all cases of online CSEA in the country, including through international exchange, and with the physical venue, appropriate equipment, training and psychological support to carry out this work. In order to provide an integrated response to online CSEA, a national specialised unit may also include staff from other sectors such as social care and health workers. Whether a national specialised unit is in place or not, the role of a national coordinating task force is to ensure the identification, availability and application of the above listed characteristics between and across the relevant members of the task force. For more information, reference can be made to guidance on the WePROTECT MNR – Capability 4 – Dedicated Law Enforcement.

specialists/social workers, ensuring that a victim-centric approach is taken in all investigations of OCSEA¹⁹.(National)

Activity 3.3: Ensure a framework for international and regional cooperation is in place for the purposes of victim identification, and the investigation and prosecution of child sex offenders (National)

Focus Area 4: Ensure effectiveness of rights-based, gender and age-responsive child protection and support services, social welfare programmes²⁰

Activity 4.1: Ensure quality and accessibility of rescue, recovery, care and support services²¹

Activity 4.1.1 Identify and safeguard child victims of online sexual exploitation and abuse and ensure that child victims have access to quality support and recovery services that meets the specific needs of children. Available services should progressively include tiered mental health and psychosocial support, accessible to child victims in the short-, medium- and longer-term given the nature of online sexual abuse and the potential for images to remain in circulation and to children in conflict with the law as a result of OSCEA. Ensure accessibility to services through an effective case management system, referral pathway protocol, and coordination mechanism that includes both government and NGO services. (National)

Activity 4.1.2: Ensure the provision of safe, appropriate, family and emergency based emergency and longer-term care so that child victims of OCSEA can be removed from situations of significant risk and harm, where necessary. (National)

Activity 4.1.3: Ensure that the social service workforce and key frontline workers can provide an effective response for child victims of online abuse and exploitation, including through the development of protocols and guidance for case management. (National)

¹⁹WePROTECT MNR – Capability 4 – dedicated law enforcement

²⁰ Rights-based, gender-responsive child protection and support services are services that address the rights of children as defined by the relevant national and international laws and conventions, and that are adapted to meet their distinct and specific needs according to gender and age.

²¹Priority measure D is connected to the RPA EVAC Action Point 6: “Improve protection and support services for children affected by violence including physical and psychosocial rehabilitation, counselling services in schools and communities, appointment of guardian(s), legal assistance, shelter/housing, provision of life skills development, peer to peer and family support”.

Activity 4.1.4: Strengthen the capacities, skills and knowledge of the social service workforce and key frontline workers, including through the development and incorporation of modules on child online protection into pre- and in-service training for these workers. (National)

Activity 4.1.5 Consider improvements to the victim compensation mechanism (including, as appropriate, developing victim compensation guidelines) for child victims of OCSEA, and consider the establishment of a victims' compensation fund (National)

Activity 4.1.6 Develop guidelines for the provision of protective and support services for all child victims and children in contact with the law as a result of OCSEA (National and Regional)

Focus Area 5: Strengthen data collection and monitoring, reporting and referral mechanisms, through hotlines to report online materials suspected to be illegal, including child sexual abuse material²²

Activity 5.1: Establish and/or strengthen an internet hotline or reporting portal, in collaboration with the private sector or NGOs where applicable, to report digital content suspected of depicting child sexual exploitation and abuse, facilitate identification and removal of CSAMs by the host service in accordance with national law, and ensure the inclusion of CSAM on the available URL²³blacklist (National)

Activity 5.2: Implement robust and standardised law enforcement protocols for receiving, prioritising, actioning and referring reports received via the hotline. These should be reached in agreement between established points of contact at the hotline, the law enforcement body, and ISPs, and should also include protocols for international receipt and referral of reports. (National)

Activity 5.3: Ensure there is a toll free, accessible, anonymous and confidential national child helpline(s)²⁴ to provide a child friendly mechanism to report child abuse

²²Priority Measure E is connected to Action Point5 of the RPA EVAC: *“Create and/or strengthen a child- and gender-sensitive reporting and complaint mechanism for children and/ or their representatives to file their violence against children grievances and enable such a mechanism to facilitate effective and timely remedies”*.

²³ URL stands for Uniform Resource Locator. A URL is nothing more than the address of a given unique resource on the Web. Accessed on 3 August: https://developer.mozilla.org/en-US/docs/Learn/Common_questions/What_is_a_URL

²⁴ **National (or alternatively “nation-wide”)** Child helpline means a telephone or internet chat support service run specifically for children by civil society organisations or government bodies, staffed by

and violence and provide psychosocial support and referral for children who are experiencing online VAC. (National)

Activity 5.4: To shape and target policies and programmes, ensure that there is a national system in place to collect, collate and categorise data on prevalence, types and trends of online abuse, violence and exploitation, as well as on victim and perpetrator profiles, where necessary. This non-personal data should be shared across relevant actors. This includes, but is not limited to, data from hotlines and helplines. (National)

Activity 5.5: To support regional collaboration and action, share anonymised data between AMS, when needed and in accordance to domestic laws while duly respecting the privacy rights of the children involved. It is also recommended that AMS enhance reporting and referral mechanisms among and between them, utilizing the existing international reporting platforms. (Regional)

Activity 5.6 Encourage the establishment of a regional coordination mechanism to control and prevent online child abuse crimes (Regional)

Focus Area 6: Promote a national education programme and school curricula to raise awareness of sexual, and other forms of exploitation of children to empower children, young people, parents, guardians, caregivers, practitioners and community²⁵

Parents, caregivers, teachers and communities play a crucial role in ensuring the safety and protection of children online, as well as the media and the private sector, and children themselves. It is therefore important to encourage their active participation in education and awareness raising initiatives, which target both adults and children, and to ensure consultation with these stakeholders in relation to online child safety and protection.

Activity 6.1: Strengthen and Expand Education on CSEA

Activity 6.1.1: Integrate cyber safety education for children into school curricula, including as a critical component of digital literacy education. Ensure that:

- a) educational materials are evidence-based, and sensitively cover a range of topics including comprehensive sexuality education, sexting, cyberbullying, online child sexual exploitation and abuse, online privacy, and, importantly, explain what to do when something goes wrong;

counsellors who actively listen to children and connect them to resources and emergency services where needed, which is accessible by all children across the country. Assistance in establishing a child helpline at a national level can be obtained from Child Helpline International.

²⁵ This priority measure relates to Action Point 2 of the RPA EVAC: "Raise awareness among all sectors of society on the harmful effects of all forms of violence against children through formal and informal education (e.g. traditional and social media) to promote change in attitudes, behaviours and practices."

- b) the content of education programmes focuses on skill-building, behavioral change, building resilience and digital literacy;
- c) modules are developed for different age/year groups, since risks evolve as children grow up;
- d) the content and design are shaped by formative research on the national and local context, the insights and experiences of children and sound theories of change;
- e) that evaluation frameworks are built in to ensure such education initiatives have a positive impact on both knowledge acquisition and behavior change; and
- f) that teachers have the knowledge and skills to effectively deliver the modules. (National)

Activity 6.1.2: Strengthen and raise awareness of reporting mechanisms for OCSEA through schools, including through the adoption and implementation of child protection policy by and within public and private schools nationwide, with clear reporting and referral mechanisms from schools for cases of both online and offline abuse of children. Such reporting mechanisms and child protection policies should also be adopted for informal learning institutions, early childhood development centres, residential and day care facilities.(National)

Activity 6.2: Awareness raising

Activity 6.2.1: Develop guidance documents on Internet user safety and undertake both mass and targeted public campaigns to reach: a) children, b) parents and caregivers, c) educators and d) communities with information on online risks and cyber safety, including available safety tools, recognising signs of potential abuse and reporting mechanisms, to support knowledge acquisition, skills development and positive behavioural change. This may be carried out in collaboration with the private sector, media, non-governmental organizations, and children and young people themselves (National)

Activity 6.2.2: Ensure targeted awareness raising and digital literacy interventions for all vulnerable children, including but not limited to:

- a) Out of school children and high-risk groups, such as children with disabilities, and children on the move; and
- b) Localities and communities with limited knowledge and capacities in using online platforms (National)

Focus Area 7: Mobilise and enhance engagement with the private sector and other relevant stakeholders to actively involve them in monitoring prevention and response measures through

regulations, corporate social responsibility, and collaboration for the development of effective measures to detect, take down²⁶ and report illegal content related to child sexual abuse and exploitation.

The private sector institutions, including Internet service providers (ISPs), mobile network operators, social network/ messaging platforms, online gaming platforms, hardware and software manufacturers, companies providing digital media or streaming services, and companies offering digital storage services and financial institutions facilitating digital transaction services²⁷, has a major role to play in preventing and responding to online CSEA and cyberbullying. Governments need to collaborate with and have oversight of the private sector in this regard.

Activity 7.1: Collaborate proactively with relevant private sector institutions: to identify online risks for children, challenges to safeguarding children and measures that could be put in place to make children's online experience safer; to engage these entities in the development of national action plans, policies and strategies on child online protection and to promote development of innovative technological solutions to tackle OCSEA. (National)

Activity 7.2: Engage with relevant private sector institutions to ensure their active detection, removal and reporting of CSAM, including through the use of financial or other penalties to encourage compliance, and to encourage them to have in place a single point of contact for interfacing with law enforcement in relation to OCSEA. (National)

Activity 7.3: Ensure that mechanisms are in place for private sector institutions to report illegal and suspicious activities and transactions related to OCSEA to national law enforcement in a timely manner. (National)

Activity 7.4: Develop protocols that require relevant private sector institutions operating at national level to adopt corporate policies or procedures on child protection. (National)

Activity 7.5: Foster public-private partnerships bringing together government, law enforcement and private sector institutions to facilitate sharing of financial intelligence to assist the financial industry to identify and report transactions suspected to involve purchases of CSAM and live streaming of child sexual exploitation. (National)

²⁶ Take down is commonly referred to as part of a process known as Notice and Takedown, or NTD. NTD refers to a company's procedures for receiving reports that may come from customers, employees, law enforcement or hotlines that child sexual abuse material has been discovered on the company's networks or services, and for preventing further access and distribution, https://www.gsma.com/publicpolicy/wp-content/uploads/2016/05/UNICEF_GSMA2016_Guidelines_NoticeAndTakeDown_PoliciesAndPracticesToRemoveOnlineChildSexualAbuseMaterial.pdf

²⁷ Typology of ICT companies, Page 37, ITU Guidelines for industry on Child Online Protection, 2020, <https://www.itu-cop-guidelines.com>

Activity 7.6: ASEAN will convene regular dialogues with the relevant private sector institutions working in multiple AMS in order to promote minimum standards and good practice for operations in relation to ensuring the safety of children in online environments. (Regional)

VIII. IMPLEMENTATION OF THE DECLARATION AND RPA

In order to implement the Declaration and RPA, AMS are recommended to identify priority actions within and across sectors. This may take the form of a standalone multisectoral plan of action on child online protection. Key actions may also be integrated into other national plans of action and policies, including on child protection. AMS are encouraged to ensure that all key sectors are engaged in the process, including social welfare, justice, education, and telecommunications, as well as key actors from the industry and private sector and NGOs. AMS are also encouraged to engage children and young people in the process.

AMS are recommended to develop a robust monitoring and evaluation (M&E) framework to monitor progress in the implementation of national actions against indicators stipulated in the RPA as appropriate. AMS are also recommended to undertake periodic reviews at the national level against available baseline data.

In line with the Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN, the ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD) is tasked, with the support of Senior Officials Meeting on Social Welfare and Development (SOMSWD) and ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), to review, coordinate, monitor and report the progress of this RPA. This includes facilitating cross-pillar and cross-sectoral cooperation on issues pertaining to protection of children from all forms of online exploitation and abuse at the regional level, including but not limited to ADGSOM, SOMTC, SOMED while acknowledging the different national coordinating mechanisms in ASEAN Member States.

AMS are also recommended to work with partners to collect and share data on online risks to inform policy and programme development, identify emerging and escalating risks, as well as to monitor progress. Relevant data sharing between countries is also strongly encouraged in accordance to the prevailing laws and regulations of each AMS.

IX. PERIODIC REVIEW

Progress on the implementation of the Declaration and this supplementary RPA to the RPA on EVAC will be monitored, through a consultative process with AMS, as outlined in

the Declaration, which will provide an assessment against the indicators in this RPA. This process will also involve other key ASEAN sectoral bodies.

A mid term review will be undertaken in 2023. An end of term review will take place to assess implementation of the RPA in 2025.

X. INDICATORS

The indicators have been designed to support the regional periodic and final review of the implementation of the Declaration (section IX) and to support AMS in their own monitoring of progress. The below designation in brackets (National or Regional) refers to the level at which the corresponding activity is implemented.

Focus Area 1: Promote, develop, and implement comprehensive national legal frameworks in each ASEAN Member State and work towards improving child protection standards and policies on all forms of online exploitation and abuse across ASEAN Member States

Indicator 1.1.1: Number of AMS that have undertaken a legislative review against applicable international and regional commitments related to OCSEA. (National)

Indicator 1.2.1: Number of AMS that have, at a minimum criminalised all of the following conducts a) mere possession of child sexual abuse materials (CSAM); b) production and dissemination of CSAM, c) live streaming of child sexual exploitation and abuse, and d) online grooming of children; and categorised commercial transactions involving a) CSAM and b) use or facilitation of live streaming for child sexual abuse, as predicate offences under anti-money laundering or other applicable legislation. (National)

Indicator 1.2.2: Number of AMS that have implemented a victim-centric approach for child victims and child witnesses throughout investigation and judicial proceedings, through policies, laws, regulations and/or procedures, or a combination of the above. (National)

Indicator 1.2.3.: Number of AMS that have reviewed, revised and/or enacted policies, laws, regulations and procedures to ensure that throughout investigation and judicial proceedings related to OCSEA, children in conflict with the law are provided with psychosocial support, and measures taken focus on their rehabilitation and reintegration (National)

Indicator 1.2.4: Number of AMS who have established a legal requirement: for private

sector companies to report and remove CSAM from their platforms and services when they become aware of it; and for financial institutions to report suspicious transactions that may be related to CSAM or live streaming. (National)

Indicator 1.2.5: Guideline for harmonised and comprehensive national legislation to protect children from all forms of online sexual exploitation and abuse adopted (Regional)

Indicator 1.2.6: Consultation held on the development of standard operating procedures on cross-border collaboration between law enforcement agencies on cases linked to online child sexual abuse and exploitation between the AMS. (Regional)

Indicator 1.3.1: Number of AMS who have national policies, strategies and/or plans of action that address online child sexual exploitation and abuse, and cyberbullying. (National)

Focus Area 2: Enhance law enforcement, judicial and legal professional capabilities through regular, specialised and updated trainings and sharing and exchange of best practices in the protection of children against all forms of online exploitation and abuse²⁸

Indicator 2.1.1: Number of AMS that have conducted a national assessment of law enforcement, judicial and legal capacities to investigate, prosecute and hear cases of online exploitation and abuse of children. (National)

Indicator 2.1.2: Number of AMS that have integrated a victim-centric approach to OCSEA investigations and judicial proceedings into training courses and manuals for law enforcement and the judiciary. (National)

Indicator 2.2.1: Number of AMS that are connected to Interpol ICSE database (National)

Indicator 2.3.1: Number of AMS that have created or are considering²⁹ the creation of an integrated national child sex offenders' registry. (National)

Indicator 2.3.2: Number of AMS that put in place and/or make use of existing systems and protocols to prevent convicted foreign child sex offenders from entering a country where they are not a citizen or resident, or from remaining in a country of which they are not a citizen or resident once they have completed their sentence (National)

²⁸ These criminal justice measures relate primarily to CSEA online rather than to cyberbullying.

²⁹ For the purpose of monitoring, considering could be indicated by a consultation/research paper/development of a concept note/integration of activity in a plan of action, strategy or policy etc.

Focus Area 3: Encourage the establishment of a national specialised unit with an explicit remit to lead, support and coordinate investigations

Indicator 3.1.1: Number of AMS with specialised units and/or national coordinating taskforce teams focused on OCSEA investigations (National)

Focus Area 4: Increase effectiveness of rights-based and gender-responsive child protection and support services, social welfare programmes

Indicator 4.1.1: Number of AMS with safeguarding, support and recovery services, including psychosocial support, that meet the specific needs of child victims of OSCEA, and are governed by a referral protocol between social welfare, law enforcement, justice and health. (National)

Indicator 4.1.2.: Number of AMS with family based emergency and longer term care available for child victims of OSCEA (National)

Indicator 4.1.3: Number of AMS with protocols or guidelines for case management of OCSEA cases by a) social workers, b) healthcare workers and c) teachers. (National)

Indicator 4.1.4: Number of AMS with a) in service training courses, b) modules integrated in pre service training, for social workers and para social workers on detection and management of cases of OCSEA. (National)

Indicator 4.1.5: Number of AMS that a) have created or improved the victim compensation mechanism³⁰, or b) are considering creation or improvements to the victim compensation mechanism, including as appropriate, developing victim compensation guidelines. (National)

Indicator 4.1.6 ASEAN guidelines developed for the provision of protective and support services for all child victims and children in contact with the law as a result of OCSEA (Regional)

Focus Area 5: Strengthen data collection and monitoring, reporting and referral mechanisms, through hotlines to report online

³⁰ When compensation is not fully available from the offender or other sources, States should endeavour to provide financial compensation or consider the expansion of national funds for compensation to victims. Where appropriate, other funds may also be established for this purpose, including in those cases where the State of which the victim is a national is not in a position to compensate the victim for the harm. <https://www.ohchr.org/en/professionalinterest/pages/victimsofcrimeandabuseofpower.aspx>

materials suspected to be illegal, including child sexual abuse material³¹

Indicator 5.1.1: Number of AMS with a fully operational internet hotline or reporting portal affiliated with the private sector or NGOs where applicable, to facilitate identification and removal of CSAMs by the host service in accordance with the relevant national law, and ensure the inclusion of CSAM URLs on the available URL³² blacklist. (National)

Indicator 5.1.2: Number of AMS with standardised law enforcement protocols for receiving, prioritising, actioning and referring reports received via the hotline. (National)

Indicator 5.1.3: Number of AMS with toll-free child helplines where staff have received training to respond to cases of online exploitation and abuse. (National)

Indicator 5.1.4: Number of AMS with a national system in place to collect, collate and categorise data on prevalence, types and trends of online abuse, violence and exploitation, as well as on victim and perpetrator profiles. (National)

Focus Area 6: Promote a national education programme and school curricula to raise awareness of sexual, and other forms of exploitation of children to empower children, young people, parents, guardians, caregivers, practitioners and community

Indicator 6.1.1: Number of AMS that have OCSEA and cyberbullying prevention education modules a) that are contextualized and integrated into the national curriculum, including digital literacy education curriculum, and b) that are evaluated (National)

Indicator 6.1.2: Number of AMS with national child protection policies and procedures in place for a) schools b) informal learning institutions, c) early childhood development centres, d) residential facilities and, e) day care facilities, that include the prevention of online and offline abuse and exploitation of children and referral of cases from schools to child protection authorities and other key services (National)

³¹Priority Measure E is connected to Action Point5 of the RPA EVAC: "Create and/or strengthen a child- and gender-sensitive reporting and complaint mechanism for children and/ or their representatives to file their violence against children grievances and enable such a mechanism to facilitate effective and timely remedies".

³² URL stands for Uniform Resource Locator. A URL is nothing more than the address of a given unique resource on the Web. Accessed on 3 August: https://developer.mozilla.org/en-US/docs/Learn/Common_questions/What_is_a_URL

Indicator 6.2.1: Number of AMS that have undertaken both mass and targeted public campaigns on child online protection to reach: a) children; b) parents and caregivers (National)

Indicator 6.2.2: Number of AMS running targeted campaigns on child online protection and digital literacy interventions for a) out of school children, b) high-risk groups, and c) localities and communities with limited knowledge and capacities in using online platforms. (National)

Focus Area 7: Mobilise and enhance engagement with the private sector and other relevant stakeholders to actively involve them in monitoring prevention and response measures through regulations, corporate social responsibility, and collaboration for the development of effective measures to detect, take down and report illegal content related to child sexual abuse and exploitation.

Indicator 7.1.1: Number of AMS that engage relevant private sector institutions³³ in the development and progress review of national plans of action and strategies that address on online exploitation and abuse (National)

Indicator 7.2.1: Number of relevant private sector institutions operating in the AMS with an established process for identification, and removal of CSAM, and reporting of CSAM to law enforcement, including via a single point of contact for interfacing with law enforcement in relation to OCSEA. (National)

Indicator 7.3.1: Number of AMS that have cooperation mechanisms in place between law enforcement and financial institutions to detect and report suspicious transactions. (National)

Indicator 7.4.1: Number of relevant private sector institutions operating in each AMS with a corporate child safeguarding plan and policies on child online protection. (Regional and National)

Indicator 7.5.1: Annual dialogue held by ASEAN with relevant private sector institutions to promote minimum standards and good practice for operations in relation to ensuring the safety of children in online environments across the region. (Regional)

³³ See Focus Area 7 for the scope of private sector institutions

ANNEXES

Annex 1: Context and Additional information on Forms of Online child exploitation and abuse

Online violence against children can take place in many forms, can be perpetrated by both adults and children, and can have a significant impact upon its victims in the physical world just as in the online world. This RPA focuses on some of the most harmful forms of online violence, including online child sexual exploitation and abuse (OCSEA) and cyberbullying. This Annex expands upon *Section II Terminology and Definitions* by providing additional context and information for the terms and definitions provided.

Child Sexual Abuse Material (CSAM)

Child Sexual Abuse Material (CSAM) is any representation by digital, analogue or other means of a child engaged in real or simulated explicit sexual activities, or any representation of the sexual parts of a child for primarily sexual purposes.

Therefore, while the production of CSAM pre-dates digital technology and the Internet, these have significantly increased the ease and scale at which it can be produced, viewed and shared. Indeed, most digital devices now come with high quality cameras and in-built webcams as standard, providing the potential for anyone to create digital content, including CSAM. High-speed Internet enables users to search for, browse, upload and download digital content at faster and faster rates. Cheap, large capacity storage devices and cloud-based services enable the accumulation and storage of large volumes of digital content, with increasing levels of security and privacy enabled through encryption. Freely available software enables the manipulation and reproduction of original digital content. And the anonymity afforded by some areas of the Internet, including virtually untraceable 'dark web' networks and forums has also facilitated opportunities for child sex offenders, people with a sexual interest in children, and people seeking to exploit children for commercial purposes to find and communicate with each other, share CSAM and teach each other their methods. Indeed, the WePROTECT Global Threat Assessment of 2019 found that offenders are increasingly using the Dark Web to share images and tips for grooming children and evading detection.³⁴

The volume of new and re-circulated CSAM being uploaded and circulated daily across the globe is difficult to quantify, but it far outstrips the resources available to law enforcement and other duly mandated organisations to analyse or investigate. What is known is that victims are girls and boys of all ages, come from different racial and ethnic groups, are seemingly located in diverse geographical locations, and often remain unidentified by law enforcement. Indeed, in one study by ECPAT International and INTERPOL of more than 1 million CSAM media files in the International Child Sexual Exploitation (ICSE) Database, only 47 percent of images were linked to identified victims.³⁵ In just one example, the WePROTECT Global Threat Assessment of 2019

³⁴ <https://static1.squarespace.com/static/5630f48de4b00a75476ecf0a/t/5deecb0fc4c5ef23016423cf/1575930642519/FINAL+-+Global+Threat+Assessment.pdf>

³⁵ <https://www.ecpat.org/wp-content/uploads/2018/03/TOWARDS-A-GLOBAL-INDICATOR-ON-UNIDENTIFIED-VICTIMS-IN-CHILD-SEXUAL-EXPLOITATION-MATERIAL-Summary-Report.pdf>

found that 28% of victims of live-streamed sexual abuse are aged under 10, and 98% are under the age of 13.³⁶

Far from being 'just images', each CSA image or video depicts a real child whose pain and suffering is being recorded for the further benefit of others. Each viewing, sharing or download of those images represents further exploitation and victimisation of that child, and the commodification of those images for money, sexual gratification, access to offender groups, grooming and sexual extortion is both deliberate and harmful.

Indeed, CSAM has both an immediate and long-term impact on survivors, who often experience complex trauma including potential ongoing revictimisation from the knowledge that their images and videos continue to recirculate on the Internet and are accessible to an unknown number of perpetrators. This may make it difficult for a survivor to resolve or identify an end to the abuse.³⁷ In a survey of survivors of OCSEA the Canadian Center for Child Protection found that almost 70% of respondents worried about being recognized by someone because of the recording of their child sexual abuse still circulating online, and 30% of respondents reported that they had actually been recognised by someone who had viewed images of their abuse online. Importantly, 85% of the survivors anticipated that they would need ongoing or future therapy.³⁸

Live streaming of child sexual abuse and exploitation (Live Streaming)

Live streaming' of child sexual abuse is child sexual exploitation and abuse (CSEA) carried out in real-time and viewed through streaming (and sometimes recorded) the content online, while the victim and perpetrator are in different or in the same countries. While live streaming can be an intentional method used by perpetrators to minimize digital evidence of their crime, these interactions can also be recorded, thereby generating new CSAM that can be further shared online. In many cases, payment is exchanged and perpetrators often have the chance to direct the abuse of the child via the facilitator. Payment is generally made using a variety of online payment methods, including cryptocurrencies.³⁹

Live streaming of these acts tends to take place behind closed doors in settings where the facilitators and/or perpetrators have frequent and unregulated access to the child victims and can respond quickly to the demands of their clients. Therefore, a distinct feature seen in live streaming so far is that the facilitators of the abuse are often female and coming from the child's circle of trust. Furthermore, some facilitators and/or perpetrators believe that 'distance' live streaming reduces the harm to the child because the client paying for the abuse is not physically present to abuse the child. In one study

³⁶ P.26,

<https://static1.squarespace.com/static/5630f48de4b00a75476ecf0a/t/5deecb0fc4c5ef23016423cf/1575930642519/FINAL+-+Global+Threat+Assessment.pdf>

³⁷ P.11, *Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society* (IJM 2020) https://www.ijm.org/documents/studies/Final_OSEC-Public-Summary_05_20_2020.pdf

³⁸ <https://protectchildren.ca/en/resources-research/survivors-survey-results/>

³⁹ P.33, https://www.europol.europa.eu/sites/default/files/documents/iocta_2019.pdf

of live streaming cases in The Philippines, 41% of facilitators were biological parents and 42% were other relatives of the victims, indicating that this is predominantly a family-based crime.⁴⁰

While the ASEAN region has been the most prominent hub for this crime, there are increasing indications that this is taking place in other geographic areas.⁴¹ INTERPOL reports that travel restrictions imposed in response to the COVID-19 Pandemic may lead to an increase in live streaming by perpetrators who would previously have travelled to a country to abuse a child in person. Equally, the supply of live-streamed CSAM is also likely to increase as victims are confined with facilitators (often a family member) and economic hardship increases.⁴²

Grooming

Grooming is the process of establishing or building a relationship with a child either in person or through the use of the Internet or other digital technologies to facilitate either online or offline sexual contact with the child. Largely initiated over the open web, perpetrators use a variety of social media services to contact children and gain their trust before moving communication to encrypted online messaging applications.⁴³

Grooming can include sharing CSAM with the child to ‘normalize’ sexual abuse, encouraging and then coercing the child into producing images or videos of sexual acts, and threatening the child in an act known as sexual extortion (see below). In other cases, grooming is used as a means to make offline contact with the child for the purposes of sexually abusing that child.

Cases of child sex offenders grooming children via chatrooms and social media sites are increasingly being documented in Southeast Asia. The practice of grooming children for subsequent sexual exploitation has been identified in particular in Cambodia, the Philippines, Thailand and Viet Nam.⁴⁴

Sexual extortion of children

Sexual extortion is the blackmailing of a child with the help of images of that child, including self-generated images of that child in order to extort sexual favours, money, or other benefits from her/him under the threat of sharing the material beyond the consent of the depicted child (e.g. posting images on social media).

⁴⁰ P.11, *Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society* (IJM 2020) https://www.ijm.org/documents/studies/Final_OSEC-Public-Summary_05_20_2020.pdf

⁴¹ P.33, https://www.europol.europa.eu/sites/default/files/documents/iocfa_2019.pdf

⁴² THREATS AND TRENDS CHILD SEXUAL EXPLOITATION AND ABUSE – COVID-19 IMPACT (INTERPOL, 2020), <https://www.interpol.int/content/download/15611/file/COVID19%20-%20Child%20Sexual%20Exploitation%20and%20Abuse%20threats%20and%20trends.pdf>

⁴³ P.31, https://www.europol.europa.eu/sites/default/files/documents/iocfa_2019.pdf

⁴⁴ Pg. 53, https://www.ecpat.org/wp-content/uploads/2018/02/Regional-Overview_Southeast-Asia.pdf

In Southeast Asia, there have been increasing reports of live online child sexual abuse leading to 'sexual extortion'⁴⁵, highlighting the interaction between different forms of OCSEA.

Self-generated content

This is another worrying trend whereby children take images or videos of themselves (commonly referred to as 'self-generated materials'), and share them digitally with other people.

Although this can be the result of voluntary behaviour and experimentation within a child's peer group, these materials may also be produced under pressure from another child or an adult and may therefore constitute acts such as cyberbullying, sexual extortion and/or exploitation. In other cases, child sex offenders actively target and persuade boys and girls to create and share images, by grooming, deception, or even in exchange for payment. However they are created, these images are then liable to be shared widely, or used to extort sexual engagement and additional images through threats.

Cyberbullying

Cyberbullying means bullying that takes place online and over digital devices. Although cyberbullying may be perpetrated by people unknown to the child and occur solely online, it is more often an extension of bullying that occurs offline at the hands of peers such as in school settings.

Cyberbullying is becoming a growing concern in the ASEAN region. There is evidence of children being bullied through the use of email, chat rooms, social media, and interactive games. In a survey across the Asia Pacific region it was found that 53% of children reported that children who bully them online are their classmates in school. Cyberbullying is often compared to traditional bullying in the literature. However, there are some key differences because it allows for anonymity, escalation to a large and diverse audience, rapid communication, and a sense of distance between the bully and the child being bullied. Cyberbullying can have a devastating impact on children's mental health, self-esteem, social life and school performance. In most extreme cases, cyberbullying has led to suicide and self-harm⁴⁶.

Links between different forms of OCSEA and Cyberbullying

Like offline bullying, the response to cyberbullying is generally led by schools, parents, caregivers and social workers as well as children themselves. However, in some cases such as where cyberbullying involves the production and/or sharing of sexually explicit images of a child or results in sexual extortion of a child, these acts may constitute a crime and would invite the intervention of law enforcement or other authorities.

⁴⁵ Pg. 57, https://www.ecpat.org/wp-content/uploads/2018/02/Regional-Overview_Southeast-Asia.pdf

⁴⁶ <https://www.statista.com/statistics/937842/asia-pacific-children-experiencing-cyber-bullying-by-bully/>

Annex 2: International and Regional Frameworks and Commitments

This RPA, including its indicators, draws on relevant international and regional commitments where applicable as well as standards, guidance and good practice. International frameworks refer to the United Nations Convention on the Rights of the Child (CRC), and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). Guidance is also drawn from the General Comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and United Nations Sustainable Development Goals (SDGs)

Other relevant international and regional frameworks and commitments that can be drawn on may include the WePROTECT Model National Response (MNR) framework; the Convention on Cybercrime, also known as the 'Budapest Convention'; the Lanzarote Convention; international legal benchmarks contained in the ICMEC Model Legislation & Global Review documents and ECPAT International's global database of national legal frameworks protecting children from sexual exploitation online.

In the absence of a specific ASEAN regional framework on online VAC, this RPA also draws on efforts made to date by ASEAN sectoral bodies to specifically address OCSEA and cyberbullying at a regional level including the ITU/ASEAN Child Online Protection Framework 2020 and the ASEAN Inter-Parliamentary Assembly Checklist on *Preventing Sexual Exploitation of Children in Travel and Tourism including online*. This RPA is also guided by the ASEAN Declaration to Prevent and Combat Cybercrime. Please see more detailed information in Annex 1.

United Nations Convention on the Rights of the Child (CRC)

Under the United Nations Convention on the Rights of the Child (CRC), to which every AMS is a States Party, every child has the right to be protected from all forms of violence, abuse and exploitation, wherever it occurs, including online.

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC)

To help stem the growing abuse and exploitation of children worldwide, the United Nations General Assembly in 2000 adopted the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). The OPSC, which has been ratified by nine of the ten AMS, sets out obligations for State Parties to criminalise and punish, by appropriate penalties, activities related to (among others):

- “(1)(i)(a) Offering, delivering or accepting by whatever means, a child for the purpose of sexual exploitation of the child;
- (1)(ii)(c) Producing, distributing, disseminating, importing, exporting, selling or possessing child pornography for the purpose of sexual exploitation of the child;
- (2) Attempting to commit any of these acts and to comply or participate in any of these acts. (Article 3, OPSC)

United Nations Sustainable Development Goals (SDGs)

The United Nations 2030 Agenda for Sustainable Development (SDGs) adopted in New York, USA, in September 2015 includes Goal 5.2 to “Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation” by the end of 2030, and this applies equally to the online setting; and Goal 16.2 to “End abuse, exploitation, trafficking and all forms of violence and torture against children” which is also applicable to both OCSEA and cyberbullying.

Additional International Standards and Commitments

This RPA also draws on the international normative framework on OCSEA which provides specific and up to date guidance and best practices on responding to a rapidly evolving online landscape of harms against children. This framework consists of the WePROTECT Model National Response (MNR) framework, the Council of Europe Convention on Cybercrime, and the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Abuse, as well as the ICMEC Model Legislation and Global Review documents and the ECPAT Global Database on OCSEA.

The WePROTECT Model National Response (MNR) framework is a global normative framework for preventing and tackling online child sexual exploitation and abuse. The MNR provides guidance to countries to assess their current response and identify gaps, prioritise national efforts to fill gaps and enhance international understanding and cooperation. The purpose of the Model is to describe national capabilities needed for effective child protection, highlight good practices from countries that are already delivering these capabilities and signpost organisations that can provide further guidance and support to countries seeking to develop or enhance their existing capability.⁴⁷

The Convention on Cybercrime, also known as the 'Budapest Convention', is the first international treaty seeking to address Internet and computer crime⁴⁸. It pursues a common criminal policy to facilitate detection, investigation and prosecution of conducts directed against or misusing the confidentiality, integrity and availability of computer systems, networks and computer data. This policy includes adopting and harmonising domestic criminal and procedural law as well as fostering international cooperation. The 'Budapest Convention', criminalises all the relevant conducts in relation to 'child pornography', including 'procuring'. It acknowledges the need to pursue a common criminal policy and sets out procedural law in relation to e.g. intercepting and seizing data to be established for the purpose of investigation and offender identification; it contains provisions concerning mutual assistance as well as extradition rules to further facilitate and enhance international cooperation.

⁴⁷ WeProtect Model National Response, <https://www.unicef.org/documents/preventing-and-tackling-child-sexual-exploitation-and-abuse-model-national-response>

⁴⁸ Council of Europe, *Convention on Cybercrime*, 23 November 2001, available at: <https://www.refworld.org/docid/47fdfb202.html> [accessed 15 June 2020]

The Lanzarote Convention provides guidance on preventive measures in relation to OCSEA such as screening, recruitment, and training of people working in contact with children, and monitoring measures for offenders and potential offenders⁴⁹. Countries outside of the Council of Europe can accede to these Conventions, and the Philippines has already done so.

Further international legal benchmarks are contained in the ICMEC Model Legislation & Global Review documents, which focus specifically on child sex abuse materials, and on online grooming of children for sexual purposes⁵⁰. In addition, ECPAT International has developed a global database of national legal frameworks protecting children from sexual exploitation online which sets out a number of key legislative criteria in relation to OCSEA and analyses country level progress against these benchmarks⁵¹. The criteria contained in the database include recommended provisions to be included in criminal and procedural legislation based on the MNR framework.

Regional Standards and Commitments

In the absence of a specific ASEAN regional framework on online VAC, this RPA draws on efforts made to date by ASEAN sectoral bodies to specifically address OCSEA and cyberbullying at a regional level including the ITU/ASEAN Child Online Protection Framework 2020 and the ASEAN Inter-Parliamentary Assembly Checklist on *Preventing Sexual Exploitation of Children in Travel and Tourism including online*. This RPA is also guided by the ASEAN Declaration to Prevent and Combat Cybercrime.

The ASEAN Declaration to Prevent and Combat Cybercrime 2017 acknowledges the importance of harmonization of laws related to cybercrime and electronic evidence in the region, and resolves to strengthen international cooperation among ASEAN Member States in tackling cybercrimes and in community education and awareness to prevent cybercrime, all of which is relevant to the ASEAN's approach to combating OCSEA⁵². In relation to strengthening legislative frameworks, the ITU/ASEAN Child Online Protection Framework 2020 recommends that AMS frame offences in technological neutral terms to allow for ongoing developments in technology⁵³.

In July 2019 the ASEAN Inter-Parliamentary Assembly met in Bali together with a representative from the ACWC to review and finalise a Legal Checklist on *Preventing Sexual Exploitation of Children in Travel and Tourism including online*, in collaboration with ECPAT International, ICMEC, and UNICEF. The Legal Checklist was formally

⁴⁹ Council of Europe, *Council of Europe Convention on the Protection of children against sexual exploitation and sexual abuse*, 12 July 2007, CETS No.: 201, available at: <https://www.refworld.org/docid/4d19a904615b.html> [accessed 15 June 2020]

⁵⁰ <https://www.icmec.org/csam-model-legislation/>

⁵¹ <https://globaldatabase.ecpat.org/>

⁵² <https://asean.org/wp-content/uploads/2017/11/ASEAN-Declaration-to-Combat-Cybercrime.pdf>

⁵³ ASEAN Child Online Protection Framework: Partnering with Industry, ITU September 2019

endorsed by AIPA in Malaysia at the 10th AIPA Caucus in May 2019⁵⁴ (See Appendix 1 for baseline assessment).

The RPA also draws on the discussions and recommendations from the ASEAN Regional Conference on Child Online Protection, co-hosted by the Government of Thailand and the Government of the Philippines in February 2020.

The Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN also cites and reaffirms the importance and general principles of the ASEAN Human Rights Declaration (AHRD) and the Phnom Penh Statement on the Adoption of the AHRD (2012); the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (2015); the Declaration on the Commitments for Children in ASEAN (2001); the ASEAN Tourism Agreement (2002); the Ha Noi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children (2010); and the Declaration on Culture of Prevention for a Peaceful, Inclusive, Resilient, Healthy and Harmonious Society (2017).

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https://www.parliament.go.th/ewtadmin/ewt/aipa2019/download/article/AIPAGA/Political/POL10thAIPACaucusReport_3107.pdf

Annex 3 Strengthening Legal Frameworks: Minimum legal standards

In order to ensure comprehensive legal framework to protect children from all forms of online exploitation and abuse of children, AMS are encouraged to:

- i) Criminalise: a) mere possession of child sexual abuse materials (CSAM)⁵⁵, b) production and dissemination of CSAM, c) live streaming of child sexual exploitation and abuse, and d) online grooming of children.
- ii) Categorise transactions of CSAM and use or facilitation of live streaming for child sexual abuse as predicate offences under anti-money laundering or other applicable legislation.
- iii) Criminalise conduct and introduce related penalties for unwanted sexting and sexual extortion.
- iv) Establish extra-territorial jurisdiction, in accordance with each AMS' relevant obligations under Article 4 OPSC, for all offences of sexual exploitation of children, including those occurring in the online environment⁵⁶.
- v) Mandate through regulations, internet services providers and any electronic service provider, to detect, take down, and report suspected CSAM to law enforcement or to any another mandated agency⁵⁷.
- vi) Mandate through regulations, internet service providers and any electronic service provider to report suspicious financial or other transactions related to CSAM and live streaming when they become aware of it, and impose criminal and civil liability and penalties for non-compliance.
- vii) Develop child-friendly justice system for children who come into contact with the law as victims, witnesses, offenders or complainants to respect both their rights and specific needs and vulnerability;
- viii) Develop adequate data protection and privacy rules for minors⁵⁸.
- ix) Create data retention and preservation laws and procedures to allow for retention and preservation of digital evidence and cooperation with law enforcement that applies to ISPs, mobile phone companies, social media companies, cloud storage companies, and the technology industry as a whole⁵⁹.
- x) Permit by law criminal investigations or prosecutions to be initiated without the need for a report to be made by the victim, and to allow the proceedings to continue even if the victim withdraws.
- xi) Ensure statutes of limitations for initiating proceedings do not start to run until the victim reaches the age of eighteen.

⁵⁵ While there is no universal definition of 'possession' in relation to CSAM, a working definition for the purposes of this RPA could be '*the act of storing or downloading child sexual abuse materials as defined in law in the relevant AMS*'. In the case of 'mere', this refers to the fact that there is only evidence that **the offender has downloaded and/or stored CSAM** (i.e. it may be saved in cloud storage rather than on the offender's device) but not that he/she has produced the images or distributed them to other people (noting that the definition of 'distribution' may vary according to the country).

⁵⁶ AIPA Legal Checklist

⁵⁷ (ICMEC Model Legislation & Global Review)

⁵⁸ ITU/ASEAN Child Online Protection Framework

⁵⁹ AIPA legal checklist

- xii) Adopt universal terminology in line with the Terminology Guidelines and translate it into local languages in existing or new legal and policy frameworks⁶⁰.

⁶⁰ WeProtect MNR

Appendix 1 Actions and Indicators - Summary Table

ACTIVITY	DESCRIPTION	INDICATOR
Focus Area 1	Comprehensive national legal and policy frameworks and child protection standards for OCSEA	
1.1	Undertake a legislative review	
1.1.1	AMS will endeavour to carry out a comprehensive legislative review on VAC that includes a review of legislation on OCSEA against applicable international and regional commitments related to online violence, abuse and exploitation of children. (National)	Indicator 1.1.1: Number of AMS that have undertaken a legislative review against applicable international and regional commitments related to OCSEA. (National)
1.2	Strengthen legislative frameworks	
1.2.1	AMS will endeavour to strengthen their legislative frameworks, including to meet the legal standards in Annex 3 for the protection of children from all forms of online abuse and exploitation, and as a minimum: 1)The criminalisation of: a) mere possession of child sexual abuse materials (CSAM) ⁶¹ , b) production and dissemination of CSAM, c) accessing, viewing or participating child sexual exploitation and abuse through live streaming whether or not for commercial purposes, and d) online and offline grooming of children;	Indicator 1.2.1: Number of AMS that have, at a minimum, criminalised all of the following conducts a) mere possession of child sexual abuse materials (CSAM); b) production and dissemination of CSAM, c) live streaming of child sexual exploitation and abuse, and d) online grooming of children; and categorised commercial transactions involving: a) CSAM and b) use or facilitation of live streaming for child sexual abuse, as predicate offences under anti-money laundering or other applicable legislation. (National)

⁶¹ While there is no universal definition of 'possession' in relation to CSAM, a working definition for the purposes of this RPA could be *'the act of storing or downloading child sexual abuse materials as defined in law in the relevant AMS'*. In the case of 'mere', this refers to the fact that there is only evidence that **the offender has downloaded and/or stored CSAM** (i.e. it may be saved in cloud storage rather than on the offender's device) but not that he/she has produced the images or distributed them to other people (noting that the definition of 'distribution' may vary according to the country).

	<p>2) The categorisation of commercial transactions involving a) CSAM and b) use or facilitation of live streaming for child sexual abuse, as predicate offences under anti-money laundering or other applicable legislation.</p>	
<p>1.2.2</p>	<p>Review, revise and enact, as relevant and necessary policies, laws, regulations and procedures: to ensure a victim-centered approach for children⁶² and that appropriate support for child victims and child witnesses is provided throughout investigation and judicial proceedings, taking into account following relevant international and regional frameworks, where appropriate, including the provision of emotional and psychosocial support, with attention given to the specific needs of child victims whose parents or guardians are perpetrators or facilitators of the exploitation and abuse; and to provide, in accordance with domestic legal frameworks, accessible mechanisms for legal remedies, restitution and such as compensation for child victims of OCSEA. (National)</p>	<p>Indicator 1.2.2: Number of AMS that have implemented a victim-centered approach for child victims and child witnesses throughout investigation and judicial proceedings, through policies, laws, regulations and/or procedures, or a combination of the above. (National)</p>

⁶²A 'victim centered approach' for children means that the child's needs and welfare are at the centre of the judicial process, as opposed to the primary focus being on the prosecution.

1.2.3	Review, revise and enact, as relevant and necessary, policies, laws, regulations and procedures to ensure that throughout investigation and judicial proceedings related to OCSEA, children in conflict with the law are provided with emotional, psychological and social support, and measures taken focus on their rehabilitation and reintegration into their families and communities. (National)	Indicator 1.2.3.: Number of AMS that have reviewed, revised and/or enacted policies, laws, regulations and procedures to ensure that throughout investigation and judicial proceedings related to OCSEA, children in conflict with the law are provided with psychosocial support, and measures taken focus on their rehabilitation and reintegration (National)
1.2.4	AMS will endeavour to establish a legal requirement for private sector companies to report and remove CSAM from their platforms and services when they become aware of it; and for financial institutions to report suspicious transactions that may be related to CSAM or live streaming. AMS will endeavor to impose criminal and civil liability and penalties for non-compliance. (National)	Indicator 1.2.4.: Number of AMS that have established a legal requirement for private sector companies to report to law enforcement and remove CSAM from their platforms and services when they become aware of it; and for financial institutions to report suspicious transactions that may be related to CSAM or live streaming of child sexual exploitation and abuse. (National)
1.2.5	ASEAN will develop guidelines for harmonised and comprehensive national legislation to ensure protection of children from all forms of online sexual exploitation and abuse. (Regional)	Indicator 1.2.5.: Guideline for harmonized and comprehensive national legislation to protect children from all forms of online sexual exploitation and abuse adopted (Regional)
1.2.6	ASEAN will develop and implement standard operating procedures and a border management programme on cross-border collaboration between law enforcement agencies on cases linked to child sexual abuse and exploitation between the AMS and between ASEAN and other regions. (Regional)	Indicator 1.2.6.: Consultation held on the development of standard operating procedures on cross-border collaboration between law enforcement agencies on cases linked to child sexual abuse and exploitation between the AMS. (Regional)
1.3	Adopt or strengthen national policies and plans of action	

1.3.1	Adopt, strengthen and ensure the implementation of a national policy or multi-sectoral national plan of action that prevents and responds to online abuse and exploitation of children with accompanying monitoring mechanisms and sufficient resource allocation for its operationalisation. (National)	Indicator 1.3.1.: Number of AMS that have national policies, strategies and/or plans of action that address online child sexual exploitation and abuse and cyberbullying, and integrate the specific needs of vulnerable children. (National)
1.3.2	Ensure that key actions to tackle cyberbullying are identified and incorporated in plans and policies on ending violence against children, including wider strategies to tackle bullying. (National)	
Focus Area 2	Law enforcement, judicial and legal professional capabilities	
2.1	Build the capacity of law enforcement and the judiciary	
2.1.1	Carry out a national assessment of law enforcement, judicial and legal capacities to investigate, prosecute and hear cases of online exploitation and abuse of children, as well as gaps in relation to accessing, collecting, processing, and storing electronic evidence, and any relevant admissibility rules. (National)	Indicator 2.1.1: Number of AMS that have conducted a national assessment of law enforcement, judicial and legal capacities to investigate, prosecute and hear cases of online exploitation and abuse of children. (National)
2.1.2	Develop standardised national and regional training course(s)/manual(s), including pre-service trainings and guidance for law enforcement, the judiciary, lawyers and prosecutors on OCSEA, including the up-to-date context and circumstances in which OCSEA take place, the potential vulnerability of	Indicator 2.1.2.: Number of AMS that have integrated a victim-centric approach to OCSEA investigations and judicial proceedings into training courses and manuals for law enforcement and the judiciary, aligning with the standardized training course/manual developed by and with ASEAN. (Regional/National)

	victims/witnesses, the patterns of offending and profiles of offenders ⁶³ , and a victim-centered approach ⁶⁴ . Document participation in and curricula of trainings conducted by AMS and by international partners. (National)	
2.2	Ensure law enforcement and judiciary have the adequate mandate, guidance and tools	
2.2.1	Connect to the INTERPOL International Child Sexual Exploitation (ICSE) database of child abuse material and when connected, utilise it effectively to improve the efficiency and effectiveness of efforts to identify victims and offenders and to avoid duplication of efforts. (National)	Indicator 2.2.1: Number of AMS that are connected to Interpol ICSE database. (National)
2.3	Strengthen offender management systems	
2.3.1	AMS may consider creating an integrated national child sex offenders' registry that can be shared with appropriate agencies to ensure that limitations are put on offenders' future contact with children. (National)	Indicator 2.3.1: Number of AMS that have created or are considering ⁶⁵ the creation of an integrated national child sex offenders' registry. (National)

⁶³ Patterns of offending and profiles of offenders may vary between AMS. However, it is essential to develop an evidence-informed approach to offender management based on understanding of commercial and non-commercial forms of exploitation as well the profile of perpetrators, who can range from people in the child's circle of trust to foreign nationals.

⁶⁴ Key topics include: Proactive/reactive methods of investigations, forensic techniques, electronic evidence, victim identification and child sensitive interviews and investigation; Multi-Disciplinary Team development and trauma-informed criminal justice process; and child friendly justice procedures to ensure effective victim support throughout the country's legal process.

⁶⁵ For the purpose of monitoring, considering could be indicated by a consultation/research paper/development of a concept note/integration of activity in a plan of action, strategy or policy etc.

2.3.2	AMS will endeavour to put in place and/or make use of existing systems and protocols to prevent convicted foreign child sex offenders from entering a country where they are not a citizen or a resident, or from remaining in a country of which they are not a citizen or a resident once they have completed their sentence, and put in place procedures to allow for timely deportation of such foreign offenders, including through international cooperation where applicable. (National)	Indicator 2.3.2.: Number of AMS that put in place and/or make use of existing systems and protocols to prevent convicted foreign child sex offenders from entering a country where they are not a citizen or a resident, or from remaining in a country of which they are not a citizen or a resident once they have completed their sentence (National)
Focus Area 3	A national specialised unit with an explicit remit to lead, support and coordinate investigations	
3.1	AMS will endeavour to establish and/or strengthen, and ensure adequate human and financial resources are allocated for a national specialised law enforcement unit ⁶⁶ and/or national coordinating task force on crimes against children with an explicit remit to lead, support and coordinate investigations into CSEA both online and offline. This unit should be the	Indicator 3.1.1: Number of AMS with specialized units and/or national coordinating taskforce teams focused on OCSEA investigations (National)

⁶⁶It is important to identify which specialised unit can lead on cases involving online VAC. This may mean creating a new specialised unit, or identifying lead investigators who can work across both cybercrime units and family violence units as part of a national coordinating task force. The structure and membership of a national specialised unit or national coordinating task force can vary from country to country. However, the main characteristics of a national specialised unit could include: appropriately trained and dedicated law enforcement officers from one or more law enforcement agency in the country, with the mandate to oversee and/or support all cases of online CSEA in the country, including through international exchange, and with the physical venue, appropriate equipment, training and psychological support to carry out this work. In order to provide an integrated response to online CSEA, a national specialised unit may also include staff from other sectors such as social care and health workers. Whether a national specialised unit is in place or not, the role of a national coordinating task force is to ensure the identification, availability and application

	point of contact to receive reports from clearing houses such as NCMEC, foreign governments, INTERPOL, and NGOs including hotlines. The unit should be responsible to translate the reported information into actionable intelligence to enable the case to be investigated. (National)	
3.2	Where specialised units and/or a national task force are established or in operation, ensure that the unit is staffed by a multi-disciplinary team comprised of law enforcement officers trained in online victim identification; how to conduct covert OCSEA investigations; how to investigate the financial component in cases of commercial OCSEA; and how to carry out investigations both in the open web and the darknet. These specialised law enforcement officers should work alongside child protection specialists/social workers, ensuring that a victim-centric approach is taken in all investigations of OCSEA ⁶⁷ .(National)	
3.3	Ensure a framework for international and regional cooperation is in place for the purposes of victim identification, investigation and prosecution of child sex offenders (National)	

of the above listed characteristics between and across the relevant members of the task force. For more information, reference can be made to guidance on the WePROTECT MNR – Capability 4 – Dedicated Law Enforcement.

⁶⁷WePROTECT MNR – Capability 4 – dedicated law enforcement

Focus Area 4	Ensure effectiveness of rights-based, gender and age-responsive child protection and support services, social welfare programmes	
4.1	Ensure quality and accessibility of rescue, recovery, care and support services	
4.1.1	Identify and safeguard child victims of online sexual exploitation and abuse and ensure that child victims have access to quality support and recovery services that meets the specific needs of children. Available services should progressively include tiered mental health and psychosocial support, accessible to child victims in the short-, medium- and longer-term given the nature of online sexual abuse and the potential for images to remain in circulation and to children in conflict with the law as a result of OSCEA. Ensure accessibility to services through an effective case management system, referral pathway protocol, and coordination mechanism that includes both government and NGO services. (National)	Indicator 4.1.1: Number of AMS with safeguarding, support and recovery services, including psychosocial support, that meet the specific needs of child victims of OSCEA, and are governed by a referral protocol between social welfare, law enforcement, justice and health. (National)
4.1.2	Ensure the provision of safe, appropriate, family and emergency based emergency and longer-term care so that child victims of OCSEA can be removed from situations of significant risk and harm, where necessary. (National)	Indicator 4.1.2.: Number of AMS with family based emergency and longer term care available for child victims of OCSEA (National)

4.1.3	Ensure that the social service workforce and key frontline workers can provide an effective response for child victims of online abuse and exploitation, including through the development of protocols and guidance for case management. (National)	Indicator 4.1.3.: Number of AMS with protocols or guidelines for case management of OCSEA cases by a) social workers, b) as healthcare workers and c) teachers. (National)
4.1.4	Strengthen the capacities, skills and knowledge of the social service workforce and key frontline workers, including through the development and incorporation of modules on child online protection into pre- and in-service training for these workers. (National)	Activity 4.1.4: Number of AMS with a) in service training courses, b) modules integrated in pre service training for social workers and para social workers on detection and management of cases of OCSEA. (National)
4.1.5	Consider improvements to the victim compensation regime [including, as appropriate, developing victim compensation guidelines] for child victims of OSCEA, and consider the establishment of a victims' compensation fund (National).	Activity 4.1.5: Number of AMS that a) have created or improved victim compensation mechanism ⁶⁸ , or b) are considering the creation of or improvements to the victim compensation mechanism, including as appropriate, developing victim compensation guidelines. (National)

⁶⁸ When compensation is not fully available from the offender or other sources, States should endeavour to provide financial compensation or consider the expansion of national funds for compensation to victims. Where appropriate, other funds may also be established for this purpose, including in those cases where the State of which the victim is a national is not in a position to compensate the victim for the harm. <https://www.ohchr.org/en/professionalinterest/pages/victimsofcrimeandabuseofpower.aspx>

4.1.6	Develop guidelines for the provision of protective and support services for all child victims and children in contact with the law as a result of OCSEA (National and Regional)	Indicator 4.1.6: ASEAN guidelines developed for the provision of protective and support services for all child victims and children in contact with the law as a result of OCSEA (Regional)
Focus Area 5	Data collection and monitoring, reporting and referral mechanisms	
5.1	Establish and/or strengthen an internet hotline or reporting portal, in collaboration with the private sector or NGOs where applicable, to report digital content suspected of depicting child sexual exploitation and abuse, facilitate identification and removal of CSAMs by the host service in accordance with national law, and ensure the inclusion of CSAM on the available URL ⁶⁹ blacklist (National)	Indicator 5.1.1: Number of AMS with a fully operational internet hotline or reporting portal affiliated with the private sector or NGOs where applicable, to facilitate identification and removal of CSAMs by the host service in accordance with the relevant national law, and ensure the inclusion of CSAM URLs on the available URL blacklist. (National)
5.2	Implement robust and standardised law enforcement protocols for receiving, prioritising, actioning and referring reports received via the hotline. These should be reached in agreement between established points of contact at the hotline, the law enforcement body, and ISPs, and should also include protocols for international receipt and referral of reports. (National)	Indicator 5.1.2: Number of AMS with standardised law enforcement protocols for receiving, prioritising, actioning and referring reports received via the hotline. (National)

⁶⁹ URL stands for Uniform Resource Locator. A URL is nothing more than the address of a given unique resource on the Web. Accessed on 3 August:

https://developer.mozilla.org/enUS/docs/Learn/Common_questions/What_is_a_URL

5.3	Ensure there is a toll free, accessible, anonymous and confidential national child helpline(s) ⁷⁰ to provide a child friendly mechanism to report child abuse and violence and provide psychosocial support and referral for children who are experiencing online VAC. (National)	Indicator 5.1.3: Number of AMS with a toll free, accessible, anonymous and confidential national child helpline where staff have received training to respond to cases of online exploitation and abuse. (National)
5.4	To shape and target policies and programmes, ensure that there is a national system in place to collect, collate and categorise data on prevalence, types and trends of online abuse, violence and exploitation, as well as on victim and perpetrator profiles, where necessary. This non-personal data should be shared across relevant actors. This includes, but is not limited to, data from hotlines and helplines. (National)	Indicator 5.1.4: Number of AMS with a national system in place to collect, collate and categorise data on prevalence, types and trends of online abuse, violence and exploitation, as well as on victim and perpetrator profiles. (National)
5.5	To support regional collaboration and action, share anonymised data between AMS, when needed and in accordance with domestic laws, while duly respecting the privacy rights of the children involved. It is also recommended that AMS enhance reporting and referral mechanisms among and between them, utilizing the existing international reporting platforms. (Regional)	

⁷⁰ National (or alternatively “nation-wide”) Child helpline means a telephone or internet chat support service run specifically for children by civil society organisations or government bodies, staffed by counsellors who actively listen to children and connect them to resources and emergency services where needed, which is accessible by all children across the country. Assistance in establishing a child helpline at a national level can be obtained from Child Helpline International.

Focus Area 6	Promotion of a national education programme and school curricula; empowerment of children, young people, parents, guardians, caregivers, practitioners and community	
6.1	Strengthen and Expand Education on CSEA	
6.1.1	<p>Integrate cyber safety education for children into school curricula, including as a critical component of digital literacy education. Ensure that:</p> <ul style="list-style-type: none"> a) educational materials are evidence-based, and sensitively cover a range of topics including comprehensive sexuality education, sexting, cyberbullying, online child sexual exploitation and abuse, online privacy, and, importantly, explain what to do when something goes wrong; b) the content of education programmes focuses on skill-building, behavioral change, building resilience and digital literacy; c) modules are developed for different age/year groups, since risks evolve as children grow up; d) the content and design are shaped by formative research on the national and local context, the insights and experiences of children and sound theories of change; e) that evaluation frameworks are built in to ensure such education initiatives have a positive impact on both knowledge acquisition and behavior change; and f) that teachers have the knowledge and skills to effectively deliver the modules. (National) 	<p>Indicator 6.1.1: Number of AMS that have OCSEA and cyberbullying prevention education modules a) contextualized and integrated into the national curriculum, including digital literacy education curriculum, and b) that are evaluated. (National)</p>

6.1.2	Strengthen and raise awareness of reporting mechanisms for OCSEA through schools, including through the adoption and implementation of child protection policy by and within public and private schools nationwide, with clear reporting and referral mechanisms from schools for cases of both online and offline abuse of children. Such reporting mechanisms and child protection policies should also be adopted for informal learning institutions, early childhood development centres, residential and day care facilities. (National)	Indicator 6.1.2.: Number of AMS with national child protection policies and procedures in place for a) schools, b) informal learning institutions, c) early childhood development centres, d) residential facilities and, e) day care facilities, that include the prevention of online and offline abuse and exploitation of children and mechanisms for the reporting and referral of cases from schools to child protection authorities and other key services (National)
6.2	Awareness raising	
6.2.1	Develop guidance documents on Internet user safety and undertake both mass and targeted public campaigns to reach: a) children, b) parents and caregivers, c) educators and d) communities with information on online risks and cyber safety, including available safety tools, recognising signs of potential abuse and reporting mechanisms, to support knowledge acquisition, skills development and positive <u>behavioural</u> change. This may be carried out in collaboration with the private sector, media, non-governmental organizations, and children and young people themselves (National)	Indicator 6.2.1: Number of AMS that have undertaken both mass and targeted public campaigns to reach: a) children; b) parents and caregivers. (National)
6.2.2	Ensure targeted awareness raising and digital literacy interventions for all vulnerable children, including but not limited to:	Indicator 6.2.2.: Number of AMS running targeted campaigns and digital literacy interventions for a) out of school children, b) high-risk groups, c) localities and

	<p>a) Out of school children and high-risk groups, such as children with disabilities, and children on the move; and</p> <p>b) Localities and communities with limited knowledge and capacities in using online platforms (National)</p>	<p>communities with limited knowledge and capacities in using online platforms. (National)</p>
Focus Area 7	Engagement with the private sector and other relevant stakeholders	
7.1	<p>Collaborate proactively with relevant private sector institutions: to identify online risks for children, challenges to safeguarding children and measures that could be put in place to make children’s online experience safer; to engage these entities in the development of national action plans, policies and strategies on child online protection and to promote development of innovative technological solutions to tackle OCSEA. (National)</p>	<p>Indicator 7.1.1: Number of AMS that engage relevant private sector institutions in the development and progress review of national action plans, policies and strategies on child online protection and to promote development of innovative technological solutions to tackle OCSEA. (National)</p>
7.2	<p>Engage with relevant private sector institutions to ensure their active detection, removal and reporting of CSAM, including through the use of financial or other penalties to encourage compliance, and to encourage them to have in place a single point of contact for interfacing with law enforcement in relation to OCSEA. (National)</p>	<p>Indicator 7.2.1: Number of relevant private sector institutions operating in the AMS with an established process for identification, reporting and removal of CSAM to law enforcement, including via an established referral mechanism and a single point of contact for interfacing with law enforcement in relation to OCSEA. (National)</p>

7.3	Ensure that mechanisms are in place for private sector institutions to report illegal and suspicious activities and transactions related to OCSEA to national law enforcement in a timely manner. (National)	Indicator 7.3.1: Number of AMS with mechanisms in place for private sector institutions to report illegal and suspicious activities and transactions related to OCSEA to national law enforcement in a timely manner. (National)
7.4	Develop protocols that require relevant private sector institutions operating at national level to adopt corporate policies or procedures on child protection. (National)	Indicator 7.4.1: Number of relevant private sector institutions operating in each AMS with a standalone corporate child safeguarding plan and policies on child protection including online protection. (National)
7.5	Foster public-private partnerships bringing together government, law enforcement and private sector institutions to facilitate sharing of financial intelligence to assist the financial industry to identify and report transactions suspected to involve purchases of CSAM and live streaming of child sexual exploitation. (National)	Indicator 7.5.1: Number of AMS that have cooperation mechanisms in place between law enforcement and financial institutions to share financial intelligence and to detect and report suspicious transactions suspected to involve purchases of CSAM and live streaming of child sexual exploitation. (National/regional)
7.6	ASEAN will convene regular dialogues with the relevant private sector institutions working in multiple AMS in order to promote minimum standards and good practice for operations in relation to ensuring the safety of children in online environments. (Regional)	Indicator 7.6.1 Annual dialogue held by ASEAN with relevant private sector institutions to promote minimum standards and good practice for operations in relation to ensuring the safety of children in online environments across the region. (Regional)