Victims Are Not Virtual:

Situation assessment of online child sexual exploitation in South Asia

VICTIMS ARE NOT VIRTUAL

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Abbreviations and acronyms

APAC-FCACP	Asia-Pacific Financial Coalition Against Child Pornography
APRC	Act on the Protection of the Rights of Children (Maldives)
ARC	Advocating the Rights of Children (Maldives)
BBS	Bhutan Broadcasting Service
BCMD	Bhutan Centre for Media and Democracy
BICMA	Bhutan InfoComm and Media Authority
BIPS	Bhutan Information and Communications Technology Policy and Strategies
BNLI	Bhutan National Legal Institute
BNWLA	Bangladesh National Woman Lawyers' Association
BT	Bhutan Telecom Limited
BTRC	Bangladesh Telecommunication Regulatory Commission
CCA	Computer Crimes Act (Sri Lanka)
CCPA	Child Care and Protection Act (Bhutan)
CERT	Computer Emergency Response Team (Sri Lanka)
CHI	Child Helpline International
CID	Cybercrimes Investigation Department (Sri Lanka)
CID	Criminal Investigation Department (Bangladesh)
CJPA	Children Judicial Protection Act (Sri Lanka)
CRPB	Children's Rights and Business Principles
CRC	United Nations Convention on the Rights of the Child
CRCCP	Child Rights, Child Care and Protection Bill (Maldives)
CRIN	Child Rights International Network
CSA	child sexual abuse

CSAM	child sexual abuse materials
CSE	child sexual exploitation
CSEC	commercial sexual exploitation of children
CSO	civil society organization
CSR	corporate social responsibility
ECA	Punjab Employment of Children Act (Pakistan)
FATA	Federal Administered Tribal Areas (Pakistan)
FCR	Frontier Crimes Regulation (Pakistan)
FCSC	Family and Children Service Centre (Maldives)
FIA	Federal Investigation Agency (Pakistan)
FIU	Financial Intelligence Unit (Sri Lanka)
GSMA	Groupe Spécial Mobile Association
HRCM	Human Rights Commission of the Maldives
ICMEC	International Centre for Missing & Exploited Children
ICT	information and communication technologies
ICTP	Islamabad Capital Territory (Pakistan)
ICTA	Information and Communications Technology Association (Sri Lanka)
IEC	information, education and communication
ILO	International Labour Organization
INHOPE	International Association of Internet Hotlines
INTERPOL	International Crime Police Organization
ISP	Internet service provider
IT	Information technology
ITU	International Telecommunication Union
IWF	Internet Watch Foundation

JJU	Juvenile Justice Unit (Maldives)
KP CPWA	Khyber Paktunkhwa Child Protection and Welfare Act (Pakistan)
KP CPWC	Khyber Paktunkhwa Child Protection and Welfare Commission (Pakistan)
MCPD	Maldives Child Protection Database
MoE	Ministry of Education (Bangladesh, Bhutan, Maldives, Sri Lanka)
MoIC	Ministry of Information and Communication (Bhutan)
MoIT	Ministry of Information Technology (Pakistan)
MoLG	Ministry of Law and Gender (Maldives)
MoWCA	Ministry of Women and Children Affairs (Bangladesh)
MSPVAW	Multi-sectoral Programme on Violence Against Women (Bangladesh)
NCMEC	National Center for Missing & Exploited Children (US)
NCPA	National Child Protection Authority (Sri Lanka)
NCW	National Committee on Women (Sri Lanka)
NCWC	National Commission on Women and Children (Bhutan)
NPA	National Plan of Action
NPACP	National Plan of Action for Child Protection (Bhutan)
NR3C	National Response Centre for Cyber Crime (Pakistan)
OAG	Office of the Attorney General
OCC/OSCC	One-Stop Crisis Centre (Bangladesh, Bhutan)
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPOA	Obscene Publications Ordinance Act (Sri Lanka)
OPSC	Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
PEACE	Protection Environment and Children Everywhere
PEMRA	Pakistan Electronic Media Regulatory Authority

PHWA	Protection Against Harassment at the Workplace Act (Pakistan)
PTA	Pakistan Telecommunication Authority
RBP	Royal Bhutan Police
RENEW	Respect, Education, Nurture, and Empower Women (Bhutan)
SAARC	South Asian Association for Regional Cooperation
SAHR	South Asians for Human Rights
SAIEVAC	South Asia Initiative to End Violence Against Children
SAP	strategic action plan
SCPAA	Sindh Child Protection Authority Act (Pakistan)
SHE	Society for Health Education (Maldives)
SOP	standard operating procedure
SRHR	sexual and reproductive health and rights
SRSG	Special Representative to the United Nations Secretary General on Violence against Children
SVAWCA	Suppression of Violence Against Women and Children Act (Bangladesh)
TI	Tashi Infocom Limited (Bhutan)
TRC	Telecommunications Regulatory Commission (Sri Lanka)
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UPR	Universal Periodical Review
VPN	Virtual Private Network
VSU	Victim Support Unit (Maldives)
YDF	Bhutan Youth Development Fund (Bhutan)

Executive summary

Access to and use of the Internet introduces youth to a global, borderless network that holds promise for education, information access and positive social connections. Yet it also poses the risk of harmful encounters. As a growing number of youth go online in South Asia, at stake, and the focus of this report, is the extent to which participation online may expose young users to harmful contacts and interactions.

Over a six-month period in 2016, 288 stakeholders from Bangladesh, Bhutan, Maldives, Pakistan and Sri Lanka contributed their observations and expertise to a UNICEF-sponsored situation analysis of the online sexual exploitation of children. Combined with extensive literature and legislative review, the analysis examined the nature of online child sexual exploitation across different national contexts and assessed country-specific responses.

An early finding in stakeholder discussions was that the online and offline worlds could not be separated. This merging is not only because individual instances of abuse can begin offline and be taken online or vice versa, but also, more importantly, because the response frameworks that support the victim occur locally, regardless of whether the crime happened online or off. The interventions are the same, and youth who are abused either offline or online will require services from the same providers.

Similarly to the rest of the world, prevalence numbers for online child sexual exploitation in South Asia were limited. The nature of the crime presents challenges for prevalence data because most crimes go unreported, yet existing structures were found not to cooperate with one another, inhibiting data sharing and coordination. Stakeholders interviewed during field visits provided insight into potential priority areas. Many stakeholders reported that abuse and harassment were occurring within social media apps by users with fake accounts. Distribution of photos – some of them doctored – were commonplace and used for extortion or blackmail. International law enforcement expressed concern about the distribution of child sexual abuse materials (CSAM).

While the region currently has no agreed-upon definition of online child sexual exploitation, for the purposes of this study, the following definition was developed from national and international legislative review and stakeholder interviews:

> Use of the Internet as a means to exploit children sexually, which includes cases in which contact child abuse[1] and/or exploitation offline is combined with an online component.

A finding of this research was the need to distinguish appropriate responses and interventions based on the type of online child sexual exploitation occurring. Four broad categories of online child sexual exploitation (CSE) were identified as currently of most concern to stakeholders in the South Asian countries under study (the third category, corruption of children, was the most discussed concern):

- child sexual abuse materials (CSAM or child pornography);

- online facilitation of offline child sexual exploitation, including use of the Internet for child trafficking, or for child marriage or for the exploitation of children in prostitution;

- corruption of children, involving adults or other children exposing children to pornography online;

- sexual extortion of children, which involves one child voluntarily sharing a nude or sexualized photo with another child or an adult, and then being blackmailed as a result.

CSAM and online facilitation of offline child sexual exploitation are invariably transnational crimes, which call for a strong and proactive transnational law enforcement response to ensure the perpetrators are caught and prosecuted, together with provision of child protection services to address victims' needs. However, among the countries in this study, there appeared to be little proactive law enforcement efforts to search for CSAM online, and instead any CSAM cases involving child victims from the region were alerted to national authorities by International Crime Police Organization (INTERPOL) or foreign law enforcement agencies.

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[1] Contact child abuse describes cases in which the abuser comes into physical contact with the child, whereas non-contact child abuse describes acts such as downloading and viewing child pornography, which do not require physical contact but are nevertheless abusive.

Anecdotal evidence from this study suggests that the third and fourth categories in the list, corruption of children, and sexual extortion of children, may be less likely to be transnational crimes, and instead involve perpetrators in the child's own country, community, and even peer group. The present study found that responses to child victims of these kinds of crimes in the South Asia region can become complex in cases in which, as well as being exploited, children also technically breach national laws themselves either by viewing pornography online or by consenting to sexting.[2] There are concerns that such children may be criminalized for producing and distributing child pornography (of themselves), or for having sex outside of marriage, instead of being recognized as victims.

Online risks were found to fall into two distinct categories. First, there are CSAM created by perpetrators with a clear predatory sexual interest in children, and these materials are exchanged or sold online. Analysis of stakeholder feedback indicates that trends in this kind of sexual harassment and extortion are moving from more static platforms such as Facebook, to faster moving, more private and more temporal applications such as WhatsApp, WeChat, and Snapchat. Emerging image-sharing and communication on platforms that do not store long-term records has implications for both the speed of proliferation and for the removal of images.

The kinds of online CSE which involve peer-to-peer abuse and exploitation, and in which the child victims have some agency, require a different kind of response than CSAM and online facilitation of offline child sexual exploitation. In such cases it may be most important to improve children's understanding of the risks involved in online communications, and to build their resilience and ability to mitigate such risks. Where the perpetrators involved are the child victim's peers, and children themselves, it is also important to ensure they receive a strong educational message regarding the harm caused by such crimes, and about their criminal nature, so that the onus is not simply on the victim to avoid being exploited, but also on the perpetrators to not victimize their peers.

This study found that a majority of interventions focus on awareness-raising, for example online safety guides or training, yet there is a disconnect between the types of abuse youth experience in the region and the intervention efforts available. It is important to note that in the case of CSAM, for example, children are groomed and targeted by offenders with a depth of experience in deception and evading the law and are usually part of a larger network of abusers. Awareness-raising efforts targeted at children and addressing online safety might be generally helpful, but evidence indicates that a more effective intervention would target awareness-raising towards parents to help identify symptoms of abuse, characteristics of abusers, and available reporting mechanisms.

This study identified an assumption that a technical fix must exist for problems identified as 'online'. In the case of online child sexual exploitation, these assumptions are true, but limited. INTERPOL and the International Centre for Missing & Exploited Children (ICMEC) lead efforts to identify and take down CSAM images globally, a technological fix. Yet it is a finding of this study that combined with international response there is also a need for a local response to attend to the victims and perpetrators. Local response to online child sexual exploitation relies on the strength of the existing child protection system, locating treatment of abuse incidents regardless of where they occur, within an existing framework. It additionally addresses that a single child may be victim of multiple forms of abuse and seeking treatment from the same facilities.

While the online dimension introduces very serious issues in terms of expanding the potential reach of perpetrators from local to global, it is a primary recommendation of the present study for child protection systems to focus on existing knowledge and effective practice of responding to violence and sexual exploitation, and build upon their existing knowledge base and frameworks to address the online dimension.

There is no single factor that will reduce sexual violence and abuse. However, a recommendation emerging from this study is that the child protection system must have strong leadership, a focal point that drives collaboration within the network and holds actors responsible for their roles.

The local response must be coordinated, with a clear reporting mechanism and pathway for response that includes defined responsibilities for units responding, such as health, law enforcement, psychology, family

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[2] Sexting refers to self-generated content involving children, or materials that are produced by a child, of themselves, sometimes within a relationship.

services and justice, and a referral process that enables victim recovery and perpetrator sentencing. The system must also engage local Internet service providers (ISPs) and the technology industry in prevention and detection. Most importantly, youth need to know whom they can trust to turn to when they have an upsetting experience. Further recommendations can be found in Section 5 of this report.

1. Introduction

This report was commissioned by UNICEF to address the online sexual exploitation of children in five study countries of South Asia. It incorporates information and analysis from the major phases of the research project, including framing and proposal, regional and international literature review, fieldwork in Bangladesh, Bhutan, Maldives, Pakistan and Sri Lanka, and a second literature review based on resources obtained in the field.

1.1 Focus of report

The purpose of this project is to inform UNICEF programming on the online sexual exploitation of children in Bangladesh, Bhutan, Maldives, Pakistan and Sri Lanka. Following the terms of reference provided by UNICEF at the outset of the project, this research focused on two sets of objectives:

1. review of legislative frameworks; information and communication technologies (ICT) industry policies, protocols and approaches; mapping of stakeholders engaged in this issue; nature of the issue; and sociocultural and political approaches to the issue;

2. provide actionable recommendations on key priority areas for systemic change, both for individual countries and for the region.

The need for such a report has become clear in recent years, as the rapid spread of Internet technologies has created a series of complicated, and often contradictory changes in societies across the globe. The Internet can offer unprecedented opportunities for communication and learning – often to traditionally under-privileged populations. At the same time, the new affordances of the Internet coupled with the cultural and legislative lag that follows any technological change has produced new conditions of vulnerability for children. The sexual exploitation of children produces immeasurable harm, and yet includes some of the most difficult crimes to prevent, prosecute, or even document, regardless of being committed online or off.

Child sexual exploitation has long been of great concern to the international community, and most countries in the world agreed to take steps to protect children from such crimes when they ratified the United Nations Convention on the Rights of the Child 1989 (CRC) and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography 2000 (OPSC). There were also three World Congresses on Sexual Exploitation of Children in Stockholm in 1996, Yokohama in 2001 and Rio de Janeiro in 2008, at which participating States signed up to different agendas for action against child sexual exploitation (CSE) (Child Rights International Network 2008). The 2008 Rio Declaration was the first of the World Congresses to specifically address online CSE. The United Nations Secretary-General's Study on Violence Against Children also raised concerns regarding online CSE.[3] In 2014 the Special Representative to the United Nations Secretary General on Violence against Children (SRSG) published a thematic report on ICT, the Internet and violence against children (Office of the Special Representative of the Secretary-General on Violence against Children 2014). Also in 2014 the CRC Committee held a Day of General Discussion on digital media and children's rights (Committee on the Rights of the Child 2014), which was followed in 2015 by the Special Rapporteur on the sale of children, child prostitution and child pornography's thematic report on ICT and the sexual exploitation and sale of children (Human Rights Council 2014). Most recently in 2016, the Human Rights Council held their Day of Discussion on the rights of the child on the topic of preventing child sexual exploitation and enhancing children's protection through ICT,[4] while UNICEF launched its #ENDviolence online campaign.[5]

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[3] See <http://srsg.violenceagainstchildren.org> for this and related materials (accessed on 21 January 2017).

[4] See <www.inhope.org/tns/news-and-events/news/16-03-15/Human_Rights_Council_on_the_Rights_of_the_Child_ICT_and_child_sexual_exploitation> for commentary and related materials (accessed on 21 January 2017).

[5] See <www.unicef.org/endviolence/endviolenceonline/> for details on #ENDviolence online (accessed on 21 January 2017).

In 2014, the United Nations Office on Drugs and Crime (UNODC) released the Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children. The study presents a detailed analysis and assessment of threats and risks associated with online sexual exploitation of children. The report argues, "ICTs not only facilitate the commission of an abusive and/or exploitative act but also give rise to new types of child sexual abuse and exploitation" (p. 38). At the same time, the technical nature of connecting to Internet technologies gives law enforcement a greater ability to track and monitor online communications. Research also found that data collection and analysis of advertisements for sex with minors could provide a window into the hitherto hidden and clandestine behaviours of sexual predators (Latonero 2011; Latonero 2012). The nations of South Asia present a varied set of challenges and opportunities. The risks of child online sexual exploitation cross national boundaries due to the transnational nature of Internet connectivity. And yet, legal, technical and social responses to the crime are still primarily tied to national institutions, legislation and policies. The five study countries have prioritized the role of ICT infrastructure, access and usage in national development. While ICT adoption is but one metric for development, it has been uneven across these nations (see Table 1 below).

Table 1. Mobile subscribers, fixed broadband subscribers and Internet users[6]

Country	Mobile subscribers (per 100 people)	Fixed broadband subscribers (per 100 people)	Internet users (per 100 people)
Bangladesh	80	1.9	9.6
Bhutan	82	3.26	34.4
Maldives	189	5.64	49.3
Pakistan	73	1.08	13.8
Sri Lanka	103	2.65	25.8

In December 2014, representatives from 63 countries gathered for the WePROTECT Summit called to address the changing face of international child protection. Participating nations signed on to a Statement of Action and adopted a Model National Response that sketches proposed pillars of a national child protection framework (weprotect.org 2015).

Of the countries in this study, Sri Lanka and Pakistan have signed on to the WePROTECT Statement of Action (WePROTECT Summit 2014). Nations across this region share common international challenges to studying issues of sexual violence, such as a general taboo against the open discussion of sexual topics, and an even more specific taboo when children and abuse are involved. This reticence can manifest itself in both child victims and child protection stakeholders alike, and can exacerbate the already difficult task of assembling accurate data on the nature and extent of the threat. Yet recent events in Pakistan[7] show that even when parents do report sexual abuse, regardless of taboos, other challenges exist, including restraint in law enforcement response, lack of political will, weak legislation and under-resourced child protection systems.

Historically, global child protection efforts have focused on single issues; more recent approaches to child protection have evolved to promote a holistic view of children and child protection – one that engages the full range of actors involved in protecting children's rights. Accordingly, child protection systems are not closed entities but adaptable and dynamic (UNICEF 2010a; 2008).

1.2 Report overview

This report contributes a focused review and assessment of the online dimension of child sexual exploitation in target countries of South Asia. Section 2 is a brief discussion of the methods used for this project, along with key definitions of terms

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[6] Source: World Bank (2014). Country indicators, available at <http://data.worldbank.org/indicator/IT.CEL.SETS.P2> (accessed on 21 January 2017).

[7] See Human Rights Commission of Pakistan 2015 for details of abuse in Kasur.

and a number of important caveats to the report's conclusions. Section 3 is organized as a rights-based regional analysis that incorporates the legislative and literature review. Section 4 presents frameworks for addressing online child sexual exploitation and their associated intervention strategies. Section 5 delivers a set of concrete recommendations for the region's and individual countries' future improvement of child protection online.

1.3 Key research areas

Research focused on key areas derived from UNICEF's terms of reference and feedback:

- legislative frameworks, law and policy, including criminal law, civil law and access to justice for the child victim;

- ICT industry regulation and commercial legislation;

- ICT-specific factors, including the relationships between online and offline sexual exploitation of children and how technologies can be used both to exploit and protect children;

- stakeholders engaged on issues related to ICT, sexual exploitation of children, and child protection;

- through stakeholder interviews, providing an initial assessment of the threats and nature of online sexual exploitation including particularly vulnerable or at-risk groups;

- sociocultural contexts and approaches to the issue and to the protective environment for children.

1.4 Overview of methods

Research for this study proceeded in four phases: 1) legislative and literature review, 2) in-country fieldwork, 3) additional legislative and literature review based on feedback from countries, 4) description and analysis. The literature review was accomplished using a broad range of international documents, including reports from UNICEF, UNODC, SRSG, World Bank, ECPAT International and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Wherever possible, information specific to the South Asia region was preferred over more general literature although the evidence base related to the study focus for South Asia is currently limited. To date, the bulk of research and data on online sexual exploitation of children has been undertaken in the global north. The literature review was organized

according to four related thematic streams: 1) legislation/policy, 2) access to justice, 3) social context and 4) ICT. The literature review material and feedback was integrated into this final report and the country sections. A summary of findings from this review is found in Section 3.

During the second phase of research (fieldwork), many in-country stakeholders were consulted through individual interviews, round-table discussions and informal meetings. Youth (18–35) were included in field research and round-table discussions where possible, as a key stakeholder group, in order to give voice to their perspectives and concerns. In total, 288 stakeholders participated, representing government ministries, law enforcement and justice, and several community-based or non-governmental organizations in the areas of ICT for development, human rights, media and development, youth, and women and children's rights. These interactions were guided by the findings of the literature review (and consultation with UNICEF country offices). A breakdown of stakeholders met is found below (Tables 2–5).

Based on additional literature and information from the country visits, a second extensive literature and legislative review was conducted. This involved review of reporting on progress towards the UN Convention on the Rights of the Child (CRC), reports by the CRC Committee, the OHCHR, UNICEF, and other global reports either recently published or highlighted as priority reading by the country offices. Additionally, materials collected during the fieldwork provided key local findings.

During the fourth phase of research, reports from stakeholder interviews were analysed together with findings from the literature and legislative reviews. In places where information was contradictory or incomplete, best efforts were made at triangulation and confirmation by connecting with the country and regional offices for additional information.

1.5 Promotion of children's rights to education, to access information and to freedom of expression

Although the focus of this report is on prevalence and practices of online sexual exploitation, it is important to note that the majority of young Internet users will not encounter violence or exploitation in their everyday online experiences. While much of the focus of those concerned with child well-being has tended towards risks and harm associated with online activities, there is a growing emphasis on the

promotion of opportunities, and recognition that minimizing risk does not have to come at the expense of negating or minimizing opportunities. In fact, many of the risks that are perceived by adults can also be presented as opportunities (contact with others sharing similar interests, self-initiated collaboration and learning, social networking), and are often perceived as such by children. Any consideration of protective measures should also take into account children's rights as described in the CRC: to be heard (article 12), to freedom of expression (article 13), to privacy (article 16), to access appropriate information (article 17), to education (article 28) and to leisure, play and culture (article 31). Human rights are indivisible, interdependent and interrelated, and the imperative to protect children does not negate their other human rights. Therefore, children's rights to protection must be implemented without encroaching on their rights to participation.

Table 2. Number of stakeholders by country

Country	Stakeholders
Bangladesh	63
Bhutan	50
Maldives	53
Pakistan	69
Sri Lanka	50
Total	285*[8]

Table 3. Number of stakeholders by sector

Sector	Stakeholders
National government	95
Non-governmental organization	77
Business	33
Intergovernmental organization	33
Youth	32
International non-governmental organization	11

Table 4. Number of stakeholders by gender

Gender	Bangladesh	Bhutan	Maldives	Pakistan	Sri Lanka	Total
Female	30	28	31	30	20	139
Male	33	22	22	39	30	146

Table 5. Number of consultations by type

Country	Consultations	Individual interviews	Round-table meetings
Bangladesh	11	9	1
Bhutan	16	5	1
Maldives	15	5	1
Pakistan	17	13	1
Sri Lanka	15	18	1

[8] *Note that three additional experts were interviewed from the UNICEF Regional Office of South Asia and the UNICEF India Country Office for a total of 288 stakeholders.

Learning ICT skills and participating in online activities is becoming a fundamental part of life for children in the South Asia region. The countries in this study have prioritized the role of ICT in national development, and many of them are moving towards what they term a digital economy. In June 2016, the signatory countries of the Organisation for Economic Co-operation and Development (OECD), which includes all countries in this study, attended the 2016 Digital Economy Ministerial Meeting, at which they signed a Ministerial Declaration vowing to:

- increase access to broadband Internet and services to bridge digital divides;

- reduce barriers to investment in and adoption of digital technology in all sectors;

- work to develop global technical solutions that enable interoperability and a secure, stable, open and accessible Internet;

- develop privacy and data protection strategies at the highest level of government, while also encouraging the availability and use of data, including public sector data;

- adopt technologically neutral frameworks that promote competition;

- use open, transparent and inclusive processes to shape global Internet governance;

- reduce impediments to e-commerce within and across borders with policies that strengthen consumer trust and product safety;

- improve education and lifelong training to respond to the demand for general and specialist digital skills (OECD 2016).

Bangladesh is moving towards digitizing government services and expanding its IT economy as part of Digital Bangladesh Vision 2021 (Wazed 2015). Similarly, Sri Lanka aims to digitize government services and encourage youth skills for the IT sector (Towards a digital economy in Sri Lanka' 2015). In Bhutan, the government has prioritized ICT as the principal enabler for a knowledge-based society (Norway Registers Development 2015). In the Khyber Pakhtunkhwa province of Pakistan, the government declared 2016 the Digital Year and launched a new plan to create a digital economy for the province (Stanley 2016). In Maldives, Ooredoo's chief executive officer pledged to work to support the development of digital economy in the country (4-traders.com 2016).

Adoption of the Internet among populations in the region has been uneven (compare Bangladesh's near 10 per cent internet users to Maldives' near 50 per cent, shown in Table 1). In all cases, mobile subscribers dramatically outnumber those with wired Internet access. The study also found that cyber cafes are rapidly becoming a thing of the past, with children and young people now favouring smartphones that can be used wherever they can find Wi-Fi or with 2G or 3G access.

In Sri Lanka, a group of youths trains municipal staff in ICT skills and creating new ICT platforms as part of a broader UN-Habitat-supported programme in Kandy City called YES – City of Youth (Ben-Attar and Campbell 2014; Perucca and Sonntagbauer 2014).[9] In addition, there are examples of the ICT industry itself coming up with innovative projects to protect and promote children's rights online (see section 4.2 for details).

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[9] See <www.kandy-youth.org/> for information on Youth Empowerment Society (YES) (accessed on 9 May 2016).

2. Methodological approach

2.1 Literature review

The literature review spanned publicly available research and publications pertaining to South Asian legislative frameworks, ICT industries and protocols, the nature of online sexual exploitation of children in South Asia, and sociocultural and political responses to the crime. The team consulted with UNICEF to source relevant internal and external documents, experts and stakeholders, as well as leveraging its own network for reports and relevant grey literature. This review phase produced a detailed methodology for the field research component, including a list of key stakeholders to meet with during the scoping mission. The draft methodology was shared with UNICEF for comment and approval.

The legislative review focused on the following four areas of legal research: 1) criminal law, which includes criminalization of all acts related to the online sexual exploitation of children; 2) commercial law, which includes regulation of the ICT industry (notably ISPs and mobile phone operators); 3) administrative law, which includes identification of child victims and promotion of their rights to recovery and reintegration, as well as protection of both child victim and perpetrator's rights to child-friendly justice procedures; and 4) civil law, which includes the child's right to redress. It was generally beyond the scope of this study to comprehensively review secondary legislation such as policy and guidance and implementing rules. In some countries, certain laws were in draft format before Parliament, and hence were not available for review. Where relevant, other areas of family and private law are noted that affect onilne child sexual exploitation (CSE), sometimes in indirect ways. The findings from this review are discussed in detail in Section 3.

The sociocultural context and political responses to online CSE were determined by stakeholder interviews and through the literature review. The literature review also looked at the importance of the Internet in the region for the promotion of children's rights to education, access to information and freedom of expression.

2.2 In-country fieldwork

Field missions included focus groups, individual semi-structured interviews and stakeholder meetings. Round-table meetings were convened in consultation with the UNICEF country offices. Stakeholders included law enforcement, social workers, non-governmental organizations (NGOs), civil society organizations (CSOs), parents, teachers, ICT industry representatives and religious leaders. For each meeting, a member of the team took detailed notes that were discussed by the team afterwards. Some supplementary Skype interviews were also conducted with stakeholders, including some who were not present during the period of the visit.

Based on information received during field missions, secondary comprehensive legislative and literature reviews were performed, using materials shared by stakeholders, as well as extensive analysis of in-country and international reports.

2.3 Limitations of research

In order to properly contextualize the findings of this report it is important to mention a number of caveats.

General cultural sensitivity – the topic of online sexual exploitation is a challenging topic for a number of reasons. The newness of some technologies means that discussions of the larger issue were often misconstrued as being only about "child pornography." Second, a culture of shame can be attached to childhood sexuality. This can not only hamper children's willingness to report crimes in the first place, but was also capable of limiting (some) stakeholder interviews. A focus on a broader child protection system might be a productive way of addressing online sexual exploitation. It is, however, important not to lose sight of the particular data needed for these specific crimes.

A short time frame – the research for this project was completed following a timeline that constrained some portions of the research. There was not sufficient time to carry out surveys or to employ robust research methods, and instead field research consisted primarily of stakeholder interviews and consequently produced anecdotal information that was difficult to validate. This has particular implications in relation to drawing conclusions regarding how the law would be

implemented in relation to potential cases of online CSE. There were very few online related cases that had reached the courts, and therefore it was necessary for lawyers, judges and law enforcement officials to speculate as to how the law should be applied to different scenarios.

Availability of data – online CSE is an emerging issue, and there are very few data available from the South Asia region related to the topic. Furthermore, the types of data available in one country were not necessarily available in all of them, which may cause some idiosyncrasies among national findings. There were no qualitative or quantitative data available regarding cases of online CSE that have been referred to police, detailing what investigative process was followed, how the victim was treated and what the outcome of the case was. This would be a very valuable area for further study, if researchers were able to access and review case records from the police and social services.

2.4 Defining online child sexual exploitation

There is no agreed international definition of online CSE, and no one clear formula for defining the boundaries between offline and online exploitation. Furthermore, CSE is not clearly distinguished from child sexual abuse in the CRC, the Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC), or the Lanzarote Convention.

In this report, the term "child" follows the definition in the CRC and refers to every human being below the age of 18 years (United Nations 1989, article 1). Following the definition provided by the International Telecommunication Union (ITU), the term ICT refers to information and communication technologies and includes a multitude of devices used to access the Internet (ITU 2014b). During fieldwork for the present study, a majority of stakeholders interviewed indicated that they understood Internet access to mean exclusively computer-accessed Internet, and understood "social media" to be their online activities accessed through mobile phones.

2.4.1 Online child sexual exploitation and child abuse

For the purposes of this study, the Terminology Guidelines on the Sexual Exploitation and Sexual Abuse of Children 2016 were used as a starting point (ECPAT International 2016a). Further to the Terminology Guidelines, child sexual abuse does not require any element of exchange, and can occur solely for the sexual gratification of the perpetrator. In contrast, child sexual exploitation (CSE) is defined in terms of "an underlying notion of exchange," although what is being exchanged may not necessarily be money and could include material, social, or political benefits. This is said to either include coercion into sexual activity through physical force or threats, or some other forms of persuasion through other more nuanced factors such as power imbalances between the victim and the perpetrator (pp. 24–25, Section D). This definition is a departure from the definition of child trafficking contained in the Palermo Protocol, which although it stipulates trafficking of adults to be by means of threat, force, coercion, fraud, deception, abuse of power, or payment, dispenses with the requirement of any of these means for children, acknowledging that any trafficking of children is necessarily exploitative.[10] In the Terminology Guidelines, the overlap between child sexual abuse and child sexual exploitation is acknowledged.

This study finds that apart from the case of live streaming of child sexual abuse (in which case it is assumed that the exchange is generally for money), the nature of the Internet means that a record of the child sexual abuse is automatically recorded (whether by a website or an app) and can be used as a form of currency for exchange by the perpetrator, in which case it becomes exploitation, even within the definition contained in the Terminology Guidelines. Furthermore, the mere threat of disseminating child sexual abuse materials online is in itself a form of currency for exchange.

2.4.2 Online child sexual exploitation

The Terminology Guidelines state that online child sexual exploitation refers to the use of the Internet as a means to exploit children sexually, rather than as a distinct type of CSE in and of itself. This includes all sexually exploitative acts carried out against a

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[10] See article 3, Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (Resolution 55/25 of 15 November 2000) (Palermo Protocol).

child that at some stage have a connection to the online environment (p. 40). Examples given include cases in which sexual exploitation is carried out while the victim is online; cases in which child victims are identified online with a view to exploiting them sexually; and offences related to child sexual abuse materials online.

In the 2014 study, "Releasing Children's Potential and Minimizing Risks," the Special Representative to the Secretary-General on Violence against Children (SRSG) reports that online CSE can involve situations in which contact child abuse or exploitation offline is combined with an online component, for example where children are trafficked offline with a view to being exploited online (p. 24).

For the purposes of this study online CSE means:

> use of the Internet as a means to exploit children sexually, which includes cases in which contact child abuse[11] and/or exploitation offline is combined with an online component.

The present study identifies four broad categories of online CSE that are currently of most concern to stakeholders in the South Asian countries under study (the third category, corruption of children, was the most discussed concern):

1. child sexual abuse materials (CSAM or child pornography);

2. online facilitation of offline child sexual exploitation, including use of the Internet for child trafficking, or for child marriage or for the exploitation of children in prostitution;

3. corruption of children, involving adults or other children exposing children to pornography online;

4. sexual extortion of children, which involves one child voluntarily sharing a nude or sexualized photo with another child or an adult, and then being blackmailed as a result.

The first two forms of child sexual exploitation in this list, CSAM and the online facilitation of offline child sexual exploitation, are invariably transnational crimes, which call for a strong and proactive transnational law enforcement response to ensure the perpetrators are caught and prosecuted, together with provision of child protection services to address victims' needs. However, among the countries in this study, there appeared to be little proactive law enforcement efforts to search for CSAM online, and instead any CSAM cases involving child victims from the region were alerted to national authorities by INTERPOL or foreign law enforcement agencies. Of global crimes reported to the Internet Watch Foundation (IWF), Cybertip in Canada, the International Association of Internet Hotlines (INHOPE), and ICMEC, between 70 and 80 per cent depicted prepubescent children (ICMEC 2016, p. iii). These crimes involve CSAM depicting children from around the world. There is a lack of data around sexual violence towards children in South Asia (ECPAT 2016), making it difficult to estimate the prevalence of CSAM in the region. However, global statistics point to the need for a strong child protection response to ensure that child victims of CSAM are identified and receive the necessary services to recover from the abuse and exploitation. Furthermore, given the transnational nature of these crimes, there is a need for harmonization of laws between countries using internationally agreed upon benchmarks (such as the Council of Europe Conventions), in order to allow law enforcement officials to work together to investigate and prosecute crimes according to the same procedural rules and criminal justice standards. Otherwise, perpetrators can take advantage of legal loopholes and weak legal systems to prey on children with impunity.

Anecdotal evidence from this study suggests that the third and fourth categories in the list, corruption of children, and sexual extortion of children, may be less likely to be transnational crimes, and instead involve perpetrators in the child's own country, community, and even peer group. The present study found that responses to child victims of these kinds of crimes in the South Asia region can become complex in cases in which, as well as being exploited, children also technically breach national laws themselves either by viewing pornography online or by consenting to sexting.[12] There are concerns that such children may be criminalized for producing and distributing child pornography (of themselves), or for having sex outside of marriage, instead of being recognized as victims.

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[11] Contact child abuse describes cases in which the abuser comes into physical contact with the child, whereas non-contact child abuse describes acts such as downloading and viewing child pornography, which do not require physical contact but are nevertheless abusive.

[12] Sexting refers to self-generated content involving children, or materials that are produced by a child, of themselves, sometimes within a relationship.

3. A rights-based review of law and policy related to online child sexual exploitation

3.1 International child rights law related to online child sexual exploitation

The contemporary body of international literature and guidance on child sexual exploitation (CSE) began with the United Nations Convention on the Rights of the Child (CRC) in 1989, and was substantially updated in 2000 through the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography (OPSC). The CRC was the first internationally binding agreement to address child sexual abuse materials (CSAM) and to require States Parties to criminalize exploitation of children through pornographic performances and materials.[13] Further, the CRC provides for the right to rehabilitation of child victims.[14] The OPSC extends the definitions for various forms of CSE to include: the sale of children, child prostitution and child pornography. The OPSC also requires that States Parties provide for the extradition of offenders; encourage international cooperation between States in pursuing offenders; and provide support to child survivors of sexual exploitation including throughout the legal process. However, both the CRC and the OPSC fail to criminalize the mere possession of illicit material, intentional access of child pornography through ICT, online real-time viewing of child pornography, grooming, or the receipt of payment (Harrell, et al. 2014).[15]

The most recent Optional Protocol to the CRC, the OP3 on a communications procedure, allows children to bring a direct complaint to the Committee on the Rights of the Child further to a rights violation related to the CRC or the OPSC. In order to do so the child must have exhausted all national complaints procedures or legal remedies, and the child's State must have ratified the OP3. The OP3 is a potential remedy for children in countries where the legal system is prohibitively slow (such as Bangladesh and Sri Lanka) or where there are other barriers to accessing justice. Maldives is the only country in

South Asia to have signed the OP3 (in 2012), but it has not yet been ratified, which means it is not yet enforceable.

The Council of Europe's Budapest Convention on Cybercrime 2001 (Budapest Convention) is one of the earliest international conventions to specifically target online CSE. This convention provides a broad definition of "child pornography," and requires States to ensure criminal procedure laws are in place to support law enforcement to investigate and obtain electronic evidence specifically in the case of ICT used for CSE. The Budapest Convention provides for mutual assistance regarding accessing of stored computer data between States Parties to the Convention (article 31). As a signatory of the Budapest Convention, Sri Lanka will now be in a better position than other countries in the region to secure international cooperation in solving transnational cases of online CSE. This is particularly important in the context of the exploitation of children in travel and tourism, and also in terms of identifying perpetrators in cases involving CSAM, as such cases tend to involve multiple perpetrators in different jurisdictions.

The Budapest Convention was significantly reinforced in 2012 by the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), which is the only international treaty to prescribe criminal penalties for those who recruit children into prostitution and those who have recourse to them; the production, supply, distribution and possession of child pornography and online access to it; soliciting children in chat rooms or online game sites for sexual purposes; and causing a child to witness sexual abuse or sexual activities for sexual purposes.

The Lanzarote and Budapest Conventions, read together with the OPSC, are widely accepted as representing a comprehensive set of international

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[13] Article 34: "The inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of children in prostitution or other unlawful sexual practices; and the exploitative use of children in pornographic performances and materials."

[14] Article 39 requires States Parties to take all appropriate measures to promote physical and psychological recovery and reintegration of a child victim of any form of exploitation or abuse, in an environment that fosters the health, self-respect and dignity of the child.

[15] Accessing streamed content does not constitute an offence of possession or production if the offender does not store a copy of the material.

criminal law benchmarks to protect children from child sexual abuse online (ICMEC 2013, p. 10). Table 6 provides a summary overview of these key international frameworks.

Table 6. Council of Europe benchmarks to address online sexual exploitation

Lanzarote Convention	Budapest Convention
Substantive criminal law	*Substantive criminal law*
- Article 18 Sexual abuse	- Article 9 Child pornography
- Article 19 Child prostitution	*Procedural law (scope and specific provisions)*
- Article 20 Child pornography	- Expedited preservation
- Article 21 Child participation in pornographic performance	- Search and seizure
- Article 22 Corruption of children	- Interception
	International cooperation (general and specific provisions)

Source: Alexander Seger CTO Cyber Security Forum 2013, Yaoundé, Cameroon, Workshop on the Budapest Convention on Cybercrime.[16]

A growing number of countries outside Europe are signing on to the Council of Europe's Conventions as a framework to guide local child protection efforts. The focus countries of this study have largely not signed these conventions. Sri Lanka is the only country to ratify the Budapest Convention (it came into force in September 2015). However, during stakeholder interviews, cybercrime police in Maldives advised that the Government of Maldives has been in discussions with the Council of Europe regarding ratification of the Budapest Convention, and is working to meet the legislative requirements to do so. So far, no South Asian country has ratified the Lanzarote Convention. It should be noted that the United Kingdom, whose government was behind the WePROTECT Initiative to combat online CSE, has ratified the Budapest Convention, but not the Lanzarote Convention. It is noted that as well as addressing CSAM, the Budapest Convention's main objectives address infringements of copyright, computer-related fraud and violations of network security (Council of Europe n.d.). The extra financial and national security incentives provided by acceding to the Budapest Convention, such as preventing the hacking of banks and sensitive government databases, may be more appealing to national governments than the child protection aims of the Lanzarote Convention.

The benchmarks from the two conventions can be used to guide national law and policy in all countries in this study, notwithstanding the fact that they have not been ratified. For example, the Bangladesh Cybersecurity Strategy states that it was based on the Budapest Convention even though Bangladesh has not ratified this convention.

The WePROTECT Summit (2015) provided a new draft of the 2014 Model National Response outlining a vertical approach to child protection, focusing only on the theme of online sexual exploitation. Sri Lanka and Pakistan are the only countries in this study that are signatories of the WePROTECT Initiative's 2014 Statement of Action, and neither signed on to the revised 2015 statement. Table 7 provides a summary of key international instruments related to online CSE and engagement by the study countries.

[16] Available at <www.cto.int/media/events/pst-ev/2013/Cybersecurity/Alexander%20Seger-Budapest%20Convention%20on%20Cybercrime.pdf> (accessed on 21 January 2017).

Table 7. Signatures to and ratifications of key international instruments related to online child sexual exploitation

Country	CRC	OPSC	OP3*	Lanzarote	Budapest	Trafficking Protocol	Signed on to #WePROTECT
Bangladesh	Signed, Ratified	Signed, Ratified	No	No	No	No	No
Bhutan	Signed, Ratified	Signed, Ratified	No	No	No	No	No
Maldives	Signed, Ratified	Signed, Ratified	Signed	No	No	No	No
Pakistan	Signed, Ratified	Signed, Ratified	No	No	No	No	Signed
Sri Lanka	Signed, Ratified	Signed, Ratified	No	No	Signed, Ratified	Signed, Ratified	Signed[17]

*Optional Protocol to the CRC on a communications procedure.
Sources: UN Treaties Collection, Council of Europe Treaty Office, #WePROTECT Statement of Action 2015.

3.2 Regional initiatives to address online child sexual exploitation

A number of regional initiatives address child protection. The South Asian Association for Regional Cooperation (SAARC) aims to promote economic and political cooperation, and social and cultural development across South Asia. All eight member States of SAARC have adopted the 2002 SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the SAARC Convention on Regional Arrangement for the Promotion of Child Welfare in South Asia.[18] According to a joint SAARC and UNICEF review (UNICEF 2010b, p. 32) all South Asian countries have legal structures in place to protect children from commercial sexual exploitation. However, the joint review did not specifically examine online exploitation, and although it is true that all countries have general legal frameworks in place to protect children from sexual violence and exploitation, specific provisions related to online crimes are often lacking. Furthermore, even where legal structures may be in place, implementation is often lacking.

The South Asia Initiative to End Violence Against Children (SAIEVAC), SAARC's apex children's welfare group, is proactive in promoting the adoption of laws prohibiting all forms of sexual abuse, exploitation and harassment, as well as a code of conduct for telecommunication services (ECPAT International 2014, p. 52). SAIEVAC emphasizes that commercial sexual exploitation of children continues to be one of the most pervasive violations of children's rights in South Asia. This includes child abuse through the exploitation of children in prostitution, the sexual exploitation of children in travel and tourism, CSAM both online and offline, and child trafficking. SAIEVAC encouraged all States to take the necessary steps to end sexual abuse and exploitation against children by adopting comprehensive legislation, ratifying all relevant international and regional instruments, and enforcing a code of conduct for telecommunications services (i.e., Internet providers, mobile phone companies, Internet cafes) as well as travel and tour outlets to prevent sexual abuse and exploitation by the year 2015 (SAIEVAC 2010). Stakeholders interviewed for this study noted that SAIEVAC identified online CSE as one of its priority areas for action in 2016.

[17] Pakistan and Sri Lanka signed on to the WePROTECT Model National Response statement of 2014 but not 2015.

[18] There has been some criticism of the narrowness of the definitions used in the Convention on Trafficking – limited only to the trafficking of women and children for the purposes of sexual exploitation in prostitution. It also does not contain special provisions for responding to trafficked children in terms of safety, recovery and reintegration. The Convention does not elaborate on the provision of legal assistance for trafficked people, and does not provide for child-friendly judicial procedures such as closed courts and in-camera hearings (UNICEF Office of Research – Innocenti 2009, p.17).

In 2016 the SAIEVAC Regional Secretariat, together with the South Asia Coordinating Group on Action against Violence against Children held a high-level round-table meeting on the implementation of the sustainable development goals relating to ending violence against children in South Asia, although the recommendations did not touch specifically on online exploitation (SAIEVAC 2016b).

3.3 Online CSAM and criminal justice

Probably the most well-known form of online CSE is what is referred to in law as "child pornography." The definition of child pornography in law has developed at an international level as technologies have changed over recent years. The CRC 1989 prohibits the use of children in pornographic activities, performances and materials and the ILO Convention 182 of 1999 uses similar wording. The term "child pornography" was first defined in the OPSC in 2000 and was elaborated upon in the Budapest Convention in 2001, and again in the Lanzarote Convention in 2007. This study uses the definition contained in the Budapest Convention, as this Convention deals specifically with online abuse, and because several of the countries in this study have recognized the Budapest Convention as an international benchmark with which they wish to comply.[19]

This definition of child pornography within this Convention is as follows (article 9[2]):

> pornographic material that visually depicts:
> a) a minor engaged in sexually explicit conduct;[20]
> b) a person appearing to be a minor engaged in sexually explicit conduct; c) realistic images representing a minor engaged in sexually explicit conduct.

The age of a "minor" is set at 18, but States may choose an age as low as 16 (article 9[2] and [3]). "Visual depiction" includes data stored on computer diskette or other electronic means of storage capable of being converted into a visual image (Explanatory Report to Budapest Convention 2001). The kind of

materials envisaged by c) includes images which do not in fact involve real children, such as pictures that are altered, morphed images of natural persons, or those generated entirely by a computer (ibid., para. 101).[21] The production and dissemination of morphed images of real children (mostly teenage girls) using image editing software was a common phenomenon reported in several countries in this study, and often it was reported that the victim depicted in the morphed photos was blamed for the content in such cases.

Pornographic material – the definition of "pornographic material," is governed by "national standards pertaining to the classification of materials as obscene, inconsistent with public morals or similarly corrupt" (ibid., para. 99). The Supreme Court of Sri Lanka has adopted the English definition of obscenity taken from the 1868 case of Regina v. Hicklin, which is "whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall."[22] The Bangladesh Pornography Control Act 2012 refers to "sexually explicit materials" rather than obscenity, but does not define the term.

For the purposes of this study the term "child pornography" will be used when discussing the law, and the term "child sexual abuse materials" (CSAM) will be used in all other contexts. This is because pornography is legal in many countries, and is considered by many to be a legitimate and even artistic product when it involves consenting adults. By contrast, child pornography is evidence of a crime against a child.

A more recent phenomenon in terms of CSAM online is the live streaming of child sexual abuse, which involves the instantaneous transmission of data depicting child sexual abuse to the viewer, who can watch and engage while the abuse is occurring. Live streaming of child sexual abuse is inherently exploitative as the child is being used for the sexual pleasure of the online viewer, usually for monetary payment. This kind of online CSE presents challenges

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[19] Sri Lanka has acceded to the Budapest Convention, Bangladesh mentions it in its cybercrime policy, and law enforcement stakeholders in Maldives explained that they were also hoping to meet the standards required to be invited to ratify the Convention.

[20] "'Sexually explicit conduct' covers at least real or simulated: a) sexual intercourse, including genital-genital, oral-genital, anal-genital or oral-anal, between minors, or between an adult and a minor, of the same or opposite sex; b) bestiality; c) masturbation; d) sadistic or masochistic abuse in a sexual context; or e) lascivious exhibition of the genitals or the pubic area of a minor. It is not relevant whether the conduct depicted is real or simulated" (Explanatory Report to Budapest Convention, para.100).

[21] States may reserve the right not to apply b) and c).

[22] Cited in Save the Children Sri Lanka and Lawyers for Human Rights and Development, 2005, p. 36.

in terms of evidence because streaming leaves no trace on the device, and does not require any files to be downloaded, which means that the evidence of child sexual abuse material is gone after the streaming stops (ECPAT International 2016a, G.3.I).

The key international agencies that have focused on criminal laws related to CSAM online are ICMEC, INTERPOL and UNODC.

3.3.1 Model Law on child pornography of the International Centre for Missing & Exploited Children

The international focus to date in terms of online CSE has primarily been on setting legal standards and harmonizing laws regarding CSAM online (generally referred to as "child pornography" in law). ICMEC has produced a Model Law to address CSAM, and in collaboration with INTERPOL carries out a global review of national legislation each year to assess whether national laws comply with the key elements of the model law. Those elements include (ICMEC 2016, p. v):

- a specific law must exist regarding child pornography;

- child pornography is defined;

- computer-related offences are criminalized; the knowing possession of child pornography is criminalized, regardless of the intent to distribute;

- ISPs are required to report suspected child pornography to law enforcement or to some other mandated agency;

- ISPs must develop and implement data retention and preservation provisions.

ICMEC's findings regarding the study countries in South Asia are detailed in Table 8 below. The last two columns related to ISP responsibilities for data retention and reporting are discussed in Section 3.8 below.

Table 8. Summary of domestic laws relating to CSAM

Country	Legislation specific to child pornography	Child pornography defined	Computer-facilitated offences	Simple possession	ISP reporting	Data retention
Bangladesh	Yes	Yes	Yes	Yes	No	No
Bhutan	Yes	Yes	Yes	No	Yes	No
Maldives	No	No	No	No	No	No
Pakistan	No	No	No	No	No	Yes
Sri Lanka	Yes	No	Yes	Yes	Yes	Yes

Sources: ICMEC, Child Pornography: Model Legislation & Global Review, 8th edition, 2016.

In terms of the countries under present study, ICMEC's global review shows that Bangladesh best defines and criminalizes CSAM, followed by Bhutan and Sri Lanka, whereas both Maldives and Pakistan fail to meet any of the first four criteria. Overall, the South Asia region is comparable in adoption of this legislation to Africa and Latin America, with some countries making strong progress while others have no legislation addressing CSAM. Of the 196 INTERPOL member countries studied for ICMEC's review, 82 were found to have sufficient legislation, 35 have no laws addressing the creation, possession, or distribution of CSAMs, and in 26 countries, there are no laws addressing online distribution of CSAM. These numbers show encouraging progress compared with 2006 when fewer than 30 countries were found to have sufficient legislation to combat CSAM. Another promising development is that 79 have data retention policies to assist in criminal investigations (ICMEC 2016).

3.3.2 The role of INTERPOL

As an international law enforcement entity, INTERPOL has focused primarily on CSAM and on grooming offences involving perpetrators who contact children online via chat rooms and social networking sites (INTERPOL n.d.c). These offences frequently have a transnational nature, with perpetrators in one country contacting children in another. INTERPOL runs a project in collaboration with ISPs to block access to

CSAM online at the domain level through their "Worst of" list, which includes domains containing the most severe CSAM. The criteria for listing on the "Worst of" list include: the child must be real and aged under 13; and the abuse involved must be severe with a focus on the genital area (INTERPOL n.d.d). INTERPOL supplies this list to countries where the legislation, political or police interest, capacity or manpower are lacking (INTERPOL n.d.f). The purpose of this initiative is to redirect traffic away from CSAM, thereby making these materials a less profitable business, and reducing the demand side. The list is provided with a generic "stop page," which informs users that Internet traffic has been redirected and contains links to complaint procedures for Internet users and domain owners as well as customizable links to hotlines for reporting CSAM.

INTERPOL also maintains a Child Sexual Exploitation image database (ICSE DB), which allows specialized investigators to share data with law enforcement across the world, with a view to identifying the victims found in CSAM online (INTERPOL n.d.j). At the end of 2015 the ICSE DB contained data on over 8,000 identified child victims from nearly 50 countries, as well as many more unidentified child victims whose cases are still being investigated. INTERPOL uses video comparison software to make connections between child victims, abusers and places. The present study found that in many cases national law enforcement officers are alerted to cases involving child victims from their country by INTERPOL – such as in Bangladesh in 2014 when a leading Bangladeshi writer was found to have abused 400 male street children aged between 10 and 12 years ("Bangladesh arrests leading writer for child pornography" 2014). The writer had posted photos and videos of his child sexual abuse online, and Bangladesh law enforcement arrested him following a tip from INTERPOL. Government stakeholders interviewed in Bangladesh reported that they are planning extensive government filtering of the Internet at a national level, and similar regimes were discussed favourably in Pakistan, whereas in Bhutan government filtering of content was not considered feasible or desirable. It is recommended that filtering of CSAM is addressed in law and policy separately from filtering of pornography in general, in order to make it plain that CSAM are evidence of crimes against children and different from general "adult" materials. Furthermore, the specialized databases and victim identification software available to address CSAM do not apply to pornography in general and warrant the separation of these issues.

In INTERPOL GA Resolution AG-2011-RES-08, it is recommended that to promote a victim-centric management of CSAM at a national level, States should: 1) establish systematic data collection; 2) establish national victim ID teams; 3) connect to ICSE database (Sadeh 2013). All of the countries in this study are members of INTERPOL, and all have INTERPOL offices in their capital cities. However, none of the regional INTERPOL offices state on INTERPOL's website that CSAM are one of their priority crime areas to address (see Table 9 below). At the 2015 INTERPOL Asian Regional Conference, senior law enforcement from across Asia agreed to a series of measures to strengthen regional efforts against transnational crime (INTERPOL 2015). Among these were recommendations to support the efforts of INTERPOL member countries in Asia to combat cybercrime, which includes crimes against children (INTERPOL n.d.e).

3.3.3 Global Programme on Cybercrime of the United Nations Office on Drugs and Crime

UNODC's 2013 Comprehensive Study on Cybercrime provided the first global overview of the cybercrime phenomenon, including online CSE and abuse, and in 2015 UNODC produced a further study specifically focused on the Effects of New Information Technologies on the Abuse and Exploitation of Children. UNODC aims to support the efforts of UNODC, ICMEC, INTERPOL and others to build investigative, prosecutorial and judicial capacity to investigate crimes involving online CSE. With the support of Member States, UNODC is growing its Global Programme on Cybercrime to build capacity and provide technical assistance in Southeast Asia and around the world, with recognition of the WePROTECT Global Alliance Model National Response.

Table 9. INTERPOL offices in the South Asia study countries

INTERPOL office	Priority crime areas	Access to ICSE database (as of 2013)
Bangladesh Bangladesh Police Headquarters, Dhaka	Drugs; financial and high-tech crime; international fugitives; public safety and terrorism; trafficking in human beings; corruption	No
Bhutan Royal Bhutan Police, Thimphu	Cybercrime; illicit goods and counterfeiting; fraud; fugitive investigations; money laundering	No
Maldives Maldives Police Services National Intelligence Department, Malé	Facilitate police cooperation and investigations which involve both the Maldives Police Services and the international police community	No
Pakistan Federal Investigation Agency International Cooperation branch, Islamabad	Corruption; organized crime and terrorism; immigration, trafficking in human beings and smuggling; money laundering; financial, high-tech and white-collar crime; intellectual property rights	No
Sri Lanka Criminal Investigation Department, Colombo	International fugitive investigations	No

Sources: "Online child sexual exploitation investigation" (Sadeh 2013); country profiles from <www.interpol.int> (accessed on 21 January 2017).

3.4 Online facilitation of offline child sexual exploitation and criminal justice

The Internet may be used to facilitate offline CSE, and sometimes the exploitation may take place both online and offline. For example, a child may be recruited online through social media, under the pretence of a friendship, job offer, or romantic relationship, and once the child has been convinced to meet the recruiter he or she may be trafficked and exploited in prostitution, or forced into a child marriage. In other cases, a child may be sexually abused offline, but this may be recorded or photographed and posted online afterwards.

3.4.1 Online grooming of children

The Terminology Guidelines use the term "grooming" to refer to what the Lanzarote Convention terms "the solicitation of children for sexual purposes." Article 23 requires States to criminalize:

the intentional proposal, through information and communication technologies, of an adult to meet a child… for the purpose of committing any of the offences [concerning child sex abuse or child pornography] against him or her, where this proposal has been followed by material acts leading to such a meeting.

In June 2015, the Lanzarote Committee produced an opinion stating that "the solicitation of children through information and communication technologies does not necessarily result in a meeting in person. It may remain online and nonetheless cause serious harm to the child" (para. 17). There were reports from stakeholders in all countries visited of adults creating fake Facebook accounts to befriend children for the purposes of committing sexual offences. In these cases, investigating the crime became difficult for law enforcement because the true identity of the perpetrator was not known, and it was not possible to trace the perpetrator from the fake account.

3.4.2 Online facilitation of child marriage

Child and early marriage is a child protection concern in the region. Anecdotal reports from stakeholders in one country suggested that vulnerable girls may be contacted online (often through Facebook) by men living in other Asian countries offering them marriage and a "ticket out." Such offers of marriage sometimes

resulted in exploitation through prostitution. The link between the Internet and social media and the facilitation of child marriage is an area of research that was beyond the scope of the present study, but which warrants further research.

3.4.3 Online facilitation of exploitation of children in travel and tourism

In its 2016 study on child sexual exploitation in travel and tourism, ECPAT International found that advances in Internet and mobile technology allow for anonymity and hidden pathways so that perpetrators are able to contact victims directly (ECPAT International 2016b). ECPAT's study found that digital technologies are used to facilitate such crimes in four main ways: 1) to arrange for children to be "delivered" to hotel rooms; 2) for perpetrators to network among themselves, sharing information about destinations where children may be available; 3) to produce CSAM in the form of pornographic images of children at their destination and post them on the darknet or store them on the cloud; 4) to groom victims online prior to travelling to meet them (ibid., p. 63). During fieldwork research for the present study, stakeholders in Sri Lanka suggested that online sources of advertising of spas and massages, and certain online travel guides showed that the Internet was being used to facilitate child sexual exploitation in travel and tourism. Further law enforcement investigation is required to fully assess this stakeholder observation.

3.5 Corruption of children for sexual purposes, and child protection

Corruption of children is defined in article 22 of the Lanzarote Convention, which requires States to criminalize the intentional causing, for sexual purposes, of a child to witness sexual abuse or sexual activities, even without having to participate. In terms of online CSE, this would cover scenarios in which children are "caused to" watch sexual activities in the form of pornography on computers, tablets, or mobile phones. This would not, however, cover the acts of children who pursue their own curiosity to search for and view sexual activities online themselves. The Explanatory Report to the Lanzarote Convention states that acts of forced exposure can result in harm to the psychological health of the victim, risking serious damage to personality, including a distorted vision of sex and personal relationships (Council of Europe 2007, para. 151). "Causing" a child to witness such activities may include force, coercion, inducement, or

promise (ibid., para. 154). One of the concerns raised during fieldwork in the region was that sometimes children are using search engines such as Google, or playing games online, and unwanted sexual content "pops up" from external parties. In Maldives, mobile phone provider Dhiraagu explained that these kind of pop-ups can be minimized when parents subscribe to parental controls on their home Internet connection, but said that the uptake of parental controls has been slow because they are applied at the household level, and are seen as being too restrictive for all family members to be subjected to such controls.

All forms of pornography are illegal in Bangladesh, Maldives, Pakistan and Sri Lanka, and therefore any child who views pornography online of his or her own volition is technically breaking the law. Several stakeholders interviewed during fieldwork were in favour of restricting access to all forms of pornography online for both adults and children through filtering and blocking at a country level, due to perceptions that an increase in viewing of pornography was leading to an increase in sexual violence in general against women and children. However, there is no available data or research in the region to substantiate this correlation, and it is not clear how countries will classify content as pornographic, given the broad definitions of pornography contained in national laws. It was stressed at the CRC Committee's Day of Discussion on Digital Media and Children's Rights in 2014 that protection should not be confused with control, and that it should be ensured that blocking, filtering and tracking do not unduly restrict children's rights (Committee on the Rights of the Child 2014, para. 66).

3.6 Sexual extortion of children – child protection and criminalization

The sexual extortion of children is defined by the Terminology Guidelines as "the blackmailing of a person with the help of self-generated images of that person in order to extort sexual favours, money, or other benefits from him/her under threat of sharing the material beyond the consent of the depicted person (e.g., posting images on social media)" (ECPAT International 2016a, H.4. III). Anecdotal evidence found during this study indicates that the sexual extortion of children online in South Asia seems to overwhelmingly be perpetrated by boys and men against girls. Social norms related to the value of the girl's virginity and the "honour" of her family, put boys and men in a position of power due to the extreme social consequences for the girl if her sexualized

photos are distributed online. In Maldives and Sri Lanka, stakeholders reported that girls had committed suicide due to cases of sexual extortion, and in Bangladesh girls had been forced to change schools, or even move to a new community with their family because of the associated stigma.

The sexual extortion of children was one of the main concerns reported by stakeholders in Bangladesh, Maldives and Sri Lanka, whereas in Bhutan there had been few known cases. In Bangladesh, the sexual extortion of children could be prosecuted under the ICT Act 2006, which criminalizes the publishing of obscene information in electronic format. In Bhutan, Section 225 of the Penal Code related to "paedophilia" criminalizes distributing or otherwise dealing in materials depicting sexualized content of children. In addition, the Bhutan InfoComm and Media Authority

(BICMA) Media Act 2006 creates the offence of "computer pornography," which prohibits making available any obscene material regardless of whether the person depicted initiated the communication. It is not clear, however, whether the threat to publish something, which has not yet been carried out, would also be covered by this law.

In all of these countries, it was not clear how sexual extortion cases would be dealt with in practice, with some stakeholders expressing concern that girls could be criminalized for sharing their sexualized pictures in the first place when they report such crimes, whereas other stakeholders rejected the possibility that victims could be criminalized for reporting crimes against them. In Table 10, a summary is provided of key national laws addressing sexual extortion of children and the corruption of children for sexual purposes.

Table 10. Sexual extortion of children and corruption of children for sexual purposes under national law

Country	Sexual extortion of children – criminalization of perpetrator	Sexual extortion of children – criminalization of victim	Corruption of children for sexual purposes – criminalized
Bangladesh	Yes ICT Act 2006	Yes Pornography Regulation Act 2012	Yes Pornography Regulation Act 2012 Penal Code Section 293
Bhutan	Yes Penal Code Section 225 Bhutan Information, Communications and Media Act 2006, Section 179	No Penal Code Criminal law is based on intention or mens rea, if the victims did not have the intention to distribute their images they should not be found guilty in law.*	Unclear Possibly sexual harassment under Penal Code Section 205
Maldives	Yes Penal Code Section 131	No Special Measures for Perpetrators of Child Sex Abuse Act 2009, articles 24 and 25**	Yes Penal Code
Pakistan	Yes Under Prevention of Electronic Crimes Act 2015	Yes Under Prevention of Electronic Crimes Act 2015	Yes Penal Code
Sri Lanka	Yes Penal Code Section 372	No	Yes Penal Code Section 285 Obscene Publications Ordinance Act No. 4 of 1927 (amended 1983)

*Stakeholders raised concern that girls may still be criminalized in practice.

** Contradictory stakeholder responses were given as to what may happen in practice.

It is important to note that all child victims of online sexual exploitation have the right to physical and psychological recovery and social reintegration under article 39 of the CRC and article 9 of the OPSC. Children also have the right to enjoy the highest attainable standard of health under article 24 of the CRC as well as other under several other international laws. It has been noted by the Office of the United Nations High Commissioner for Human Rights (2012) that sexual violence against children can have serious short- and long-term consequences for both girls and boys, and robust and effective child protection systems are required, including the provision of comprehensive services to child victims. Health service providers can be a useful entry point for addressing victims of online CSE, as has been demonstrated in Bhutan, where a One-Stop Crisis Centre (OSCC) in the Thimphu Hospital is often the first point of contact for child victims of sexual violence, who are dealt with by a multidisciplinary team under one roof. Stakeholders from the OSCC in Thimphu said that they had come across several cases of child sexual exploitation (CSE) that involved an online element, although they do not currently collect official data on the online aspects.

3.7 The child victim's right to redress – civil and criminal justice, state compensation funds

Article 9 of the OPSC also mandates States Parties to ensure that child victims have access to adequate procedures to seek compensation from those legally responsible. The latter right is usually realized through civil claims for compensation against the perpetrator, or by judicial order for the perpetrator to pay compensation to the victim as part of the criminal sentencing process.

In Bangladesh, child victims of online sexual exploitation can bring a civil claim for compensation under the Code of Civil Procedure (Child Rights International Network 2015). Furthermore, under the Children Act 2013, the court may of its own volition or as a result of an application by the child victim or the child's representative, order the perpetrator to pay the child compensation in order to restore the child to his or her previous situation, or may direct that compensation money is used for the welfare of the child (Section 38). However, stakeholders

reported that, in practice, children rarely, if ever, receive compensation. This could be partly because the Children Act 2013 is still relatively new, and not yet fully enforceable due to the implementing Rules still being in draft format. It is suggested that accessing compensation under the 2013 Act would be easier than bringing a fresh civil lawsuit, due to the costs and time involved in bringing a new claim, and it is therefore recommended that judges should routinely order compensation payments to child victims of sexual exploitation as mandated by the 2013 Act. Save the Children found in 2010 that many cases reportedly get resolved through informal "compromise," in which perpetrators pay child survivors to avoid legal action (Save the Children 2010). However, this is different from access to compensation – bribery of the victim to avoid criminal penalties should be strongly discouraged and opposed.

Under the Civil and Criminal Procedure Code of Bhutan, the courts have the power to award restitution and damages, which are payable by the perpetrator (Section 198; cited in Child Rights International Network 2014a). The perpetrator may also be required to pay the victim's medical expenses in addition to compensatory damages. In cases involving children, judges are required to "order damages or reparation for the child and the child's family as required."[23] In many cases, where the perpetrator is not employed and does not have the means to pay compensation, it was reported that the perpetrator must remain in prison until they can pay the amount owed, potentially indefinitely. Stakeholders reported that in theory child victims of online sexual exploitation are entitled to receive compensation from the perpetrator, but until such a case comes to court it is not possible to know whether this will happen in practice.

In Maldives, there is no Civil Procedure Code, and therefore it is not clear how child victims can bring a civil claim for compensation. However, it may be possible for children to bring a claim under provisions of the Constitution, which allows victims of rights violations to apply to the court for a just remedy.[24] The research team was advised by Maldivian lawyers that although the law allows for victims to bring civil compensation claims, this has reportedly never happened in child sexual abuse cases.

[23] Rule 41 (o) of the Child Care and Protection Rules and Regulations of Bhutan 2015. Also, the law requires a child who is indigent or whose parents are indigent to be provided with legal assistance by the State. See rule 86 of the 2015 Rules and section 180 of the 2011 Act.

[24] See Constitution of the Republic of Maldives 2008, articles 53(a) and 35(a) (Child Rights International Network 2014a).

Under the Pakistan Code of Civil Procedure 1908, children and their representatives are entitled to bring civil claims for compensation for rights violations (Child Rights International Network 2013b). It is envisaged that the National Commission for Human Rights will award compensation to victims of human rights violations,[25] and child victims of online sexual exploitation should be included within this mandate.

In Sri Lanka, the 2015 Assistance to and Protection of Victims of Crime and Witnesses Act provides that victims of crime are entitled to receive a sum of money from the National Authority for the Protection of Victims and Witnesses and Crime, to cover the costs of expenses occurred as a result of the offence committed and their participation in judicial proceedings. One of the duties of the Authority is to make an award for payment of compensation to a victim and to develop and implement a scheme for that purpose via the establishment of a Victims of Crime and Witnesses Assistance and Protection Fund (Section 18[f] and Section 29). The research team was advised that this Fund is not yet operational and child victims of online sexual exploitation cannot currently access government compensation funds. Child victims are entitled to bring civil claims for compensation under the Civil Procedure Code of Sri Lanka, and the action must be brought by an adult on their behalf (chapter XXXV). Courts can award compensation in civil proceedings in the form of pecuniary and non-pecuniary damages, but compensation is not awarded to cover the costs of rehabilitation or to address satisfaction of the victim (Child Rights International Network 2014b). In practice, legal professionals advised the research team that the court system in Sri Lanka is inordinately slow and it may take several years for a compensation claim to be heard, which is likely to dissuade many victims from pursuing such cases, even where they have access to a lawyer.

3.8 The child's right to protection: commercial law and industry self-regulation

3.8.1 Commercial law

In terms of international legislative frameworks, article 12 of the Budapest Convention addresses corporate liability and is intended to impose liability on legal persons (corporations) for criminal actions dealt with by the Convention, such as those related to CSAM,

undertaken by anyone in a leading position in that organization or for their benefit. Under article 12 corporations are also liable for failing to supervise or control employees or agents who facilitate the commission of such an offence. Article 13 provides for sanctions that are effective, proportionate and dissuasive to be imposed on companies found liable, and these sanctions can be criminal, administrative, or civil in nature.

In relation to ISPs and mobile phone companies, the Budapest Convention requires governments to impose data retention and data preservation requirements. The Budapest Convention requires in articles 16 and 17 that data that already exist in stored form with the company should be kept secure and safe (Explanatory report 2001, para. 151). It is noted that data preservation is for most countries an entirely new legal power or procedure in domestic law, but nonetheless is an important investigative tool to address online crimes. (ibid., para. 155).

ISPs and mobile phone companies are regulated by national commercial and corporate laws. The usual practice in the region is for national governments to license a certain number of ISPs, and then these companies sell services to smaller companies that cannot afford to invest in the necessary infrastructure on their own.

In their Child Pornography Model Legislation and Global Review (2016), ICMEC recommends that ISPs should be specifically required to report suspected CSAM to law enforcement or another mandated agency. Second, ICMEC recommends that ISPs should be required to retain computer data for a specific period of time, and this could be a legal obligation to retain non-content data (IP addresses, date, time and time zone for emails sent, and full email addresses) for all users; and/or an obligation to preserve stored data with probative value when they relate to an identified user under investigation by request of law enforcement. As mentioned earlier in section 3.3.1, ICMEC found that national laws in Bangladesh and Maldives do not comply with either recommendation; Bhutan has a legal obligation for ISP reporting but not for data retention, and Pakistan has a legal obligation for data retention but not ISP reporting. Sri Lanka complies with both recommendations. ICMEC proposes that legal data retention and preservation provisions help ensure that digital evidence is available

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[25] The National Commission on Human Rights Act 2012 was passed on 5 June 2012 and published in the Gazette of Pakistan on the same date. The process for the establishment of National Commission on Human Rights is in progress (Child Rights International Network 2013, p. 5).

to law enforcement when needed for the investigation and prosecution of online activity related to CSAM (pp. iv-v).

Similarly, in both Bangladesh and Pakistan, governments have recently passed laws requiring mobile phone operators to collect biometric data from anyone who purchases a SIM card. This kind of data may help law enforcement to trace the users of Internet on their mobile devices, and potentially catch perpetrators of online CSE. Given that so many people in the region are now accessing the Internet on their mobile phones, this may become a crucial source of evidence in crimes related to mobile phone usage. However, it is not clear how possible it is to accurately link every individual user to their specific SIM card; for example, in Bangladesh each individual on the electoral roll is allowed to register 20 SIM cards under one name. Furthermore, there has been strong opposition to such legislation from civil liberties groups that have concerns about the monitoring of users, and about access to the Internet for migrants who are not on the electoral roll (which excludes all non-citizens) and children, who may be denied access until they are 18 under such laws.

In a 2016 report on mandatory SIM registration, the GSMA notes that there has so far been no empirical evidence linking mandatory SIM registration directly to a reduction in crime. The GSMA reports that mobile operators may have a role to play in supporting governments to create a unique identity that can be authenticated and used for various mobile and non-mobile services such as e-Government and mobile banking (GSMA 2016). This is of particular relevance in countries where there are issues with the availability and authentication of official identity documents. It is noted by the GSMA that although both Bangladesh and Pakistan have introduced biometric registration for SIM cards, many countries have introduced alternate verification systems that do not require biometrics, including Ecuador and Rwanda. Ecuador and Rwanda both have national ID registries that are used to verify identities (GSMA 2016) and registration of SIM cards is verified against these registries. However, the GSMA cautions governments to balance the possible benefits of SIM card registration against the cost of implementation, the cost to consumers who may be excluded from the market by registration, and privacy concerns regarding the use of consumer information by both government and mobile phone companies.

3.8.2 Industry self-regulation

The Guiding Principles on Business and Human Rights were endorsed by the UN Human Rights Council in 2011,[26] and they cover both the state responsibility to protect against human rights abuses by third parties, and the corporate responsibility to respect human rights. As well as government regulation of the private sector technology industry, there is a growing trend for self-regulation at an industry level, based on business and moral incentives to exhibit corporate social responsibility. Self-regulation has been found to be most effective when "(i) the industry has a collective interest in solving issues; (ii) industry is able to establish clear objectives for a self-regulatory scheme; (iii) the likely solution matches legitimate consumer and citizen needs; and (iv) the scheme yields rules that are enforceable through contracts and private legal actions or government enforcement or both" (OECD 2011, p. 7).

UNICEF, the UN Global Compact and Save the Children produced a set of Children's Rights and Business Principles (CRBP), which provide a comprehensive guidance framework for businesses in their interactions with children. Principle 5 and Principle 10 are particularly relevant to the ICT sector.

Principle 5 requires all businesses to "ensure that products and services are safe, and seek to support children's rights through them." This includes corporate responsibility to ensure that products and services for children or to which children may be exposed are safe and do not cause mental, moral, or physical harm; to restrict access to products and services that are not suitable for children or that may cause them harm, while ensuring that all such actions align with international standards including non-discrimination, freedom of expression and access to information; and seek to prevent and eliminate the risk that products and services could be used to abuse, exploit, or otherwise harm children in any way. Another component of this principle is the corporate commitment to seek opportunities to support children's rights through products and services, as well as their distribution.

Principle 10 requires businesses to "reinforce community and government efforts to protect and fulfil children's rights." This includes corporate responsibility to respect government efforts to protect and fulfil children's rights, including paying taxes, and

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[26] Office of the United Nations High Commissioner for Human Rights, 2011. See also <https://business-humanrights.org/en/un-guiding-principles> (accessed on 21 January 2017).

respecting national laws and regulatory frameworks. A further component of this principle is the corporate commitment to support government by undertaking strategic social investment programmes for children in areas such as education, child protection and raising awareness of children's rights, in partnership with government and civil society.

The CRBP were launched in Bangladesh in 2012. In 2014, Save the Children in collaboration with UNICEF conducted a review of CRBP practices for 25 ICT companies in Bangladesh, including ADN Telecom, BDCOM, Grameen Cybernet, Bangalink and CityCell. While nearly half the companies studied reported awareness of their responsibility to children, none could identify internal or public-facing practices addressing children's rights. According to the 2014 Save the Children report, "companies stated they were too focused on their business to carry out other social activities." Only 10 per cent reported having a specific policy or guidelines related to child protection, including companies hosting chat rooms in which children participated. Of those surveyed, 81 per cent responded that protection of child rights should not be a commercial priority (Save the Children 2014).

Three mobile phone companies and ISPs in the region are members of the UN Global Compact: Telenor, which is the parent company of Grameenphone in Bangladesh and of Telenor Pakistan; and Ooreedoo and Dhiraagu, both of which operate in Maldives. Telenor signed a global partnership agreement with UNICEF in 2015 focused on leveraging the reach and capability of connectivity for children's survival and development in Asia (Telenor 2016). Grameenphone, in collaboration with UNICEF Bangladesh, has produced educational materials for parents about child safety online. On its corporate website, Dhiraagu reports offering online child safety resources through its "Surf Smart" campaign. Dhiraagu also supported a Bring Your Own Device programme in partnership with Ghiyasuddin International School to improve computer literacy among students (Dhiraagu n.d.).

Ooredoo Maldives supports the Child Helpline, "1412," a toll-free number available for children to speak with trained caseworkers to report abuse and, if necessary, be referred to appropriate response services (Ooredoo 2015). In Bangladesh, Telenor in partnership with UNICEF contributed to establishing a centralized call centre for Child Helpline 1098 under the Ministry of Social Welfare. UNICEF Bangladesh also provided support to the design and expansion of the Child

Helpline throughout the country and introduced an online complaint mechanism to supplement the existing telephone complaint service.

While not a signatory to the UN Global Compact, Bhutan Telecom has established ICT facilities for three schools, including free laptops and free Internet, donated laptops to three primary schools in Bhutan and provided free broadband services to a national referral hospital (Bhutan Telecom n.d.).

Ooredoo (n.d.) addresses children in its privacy policy, stating: "We do not knowingly collect personal data from children. We do not take specific steps to protect the privacy of children who disclose their personal data to us." The second statement reflects common practice across the ICT industry, due to the expense of separate management systems for processing data from children (Khatibloo 2016).

Progress towards these goals by the companies who have signed on to the UN Global Compact in the region is encouraging. The commendable efforts by industry to develop educational materials, support hotlines and improve connectivity in the region fulfil to a large extent Principle 10 of the CRBP in that they are outward-facing and involve working with community and government to promote online safety. However, fieldwork and literature review for this study did not surface any evidence of efforts to implement Principle 5 of the CRBPs, which would involve inward-facing efforts to analyse each company's own business operations to ensure that their products and services are safe for children and do not cause harm; this would include proactive efforts to prevent the proliferation of CSAM through their networks. The ITU and UNICEF Guidelines for Industry on Online Protection give detailed advice for industry as to how to carry out this kind of due diligence (see 3.8.3).

3.8.3 ITU and UNICEF Guidelines for Industry on Online Child Protection

The ITU and UNICEF Guidelines for Industry on Online Child Protection provide specific guidelines for the technology sector on the kinds of steps that can be taken under Principle 5 of the CRBP (ITU 2014a). These guidelines target industries such as ISPs, mobile providers, content providers and hardware manufacturers. These guidelines recommend: the integration of child rights considerations into all appropriate corporate policies and management processes; development of standard processes to handle child sexual abuse material; and creation of a safer and age-appropriate online environment.

ISPs are specifically advised to:

- develop standard processes to handle CSAM;

- actively assess commercial content hosted on the company's servers;

- use hash scanning or image recognition to block known CSAM;

- identify the customer's age;

- provide parental control software, white lists, content filters, usage monitoring, contact management and time/programme limits;

- use terms of use conditions to specifically prohibit unacceptable behaviour and include minimum user age;

- educate children, parents and teachers about online safety.

Mobile phone operators are advised to:

- develop standard processes to handle CSAM and develop relationships with law enforcement and hotlines;

- support law enforcement in criminal investigations by capturing evidence;

- prohibit use of CSAM in terms of service and conditions;

- promote reporting mechanisms for CSAM;

- have processes in place to immediately remove or block access to CSAM;

- make it easy to report misuse to customer care;

- provide technical controls allowing blocking or filtering access to the Internet.

UNODC's Global Programme on Cybercrime, which works to achieve a cross-government and cross-society response to cybercrime, fully integrates ITU and UNICEF's Guidelines into all counter-online CSE training including the establishment of specialized counter-online CSE units, proactive use of INTERPOL's ICSE database, deployment of Microsoft's PhotoDNA within ISPs and consideration of appropriate human rights-based cloud filtering of CSE content such as Netclean Whitebox. UNODC, working with UNICEF, INTERPOL, ICMEC and governments should use all possible interventions to ensure that dedicated

investigative responses to online CSE – including the use of ICSE – become "business as usual" in all Member States.

3.8.4 The Mobile Alliance against Child Sexual Abuse Content of the Groupe Spécial Mobile Association

In 2009, the GSMA Mobile Alliance against Child Sexual Abuse Content was created by an international group of mobile operators to assist in obstructing CSAM (GSMA Mobile Alliance 2016). The Alliance includes major mobile phone operators – including Telenor, Mobitel and Dhiraagu – that are dominant in South Asia (ibid.). Members of the Alliance commit to implementing blocks on lists of child sexual abuse material URLs defined by credible third parties such as the Internet Watch Foundation and INTERPOL (Commission on Crime Prevention and Criminal Justice 2014, p. 54). In Maldives, one of the major Internet providers, Dhiraagu, and the Ministry of Health and Family signed a Memorandum of Understanding to block "child pornography" sites in 2009. Within the study countries, four mobile operators or ISPs have committed to notice and takedown procedures for CSAM: Grameenphone (Bangladesh), Dhiraagu (Maldives), Dialog Axiata (Sri Lanka) and Mobitel (Sri Lanka).

During stakeholder interviews some of the mobile phone providers and ISPs in the region shared information about relevant corporate social responsibility initiatives they are undertaking. For example, in Bangladesh, Grameenphone partnered with UNICEF to develop a Safer Internet Guidebook for Parents. Grameenphone also carried out Internet safety workshops in schools. Telenor also implements a filter against child sex abuse content in Bangladesh based on a list provided by INTERPOL and Norway's Criminal Investigation Service (Kripos, "How businesses can improve children's rights" 2012). In Maldives Dhiraagu also produced awareness-raising materials in partnership with a local NGO, ARC. Intel provides global resources addressing online safety for children and is reportedly particularly active in Pakistan and Sri Lanka (UNICEF Office of Research – Innocenti 2012).[27]

As well as producing educational materials and carrying out awareness-raising activities, other specific corporate social responsibility initiatives that mobile

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[27] See Intel information page at < www.mcafee.com/us/about/intel-security-digital-safety.aspx>; and <www.lifeeducation.org.au/bcyberwise-monster-family> (accessed on 21 January 2017).

phone companies and ISPs can undertake to combat CSAM online include becoming an INHOPE funding partner, thereby supporting the development of Internet reporting hotlines around the world (INHOPE n.d.); becoming a member of the Internet Watch Foundation (IWF) which gives companies access to services designed to reduce the abuse of legitimate Internet services, speed up removal of CSAM online, and disrupt access while removal efforts are ongoing (Internet Watch Foundation n.d.); and joining the UN Global Compact and signing up to the Child Rights and Business Principles (Child Rights and Business Principles 2015). Table 11 summarizes which GSMA members in the region are participating in these initiatives.

It is important to note, however, that filtering and blocking technologies and protocols are often difficult to implement in practice. It is often not possible to restrict access to certain kinds of content on a site without having to block the entire site. Further, technologies like VPNs (Virtual Private Networks) allow users to access blocked sites that governments or companies censor or restrict. Such issues call into question whether a purely technological solution is feasible.

Some private sector technology companies have led efforts to use ICTs to combat the proliferation of child abuse imagery. For example, Microsoft's image detection software PhotoDNA has been shared (at no cost) with ICMEC as well as large global technology companies such as Facebook in order to track and prevent the distribution of abusive imagery.

Table 11. Groupe Spécial Mobile Association members' corporate social responsibility initiatives to combat online child sexual exploitation

Country	GSMA member	GSMA Mobile Alliance against Child Sexual Abuse Content member	INHOPE Funding Partner	IWF member	UN Global Compact member [28]
Bangladesh	Airtel Bangladesh Unlimited	No	No	No	No
	Bangladesh Internet Exchange	No	No	No	No
	Banglalink Digital Communications, Ltd.	No	No	No	No
	Grameenphone Ltd/ (Telenor – parent company)	Yes (Telenor)	No	No	Yes (parent company)
	Robi Axiata Limited	No	No	No	No
	Teletalk Bangladesh Limited	No	No	No	No
Bhutan	Bhutan Telecom Ltd.	No	No	No	No
	Tashi InfoComm Ltd, Thimphu	No	No	No	No
Maldives	Dhivehi Raajjeyge Gulhun Plc (DHIRAAGU)	Yes	No	Yes	No
	Ooredoo Maldives Private Ltd.	No	No	No	Yes
Pakistan	Pakistan Mobile Company (Mobilink)	No	No	No	No
	Pakistan Telecommunication (Ufone)	No	No	No	No
	Telenor Pakistan (Private) Limited	No	No	No	Yes (parent company)
	Warid Telecom (Private) Limited	No	No	No	No
Sri Lanka	Bharti Airtel Lanka (Private) Limited	No	No	No	No
	Dialog Axiata Plc	Yes	No	No	No
	ETISALAT Lanka (Private) Limited	No	No	No	Yes
	Hutchison Telecommunication	No	No	No	No
	Mobitel (Pvt) Limited	Yes	No	No	No

Sources: "Full members", gsma.com; "Mobile Alliance", gsma.com; and business-humanrights.org.[29]

[28] <https://business-humanrights.org/en/find-companies> (accessed on 21 January 2017).

[29] <www.gsma.com/membership/who-are-our-gsma-members/full-membership> (accessed on 21 January 2017).

3.8.5 Social media companies – Facebook

Given the dominant role of social media in children's Internet use (UNICEF 2016), reviewing participation from major social media platforms is an important facet in combatting online child sexual exploitation. Facebook updated its community standards in March 2016, including a new explanation of how Facebook fights sexual violence and exploitation on its site (Lancaster 2015). The Facebook definition of sexual violence and exploitation includes (Facebook n.d.a):

> "…our definition of sexual exploitation includes solicitation of sexual material, any sexual content involving minors, threats to share intimate images and offers of sexual services. Where appropriate, we refer this content to law enforcement. Offers of sexual services include prostitution, escort services, sexual massages and filmed sexual activity."

> "To protect victims and survivors, we also remove photographs or videos depicting incidents of sexual violence and images shared in revenge or without permission from the people in the images."

This definition appears to cover CSAM, the sexual extortion of children and the sexual exploitation of children in prostitution online including through live streaming of abuse. However, the term "minor" is not defined in the Community Standards, and its meaning can vary greatly under different national laws, so it is not clear to what extent these standards protect all children aged under 18 online.[30] The Community Standards also explain how to report abuse, and note that Facebook may sometimes make content unavailable in a relevant country or territory following government requests, where content is illegal under local law.

Stakeholders in Bangladesh, Maldives and Sri Lanka reported that they had experienced difficulties in convincing Facebook to recognize and respect their perspectives of inappropriate materials when requesting removal. Stakeholders from these countries described that in their respective cultures if a girl is showing her arms or the upper part of her neck and chest, this might be considered obscene and inconsistent with public morals by national standards; reportedly, Facebook often did not act on these complaints.[31] Stakeholders in Maldives and Sri Lanka reported that they felt the smaller size of their populations meant that they did not represent a significant enough market for Facebook to take notice of them, in the same way as they do for example of India, which was thought to receive a dedicated Facebook representative to deal with such complaints. Data provided by Facebook support the notion that takedown requests from India eclipse those of other countries in the region (Facebook 2016).[32] One stakeholder in Bangladesh reported that they had recently had the same issue with Facebook, and following negotiations with the Asia regional headquarters for Facebook in Singapore, Facebook had appointed an Indian employee to deal with complaints from the South Asia region, and this had resolved many of the previous issues because the Indian employee was felt to have much more cultural sensitivity and understanding regarding cultural norms in the region.

3.8.6 Financial industry

The financial industry, including payment card networks, works closely with law enforcement to detect and remove merchants involved with CSAM on their networks. These corporations actively screen and monitor merchants for illegal activity, and use external firms to search the Internet for CSAM websites that may be accepting their payment cards. The National Center for Missing & Exploited Children (NCMEC) formed a Financial Coalition Against Child Pornography (FCACP) in collaboration with the Government of the United States of America and several financial institutions in the United States to take collective action against CSAM merchants reported via the NCMEC US CyberTipline hotline. FCACP reported that the initiative resulted in a 50 per cent drop in the number of unique websites with CSAM content reported to the NCMEC hotline;

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[30] See further Terminology Guidelines at A.3.III.

[31] It is noted that the tension between cultural norms and Facebook standards is not unique to the South Asia region. In France in May 2016 it was reported that Facebook, YouTube and Twitter were all being sued by anti-harassment NGOs for not removing content they considered to be hate speech and illegal under national French law. See further: <https://heatst.com/tech/facebook-youtube-twitter-sued-in-france-for-not-removing-offensive-content/> (accessed on 21 January 2017).

[32] For a six-month period between July and December 2015, India made 14,971 requests to restrict content (which may include sexual exploitation, but also political content), compared with 4 requests from Bangladesh, 6 from Pakistan, 0 from Maldives and 1 from Sri Lanka (Bhutan was not included in list).

FCACP also observed a trend for such websites to direct buyers of CSAM to alternative payment schemes, and a significant increase in the price of CSAM content (FCACP 2011). The Asia-Pacific Financial Coalition Against Child Pornography (APAC-FCACP) was launched in 2009 to broaden the fight against the online sale and dissemination of CSE materials. The companies involved in this effort include Google and Facebook, and also Visa and PayPal. Recently, APAC-FCACP has produced two publications for industry to "confront new challenges in the fight against child pornography."[33] The first describes best practices for companies when using various online technologies; the second is a similar set of provisions for file hosting and sharing companies.

The Central Bank of Sri Lanka's Financial Intelligence Unit (FIU) issued a circular in 2007, regarding offences against children. The circular advises that a task force of the Sri Lanka Commercial Banks has been established to work on a modus operandi to eradicate the commercial viability of "child pornography," through addressing electronic payments systems, Internet transactions and credit card payments. All commercial banks are called upon to monitor the nature of the business of new and existing credit card merchants and to report anything suspicious to the FIU.

UNODC's Global Programmes on Cybercrime and Money Laundering are developing investigative training with the cryptocurrency industry to enhance the capability of developing Member States to investigate the links between online CSE and such payment methods. Member States are actively encouraged to request UNODC's assistance to develop their own capabilities in this regard.

3.8.7 Private agents

When it comes to accessing the Internet, private agents often sell SIM cards and credit for accessing 3G networks, and sometimes process claims for national identity cards that may be a prerequisite to accessing the Internet where registration for such services is a legal requirement under national law. Such agents may make decisions, based on their understanding of national law and policy, regarding whether the

purchaser is old enough to purchase a SIM card, or whether they qualify under nationality grounds, which has implications in terms of access to the Internet. Such private agents may also play a role in terms of registering users associated with specific phone numbers or IP addresses, which may be important when it comes to investigating crimes such as online CSE. Mobile phone providers should be encouraged to take responsibility for their supply chain, which includes such agents who sell their SIM cards at a local level.

3.9 Access to justice – the implementation gap

Progress has been made in the region regarding access to justice for children, and this should be recognized and commended. For example, Bangladesh plans to create dedicated children's courts under the 2013 Children Act, and Bhutan is planning a similar initiative in Thimphu. However, it should be noted that the focus in the region so far has been primarily on access to justice for child offenders, whereas child victims are often not afforded the same child-friendly justice procedures, and their cases involve their attendance at an adult court. It is recommended that all States in the region review their existing laws with reference to the UN Guidelines on Matters involving Child Victims and Witnesses of Crime.[34]

Even before getting to court, there are huge barriers to reporting cases of online sexual exploitation in the region, partly due to fear of potential shame and stigma, and sometimes even of possible criminalization. The lack of reporting may also be due to a lack of information about where to go for help. Even if cases are reported, the person they are reported to must then know how to act upon the report, whether it is a police officer, teacher, health professional, or social worker. Anecdotal evidence from the region suggests that many such front-line staff do not know how to respond to cases of online CSE.

In Bangladesh, stakeholders reported that there is a backlog of 100,000 cases pending with the police, and there are a further 3 million cases pending hearing with the lower courts. The police said that a major

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[33] See <www.icmec.org/wp-content/uploads/2015/10/APAC-FCACP-File-Hosting-and-File-Sharing-Best-Practices.pdf> and <www.icmec.org/wp-content/uploads/2015/10/APAC-FCACP-Engaging-with-Digital-Businesses.pdf> (accessed on 21 January 2017).

[34] The ECOSOC Resolution 2005/20, Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, is available at <www.un.org/en/ecosoc/docs/2005/resolution%202005-20.pdf> (accessed on 21 January 2017).

challenge they face is that it can take between 12 and 15 years for a judgement to be handed down by the courts, and often while on bail the suspect offends again. In Sri Lanka there are similar challenges with a large backlog of cases and delays of 5–6 years before cases are heard. Stakeholders in Sri Lanka reported that there are only two digital forensic experts who are based at a university and work on a pro bono basis, which means that there can be delays of around 18 months in processing digital evidence. Bhutan has a relatively quick justice system, with most cases being resolved within 12 months. However, there are very few lawyers available in Bhutan, and normally the victim is not represented by a lawyer in court.

If cases do reach court, it may be that judges in some countries do not have sufficient training on children's rights in relation to online sexual exploitation, and judgements may not always follow national and international law. In addition, whereas in many countries child offenders are provided a lawyer by the State, child victims do not have the right to a lawyer. It is recommended that UNICEF country offices explore how they can collaborate further with pro bono legal service providers in their country to ensure that more child victims of online sexual exploitation get access to legal advice and representation.[35]

In Table 12, children's access to justice across five criteria are examined and each country's ranking listed according to two measures, the Child Rights International Network (CRIN) and World Justice Project Rule of Law Global Ranking.

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[35] See for example <www.i-probono.com/> (accessed on 21 January 2017).

Table 12. Access to justice in law for child victims of online child sexual exploitation

Country	Right to a lawyer (victim)	State victim compensation scheme[36]	Compensation from the perpetrator[37]	Dedicated child court	Dedicated cyber court	CRIN access to justice global world ranking[38]	World Justice Project Rule of Law global ranking[39] (1-102)
Bangladesh	Yes[40]	No	Yes[41]	Only for child offenders	Yes[42]	63	93
Bhutan	No	No	Yes[43]	No	No	85	Not included
Maldives	No	No	Yes[44]	No	No	189	Not included
Pakistan	Yes[45]	No	Yes[46]	No	No	119	98
Sri Lanka	Yes[47]	Yes[48]	Yes[49]	Yes[50]	No	123	58

Benchmarks for access to justice for child victims taken from UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime. It should be noted that across the region children's rights to access justice such as those detailed above that exist in law are often poorly implemented or not implemented at all.

[36] Note that the state victim compensation schemes listed in this table apply to crimes committed online and offline.

[37] Note that the compensation from the perpetrator requirements listed in this table apply to crimes committed online and offline.

[38] States are ranked by the Child Rights International Network according to the extent to which their legal systems effectively guarantee children's right to access to justice. For full details, see <www.crin.org/en/access-justice-children-global-ranking> (accessed on 21 January 2017).

[39] <http://worldjusticeproject.org/rule-law-around-world> (accessed on 21 January 2017).

[40] According to the Children Act 2013: not yet implemented.

[41] According to the Children Act 2013: not yet implemented. Right also exists as a tort under civil law, but such cases are never brought.

[42] See Chowdhury 2016 for information.

[43] Possible in civil law, but rarely implemented.

[44] Right exists as a tort under civil law, but such cases are very rarely brought, if ever.

[45] According to the Juvenile Justice Systems Ordinance 2000, but this is reportedly not implemented.

[46] Right exists as a tort under civil law, but such cases never brought.

[47] According to the Assistance to and Protection of Victims and Crimes and Witnesses Act, No.4 of 2015. Right also exists under the Legal Aid Law if the victim qualifies for financial assistance, but getting access to a lawyer remains very difficult in practice.

[48] According to the Assistance to and Protection of Victims and Crimes and Witnesses Act, No.4 of 2015.

[49] Assistance to and Protection of Victims and Crimes and Witnesses Act, No.4 of 2015 provides for the right to seek compensation from the perpetrator under civil law. However, this is so far reportedly not being used in cases of child sexual exploitation.

[50] Two juvenile courts exist in Sri Lanka, one in Jaffna and another in Batarammula (Colombo District).

4. Balancing children's online protection and participation

Livingstone, Carr and Byrne (2015) predict that of the next billion people to go online globally, one in three will be under the age of 18. It is increasingly shown that children are not homogenous in the way that they respond to material and content; they respond differently to materials based on their age, environmental and family factors, as well as individual resilience factors. Yet policy and popular discussions often refer to the "child," without consideration of individual agency or experience. This is an especially critical point for children in the South Asia region. Even within the five countries included in the present study, extreme variability existed in population size, education levels, poverty levels, geography, culture and Internet access.

When considering children's everyday Internet use and potential protection needs, there needs to be an awareness of language barriers to content, cultural norms that may be very different between the designers of the apps and the culture of the children who use them, distinctions between rural and urban, access to education – all of which affect how and for what purpose children use the Internet and how they might respond to upsetting experiences online. At the same time, research emerging from this study and other ongoing studies as part of the WePROTECT Initiative are finding that globally legislation addressing children's rights in the digital age is often ill-fitting and poorly implemented, either not addressing the online dimension, not accounting for children specifically, or emphasizing protection over provision. Regardless of gross domestic product or Internet adoption levels, these issues present a challenge worldwide, and there is much room for improvement.

4.1 Opportunities of online engagement

In a 2016 survey, 86 per cent of Sri Lankan youth reported that their most frequent online task was using the Internet to search for information related to schoolwork (UNICEF 2016). Plan International identifies seven benefits of youth Internet use: interpersonal relationships (which can reduce isolation), further education and skills development, participation in governance and communities (have a voice in politics), development of technical skills for

the workplace, building knowledge on topics such as HIV and AIDS that they might not otherwise know about, and building self-esteem (Bachan, Stevenson and van der Gaag, 2012).

The opportunity presented to form relationships, to be "connected," while often conceptualized as risky – the risk of meeting strangers – is among the most common opportunities identified by children in some studies. In a recent study in Sri Lanka, nearly half of the youth respondents (46 per cent) reported connecting with a stranger online (UNICEF, 2016). Young people most frequently identify inclusion and "connectedness" as the key benefit of mobile phone use (Samuels, et al. 2013).

4.2 Youth negotiation of online risks

Assumptions are also commonly made about children's knowledge and awareness of risks they may encounter online. Youth report being aware of risks of cyberbullying, grooming and online/offline relationships, but "in many cases are willing to risk other online harms in order to feel a sense of inclusion or belonging" (Samuels, et al. 2013). In its cross-country comparative research, the EU Kids Online studies (also in Argentina, Brazil, Philippines, Serbia and South Africa) find that as children spend more time online, they encounter more risks, but also develop skills to negotiate the digital world. Youth proactively develop technical and interpersonal strategies to protect themselves from potential harms, a finding which challenges the perception of children as free of agency, or passive victims. Youth report using privacy settings on platforms to block unknown or unwanted contacts. Findings from the recent Digital Landscape report challenge these findings, showing that 25 per cent of youth respondents were not aware of privacy settings, and an additional 32 per cent were aware of privacy settings, but chose not to use them. The report additionally flags that by default, privacy settings are usually low and enable other users to view them.

The relationship between risks, harms and opportunities is therefore not a simple one. If vulnerability transfers from offline to online, one could reasonably argue that special efforts should be

made to address children who are vulnerable in any domain. This could lead to particular efforts to protect vulnerable children in order to keep them safe online, which are most likely to restrict the opportunities available to them. Yet, it is for those vulnerable groups that the Internet offers such potentially substantial and powerful means to overcome many of the disadvantages and vulnerabilities that they may face (Livingstone 2010; Livingstone and Bulger 2013).

Additionally, as in offline life, vulnerability shifts; at different points, most children are vulnerable in one form or another. Since it is difficult to pinpoint when this may occur (e.g., bullying at school, inappropriate conduct from an adult), preparing children through education and awareness to protect themselves and report upsetting or unwanted contact, conduct, or content has shown to be the most effective protection mechanism (Livingstone and Bulger 2013).

Table 13. Adolescent and under-age-18 population statistics for study countries

Country	Population aged 10-19	Percentage of population aged 10-19	Population aged under 18	Percentage of population aged under 18
Bangladesh	32.3 million	21%	56 million	36%
Bhutan	147,000	20%	257,000	34.6%
Maldives	68,000	20%	119,000	35.2%
Pakistan	39.9 million	15%	73.8 million	41%
Sri Lanka	3.2 million	22%	6.26 million	29.8%

Source: The State of the World's Children Report Statistical Tables, available online, 2012.[51]

4.3 Youth Internet use in South Asia

In the countries researched for the present study, 30–40 per cent of the population is aged under 18 and 20 per cent are adolescents (aged 10–19, see Table 13). Recent research from Sri Lanka indicates 53 per cent of its youth aged 11 to 18 are online, and this number is steadily growing (UNICEF 2016). The Human Rights Commission of Maldives (HRCM 2015, p. 6) reports that a majority of children aged 14–18 access the Internet via mobile phones. While stakeholders interviewed for the present study report that most children in Maldives use the Internet from as early as 6 years old, there are currently no quantitative data to support this. Youth workers indicated that it is common for children to create Facebook accounts as young as 8 or 9, and that older children will use Facebook as a means for dating, indicating that meeting online contacts offline is an acceptable practice.

In Bangladesh, stakeholders interviewed for the present study reported that children use Internet devices for a combination of information gathering, socializing and entertainment. Many of the most popular apps internationally – Facebook, Viber, WhatsApp and YouTube – are reportedly popular in Bangladesh as well. A study by Grameenphone, a major ISP in Bangladesh reports that of the approximately 85 million Internet users, up to 85 per cent are in the youth bracket (age range not specified). The Express Tribune of Pakistan conducted an online survey of its users, reporting that 49 per cent of respondents under age 18 spend over 5 hours per day online, and this number jumps to nearly 60 per cent for respondents aged 18–25 (Haque and Popalzai 2013).

The Department of Information and Media of Bhutan conducted a study in 2013, also finding international social media apps growing in popularity, particularly among urban literate users. The study in Bhutan highlighted key issues of adoption that can apply broadly to the region: growing distribution of technology in rural areas, yet differences in practice due to language barriers, literacy and access to other technologies.[52]

[51] UNICEF, *The State of the World's Children Statistical Tables*, <www.data.unicef.org/resources/the-state-of-the-world-s-children-report-2015-statistical-tables.html> (accessed on 21 January 2017).

[52] Reporting did not distinguish by age; adult users are included in these percentages.

At stake in this infusion of youth use, and the focus of the present study, is the extent to which participation online may expose young users to harmful contacts and interactions. Access to and use of the Internet introduces youth to a global, borderless network that holds promise for education, information access and positive social connections, yet also poses the risk of harmful encounters. Although data are limited for the study countries on the uptake of positive opportunities online and prevalence of harmful encounters, stakeholders in all five countries indicated interest in better understanding youth Internet use and ways to promote positive practice while protecting against harm.

Grameenphone's study of Bangladeshi youth finds that 70 per cent of youth aged 11–18 did not know who to approach or ask for guidance when they encountered problems online and reported that they did not feel their schools were equipped to provide online safety training (Grameenphone n.d.). Additionally, over 30 per cent of respondents reported experiencing online bullying or receiving hate messages. While Bangladeshi youth interviewed for the present study described strategies they use to manage and respond to online risks, they also indicated distrust of teachers, law enforcement and religious authorities, reporting that they preferred to speak with their peers or parents about any online issues.

In 2011, UNICEF conducted a focus group study with fifteen Maldivian children aged 10–18 exploring youth Internet practices. Youth reported using the Internet daily, and their activities included Facebook, video games, chatting with friends and web design. They reported interacting with people they had met online, including friends from social networks and online gaming. Participating youth also shared that they felt adults did not listen to them because they were too busy or stressed, did not care, or thought their ideas were silly (Naseem 2011, pp. 26–32). These findings point to a concerning trend in the region that youth do not feel comfortable turning to adults about issues they experience, online and offline, potentially leaving them vulnerable when harms do occur that they do not know who to report to or will avoid reporting.

In Sri Lanka, young men were more likely than young women to share private information online and feel less concerned about meeting strangers offline. Of the 11- to 18-year-olds surveyed in the Digital Landscape (2016) study, 757 young men reported meeting an online contact offline, and 12.5 per cent did so without informing anyone. Fewer young women reported meeting online contacts offline. Of the 182

who reported doing so, 7.1 per cent did not inform anyone of their meeting. One in 10 of the youth surveyed for the Digital Landscapes study said they have uploaded content considered inappropriate for their ages, and 41.3 per cent have shared photos, personal information, or accepted chat requests with strangers (UNICEF 2016). Sri Lankan youth are not alone in engaging in online behaviours they know to be risky; this is common not only for youth in the region, but also globally (Bulger, et al. forthcoming). The question is how to equip youth for addressing the risky situations so that they know where to seek help for the situations beyond their control.

4.4 Risk factors, prevalence and patterns of abuse

When does positive participation shift into risky behaviour, or when do online contacts become harmful? While exact numbers for prevalence of online sexual exploitation were unavailable for the study countries, trends reported by stakeholders during field visits provide insight into potential priority areas. In a United Nations survey, 37 per cent of urban Bangladeshi men and 38 per cent of Sri Lankan men reported experiencing sexual abuse before the age of 18 (Fulu, et al. 2013), which provides perspective for the prevalence of abuse from adult survivors of childhood abuse.

In terms of prevalence of online abuse, much of the evidence is currently anecdotal. An official of the Bangladesh Telecom Regulatory Commission (BTRC) stated in 2013 that they were "receiving a growing number of complaints about abuse and harassment using fake Facebook IDs, doctoring photos, filing porno footage with mobile phones and posting them on websites, and hacking of websites" (Global Information Society Watch 2013). This observation agrees with findings of similar harassment in Pakistan (Parkin 2016).

The BTRC taskforce on cybercrimes was reportedly "overwhelmed with thousands of complaints" in 2012 (Global Information Society Watch 2013). It is not clear whether any of these cases involved children. The United States Department of State reported that in June 2015 a 12 year-old Bangladeshi girl committed suicide after a young local man stalked her to and from school and sexually harassed her over the telephone (United States Department of State 2016). A psychosocial service provider in Thimphu (Bhutan) interviewed for the present study reportedly handled an incident where a 12-year-old girl and a

middle-aged man formed a relationship online that later became sexual. The parents notified the case to the authorities, and according to the service provider, the suspect was arrested. The same service provider also handled a case where a 16-year-old girl and a man in his thirties were in a relationship, and the man threatened to share intimate photos of the girl online. The girl stayed in the relationship for several months before it was discovered by her parents, who reported the incident to police, leading to a criminal case.

Interviews of law enforcement officers in Maldives found online sexual exploitation to be a reportedly common practice, and interviewees explained that most victims are girls, and that most perpetrators are boys or older men known to the victims. Police described that the most common cases involved chatting and exchanging photos via Facebook (often through fake accounts). Stakeholders interviewed in Sri Lanka expressed concern around the increasing prevalence of exploitation through "sexting." Stakeholders described that while in some cases, nude or semi-nude photos were being distributed among adolescents in a consensual fashion, in other instances photos were being distributed beyond the control of the subject, leading to harmful or exploitative effects. Anecdotally, one NGO reported that a group of boys had organized an online system where photos of girls were stored and traded along with personally identifying information. There has been no reported investigation of this case to date.

In a case that received global media attention, in Pakistan, evidence was found of widespread abuse of children (5–16 years old) in the Kasur District over at least six years by several men, recorded on video and used as blackmail against victims and their families (Human Rights Commission of Pakistan 2015). In a similarly troubling case in Bangladesh, INTERPOL identified a crime ring existing for at least 10 years that sold a large collection of CSAM online, a majority of the images involving boys presumed to be children living or working on the streets (INTERPOL 2014).

Online risks appear to fall into two distinct categories. First, there are CSAM created by perpetrators with a clear predatory sexual interest in children, and these materials are exchanged or sold online. Second, stakeholder interviews found that there is a widespread phenomenon in all five countries in this study of sexual harassment and extortion of children online, and according to the available anecdotal

evidence this appears to primarily affect girls. In such cases the perpetrators were generally known to the girls involved, and often were peers or adults in their community. The girl victims were primarily concerned about sexualized images of themselves – often created for private use – being shared publicly on social media with people they knew in their community, which carried a large amount of shame and stigma. Anecdotal evidence suggested that trends in this kind of sexual harassment and extortion are moving from more static platforms such as Facebook, to faster moving and more private applications such as WhatsApp, WeChat, Snapchat and others, which are more temporal. Emerging image-sharing and communication on platforms that do not store long-term records has implications for both the speed of proliferation and for the removal of images.

In a majority of cases of offline sexual abuse, the perpetrator is known to the child (UNICEF 2014). However, who is considered "known" and "stranger" takes on new meaning online where connections are made with "strangers" and they are labelled as "friends" by the apps themselves. The extent to which the perpetrator is known to the child in online abuse and what "known" might mean in this context – particularly the pathways through which the connection is established – remain an open question. In the exploitation of children through prostitution and sex tourism, recruitment or sale usually involves a family member or someone known to the family. Though all children can be vulnerable depending on context, research shows that children living in poverty are particularly vulnerable, as are those living away from their families (Campbell, et al. 2010; Kleine, Hollow and Poveda 2014). Importantly, it has also been shown that different risk factors apply to different forms of abuse, with some risk factors more significant in predicting certain forms of abuse, but not others.[53] For example, one study of children exploited by prostitution found that 61 per cent reported being mistreated at home, and 62 per cent were from poor families (UNICEF 2007).

Research indicates that there are a number of possible impacts experienced by children left behind by parents: disruption to family relations; psychosocial effects of loneliness and abandonment; and heightened risk of child labour or abuse from alternative carers (Jayasuriya and Opeskin 2015). A UNICEF mapping and assessment report of Maldives

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[53] See for example: Sedlak 1997; Thornberry, et al. 2014.

(Ministry of Gender, Family and Human Rights and UNICEF 2013) finds that children growing up in small atolls are commonly sent to live with relatives in the larger cities to attend school. In Sri Lanka, according to the Ministry of Foreign Employment, an estimated 1.7 million adults, nearly 25 per cent of the population, some of whom are parents, are employed abroad (Jayasuriya and Opeskin 2015). Stakeholders interviewed for the present study noted that for these groups, consistent adult (positive) guidance of a child's activities (both online and offline) was less likely and therefore the exposure to online risks heightened.

The kinds of online CSE that involve peer-to-peer abuse and exploitation, and in which the child victims have some agency, require a different kind of response to CSAM and online facilitation of offline CSE. In such cases it may be most important to improve children's understanding of the risks involved in online communications, and to build their resilience and ability to mitigate such risks. Where the perpetrators involved are the child victim's peers, and children themselves, it is also important to ensure they receive a strong educational message regarding the harms caused by such crimes, and about their criminal nature, so that the onus is not simply on the victim to avoid being exploited, but also on the perpetrators to not victimize their peers. In addition, children exploited in these ways also require psychosocial services to deal with the often very real and severe consequences of this kind of abuse.

4.5 Types of intervention responses

While a majority of interventions focus on awareness-raising, for example online safety guides or training, there is a disconnect between the types of abuse youth experience in the region and the intervention efforts available. It is important to note that in the case of CSAM, for example, children are groomed and targeted by offenders with a depth of experience in deception and evading the law and are usually part of a larger network of abusers (Wolak, et al. 2008). Awareness-raising efforts intended for children and addressing online safety might be generally helpful, but it is more effective to target awareness-raising to parents to help identify symptoms of abuse, characteristics of abusers and available reporting mechanisms. The efficacy of the interventions described in the following section is dependent upon the broader child protection response system in which they are situated. For example, a global review found that hotline reporting has been found to be more useful in responding to online abuse where staff are

trained in response to abuse and dimensions particular to the online context (Stroebel and Jeleniewski 2015). Additionally, hotlines that coordinate with the broader child protection system and can refer victims to appropriate health, legal and psychological services are better positioned to provide effective responses (ibid.). It is important to note that within the course of a child protection response, the child may come into contact with many actors. As Gregson (2014) observes, these can include social workers, police, community workers, health providers and educators and "each person may have a different definition of the problem and of the solution" (p. 75).

4.5.1 Awareness-raising

Awareness-raising efforts range from the passive distribution of guides online to school-based training programmes and innovative role playing. This section highlights a few programmes mentioned in more detail in the appendices of this report. The Bhutan Centre for Media and Democracy (BCMD), an NGO, provides training for urban and rural youth about staying safe online, privacy settings, password settings and things that should or should not be shared online. Similarly, in Maldives, the Society for Health Education (SHE) offers awareness-raising campaigns that address cyber bullying and blackmail. The Cybercrime Unit in Maldives provides trainings in schools regarding privacy settings on their social media accounts. In Sri Lanka, the National Child Protection Authority (NCPA) is collaborating with a multisectoral group (including the Ministry of Education and UNICEF) to develop a module for use in schools on the safe use of the Internet, with a special focus on cyber bullying and other cybercrimes (childprotection.gov 2015). A collaboration between UNICEF and the Ministry of Education developed violence prevention campaigns in schools, and trained Internet Safety Teams comprised of teachers and peer leaders to further advise on safe practice.

Unique approaches to awareness-raising are to engage youth in role-play and also tackle challenging issues through popular media. In Maldives, SHE trains peer educators aged 18 to 25 in role-play to explore key issues of online CSE. In a recent report to the Committee on the Rights of the Child (2015), the Government of Maldives describes a series of community-based theatrical plays organized by the Ministry of Gender and Family and the UN Population Fund (UNFPA), which present child rights violations such as bullying, sexual abuse, violence and neglect and invites the audience to respond when they see

something go wrong and suggest how it could be done differently. The aim of this intervention is for the audience to role-play and learn to respond and become involved in shifting attitudes and behaviours (Committee on the Rights of the Child 2013). In May 2016 a Pakistani serial television drama called Udaari included a plot about child sexual abuse (Entertainment Desk 2016). Udaari received widespread support on social media (Amer 2016).

Currently, awareness-raising does not focus on the behaviour of the perpetrator or emphasize the criminal nature of blackmail and child pornography. A challenge with intervention efforts generally is that they are not evaluated, so it is difficult to gauge their effectiveness in promoting safe Internet use and means of protection and reporting unwanted behaviours.

4.5.2 Sexuality education

Sexuality education remains a controversial issue in the region. In Sri Lanka, stakeholders interviewed for the present study report there is a curriculum for sexual and reproductive health in schools, but many teachers are reluctant to teach it.[54] According to stakeholders, there is a concern that this reluctance results in most children not receiving any education about sexual and reproductive health, including about biological changes related to puberty. Many stakeholders reported that children are filling this information gap by turning to unverified sources online, which can also include learning about sex and sexuality exclusively through online pornography. Based on national studies of adolescent health development in Maldives, the Ministry of Health recommended that "age appropriate sexual and reproductive health education needs to be taught in schools to combat the increasing 'sexual health illnesses'," acknowledging that "current school curriculum provides little to no information about reproductive health, leaving adolescents and youth unguarded and vulnerable." Civil society groups such as the Society for Health Education and UNFPA have engaged in sex and reproductive health education in schools, clinics and youth centres. The results of these initiatives are unclear, and it is not known whether they can encompass skills to prevent online sexual exploitation; studies on adolescent attitudes towards sex and reproductive health are reportedly under way, however (Maldives 2015).

Sexuality education has been used by the public health sector as an avenue to address health concerns such as HIV and other sexually transmitted diseases, and early or childhood pregnancies. In 2009, UNICEF, UNESCO, UNAIDS, UNFPA and WHO published the first global guidance on sexuality education, as an integral part of their strategy on HIV and AIDS prevention, treatment, care and support for children and young people (UNESCO n.d.). UNESCO's global programme on sexuality education found that evidence from the Asia-Pacific region demonstrates that sexuality education is an important way of providing young people with the necessary knowledge and skills to make healthy choices about their sexual behaviours, and to avoid negative sexual and reproductive health outcomes (UNESCO 2012). They also found that sexual education could provide an important platform to promote mutually respectful and non-violent relationships and to address gender issues. There may be potential to include online CSE in public health policies and broader sexual education programmes, and this may be an easier entry point in South Asia for what may often be a sensitive issue. One promising programme, Girls First, which offers adolescent psychosocial (Girls First Resilience Curriculum) and physical health curricula (Girls First Health Curriculum) in India integrates discussion of sexual and reproductive health into a broader education on common diseases, nutrition, gender equality, clean water and substance abuse. A randomized controlled trial of 3,000 girls aged 12–14 found positive changes in safe health practices and awareness following the training (Sachs Leventhal, et al. 2016).

4.5.3 Reporting hotlines and helplines

A majority of countries in the region offer helplines and hotlines. A helpline is generally intended to provide support and advice for parents and children in coping with abuse and harmful experiences. Helplines can give pointers to additional resources, referrals to services and emergency response. Hotlines can be used by the public and industry to report abuse or illegal online content and are typically connected with law enforcement. The purposes of hotlines or helplines may overlap and the distinction between the two is not always apparent to the public. Stakeholder interviews for the present study and review of reporting to the CRC found that staff training and

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[54] A 2015 report from UNESCO finds that comprehensive sexual education can positively impact self-esteem and safer sexual behaviours but must be culturally and age-appropriate, understanding the contexts of gender, sex and sexuality.

response for abuse generally is uneven and that the accommodation of the online dimensions of abuse is particularly limited. Many do not distinguish between online and offline abuse, creating difficulties in measuring prevalence of reporting and efficacy in response. One criticism of helplines is that they were "only ever intended as a stopgap while governments get their own systems in order to deal with an issue of major public concern" (O'Neill 2013). A recent international review found that the international response to online CSAMs was "fractured or disjointed" and that the positive impact of a particular hotline was dependent on the policy, culture and legal context (Stroebel and Jeleniewski, NCMEC 2015). Yet the present study identified helplines and hotlines as a promising source of data about prevalence of abuse and a particularly strong entry point for information provision and direct intervention for victims.

In Bangladesh, there are two major national helpline numbers. The toll-free Child Helpline number, "1098", (Department of Social Services under the Ministry of Social Welfare and supported by UNICEF in collaboration with partner NGO, Aparajeyo– Bangladesh) is a 24-hour telephone line providing emergency support services to children at risk and links children with existing social protection services through rescue, safe shelter, referral and networking. The Multi-sectoral Programme on Violence Against Women (MSPVAW), under the Ministry of Women and Children Affairs (MoWCA), also oversees a National Helpline Centre for Violence against Women and Children, "10921", which offers legal advice, telephone counselling and information or referrals to NGOs, the police and the Victim Support Centre (supported by the Ministry of Home Affairs under the Bangladeshi police and the UNDP-funded police reform project) and the One-Stop Crisis Centre (supported by MoWCA). Helpline data indicates that clients overwhelmingly access the service for the purposes of information delivery;[55] a UN study (2013) also notes that 70–80 per cent of helpline clients primarily receive information rather than other types of services. The same UN study suggests a number of reasons why clients might not avail themselves of additional helpline services such as legal support:

"pressure from the victim's parents," "family fearing social stigma" and "pressure from the husband or the perpetrator's family strongly backed by local power structure" (UNDP and UN Joint Programme on VAW 2013). There is an opportunity for regional helplines to leverage their unique position to provide information services about online risks and violations.

Fieldwork for the present study in Bhutan found there is no single clear process for reporting online CSE. The Bhutan InfoComm and Media Authority has no public reporting mechanism.[56] Reports can be made at any one of eleven Women and Child Protection Units set up around the country. The National Commission for Women and Children is currently establishing a toll-free 1098 helpline specifically for children, but as of summer 2016, it is not yet active. Child support services differ in their observations of prevalence of online crimes: the One-Stop Crisis Centre in Thimphu reported working with a number of children reporting online crimes, while the psychosocial support organization RENEW indicated that none of the victims they counselled reported an online dimension. UNDP Bhutan also reported at least one case of online sexual exploitation that was referred to the Office of the Attorney General, but was dropped due to the lack of a legal framework with which to prosecute.

In Sri Lanka, the National Child Protection Authority (NCPA) runs a child helpline phone number, "1929," which is also advertised as a reporting option in online safety and campaigns. The 1929 helpline reportedly links children to appropriate care and rehabilitation services (National Child Protection Authority n.d.). Stakeholders working directly with children and youth advised that NCPA helpline staff would benefit from up-to-date training on how to appropriately respond to reports of online sexual exploitation or harassment.

During fieldwork for the present study, it was found that reporting mechanisms in some study countries were unclear in terms of who to report abuse to and what would happen after the reporting. For example, in Maldives, children and parents can call two lines, "1412" helpline is run by the Ministry of Law and Gender (MoLG) in partnership with Child Helpline International and the Police Helpline (hotline),

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[55] Between Match and June 2012, the 10921 Helpline handled more than 160,000 reports, of which 83 per cent led to the provision of information services by the Helpline, 15 per cent to the provision of legal services and police assistance, and 2 per cent to the provision of medical or counseling services. These percentages were supplied to the researchers by MSPVAW during fieldwork.

[56] They only become involved in cases when a police report triggers their involvement.

"3000600," run by law enforcement.[57] Stakeholders interviewed for the present study reported that the public have more trust in the hotline run by the MoLG, whereas the hotline run by the police is better equipped to deal with complaints regarding online CSE. This perhaps points to the need for better coordination between the two hotlines. Currently, it is not very clear who should be handling cases involving online CSE or how they should work together, as the family and child protection department are trained to deal with children's cases, whereas the cybercrime department has the technical expertise to deal with online crimes, and there did not seem to be a great deal of coordination between the two departments at an operational level.

4.5.4 Crisis centres

Hampering efforts to address online CSE in the region are a lack of coordinated responses (ECPAT International 2016b). This lack of coordination applies at both the government level, in terms of cross-sectoral collaboration, and at the level of civil society. Stakeholders in several countries reported that many NGOs working on various aspects of child victims' rights – including providing psychosocial support, education or information – work in a vacuum and are often not aware of the work of their colleagues or peers. This results in a lack of coordination between NGOs, and sometimes in the duplication of projects. Difficulties in terms of coordination are also compounded across the region by geographical challenges and population size. Maldives is made up of a series of over 1,000 coral islands[58] with large expanses of sea in between each; Bhutan and Pakistan are very mountainous (for example in Bhutan it is often easier to take a detour via India to travel from the capital to the east of the country); and both Bangladesh and Pakistan have populations of more than 1.5 million people. The most effective coordinated child protection responses tend to be found in capital cities where more resources are available from both government and civil society, whereas it is difficult to provide multi-agency support services and one-stop support services for every small island or village in a country.

In order to provide a more coordinated response to child victims of sexual abuse, including online abuse, some countries have introduced multi-agency one-stop services based either with law enforcement or in hospitals. For example, in Maldives, UNDP has funded a new Victim Support Unit (VSU) that started in 2014. The VSU has a standard operating procedure (SOP), which details how they should handle cases of child victims, and how they should work with other agencies. The VSU officers' main role is to provide psychosocial support to victims of crime, and they also make referrals to other professionals and continue to monitor victims for a year. The VSU works together with the MoLG, and whenever a child victim is involved an MoLG caseworker will be present. In serious cases the VSU refers victims of crime to a psychiatric doctor. Some stakeholders interviewed reported that although the SOP is good on paper, there is a need for further training to ensure that it is effectively put into practice, and this is partly because the VSU is still very new. Staff at the VSU in Maldives reported that they had encountered three or four cases of online CSE involving mostly teenage girls – two of whom had become suicidal due to the online abuse – but also a teenage boy, and that according to their SOP they had referred all of the victims for counselling.

There are also eight victim support centres in Bangladesh, run exclusively by female law enforcement officers and other female professionals, which includes refuge accommodation, play facilities for children and access to psychosocial support workers and medical professionals as well as law enforcement officers. However, during the present study there were very few women or children staying in the refuge, which may mean that awareness levels are not yet very high about this relatively new service for women and child victims. Law enforcement officers at the Dhaka VSU reported that they had not come across any cases involving online CSE, or any cases involving online abuse of adults, but if they did they would refer it to the Central Investigation Division (CID) of the police, which is responsible for cybercrime, because cybercrime is not within the mandate of the VSU. They also said that they had not received any training on ICT, but that they would like assistance from the CID

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[57] Details are available on the Family and Child Protection Department's Facebook page: <www.facebook.com/Family-and-Child-Protection-Department-622219177901473> (accessed on 21 January 2017).

[58] There is a total of 1,192 islands in the Maldives, out of which 188 are inhabited and another 115 islands are currently designated as tourist resorts.

in this area. UNICEF is working with the Government of Bangladesh to strengthen its child protection systems approach, which includes training for duty bearers so that they can more effectively implement child protection law and policy. This training could also be expanded to include a online CSE element.

In Bhutan, the government has developed a One-Stop Crisis Centre (OSCC) model that operates out of a hospital, where a multidisciplinary team of medical staff, social workers and law enforcement officers provide holistic and coordinated services to child victims, and medical staff reported that they had handled several cases of CSE that involved an online element. Stakeholders in Bhutan reported that the OSCC is effective and well received by child victims of sexual abuse. There is also an OSCC based in a hospital in Bangladesh, but it was reported by stakeholders that the staff members are not very well trained, and there is no systematic monitoring or follow-up.

Also in Bhutan, the National Commission on Women and Children (NCWC) is disseminating SOPs to help streamline and organize reporting and referral processes between government, police and NGOs. The NCWC is also contributing to the development of an information management system to help standardize data on violence against children. These initiatives do not currently include specific references to online CSE, but the NCWC said that this is something they would like to consider.

4.5.5 Database coordination and data collection

Data have the power to raise the visibility of an issue and inform decision-making around priority areas. In the present study, the value of data in prevention of online CSE was considered in three particular ways: research data to provide baseline understanding and inform interventions; administrative and process data to show prevalence and aid in programmatic evaluation; and coordinated data sets to enable more effective response systems.

The Digital Landscape study in Sri Lanka is a good example of the kind of baseline studies of youth Internet use needed throughout the region. The study provides a balance of information about the kinds of devices and points of access, healthy behaviours and risky behaviours that enables an evidence-based understanding of youth practice and can inform prioritization of intervention strategies.

In some cases, research can make visible multiple

dimensions of a hitherto hidden practice, as in the case of a 2014 report on bachabazi, the practice of buying young boys for sexual purposes and entertainment (Saramad, et al. 2014). Organized by the Afghanistan Independent Human Rights Commission, conducting the study was in itself a powerful intervention. The practice of bachabazi is widely known in Afghanistan, and the men engaging in it are primarily from more elite classes; discussion of the harmful impacts of the practice has been limited and potentially dangerous. Yet through community meetings, researchers conducted over 70 different focus groups and 14 public hearings in 14 provinces with victims, perpetrators and observers to gauge prevalence, attitudes and experience, and also to raise awareness of children's rights and options for child protection. The study measures the processes by which children are purchased, for what purposes, aspects of the children's daily lives, and attitudes of the perpetrators, victims and general public. The study also identified which children were most vulnerable and profiled who was most likely to engage in bachabazi. The methods of the study could be useful in a country like Pakistan where, after the events of Kasur, it is known that abuse of boys was perpetrated by men of professional and elite classes, and similar conditions exist for speaking about abuse.

Many questions around online CSE in the region remain unanswered due to a lack of information. Historically, violence and sexual abuse crimes go unreported or are under-reported, so prevalence is difficult to measure. However, studies that examined root causes of violence for men in Bangladesh and Sri Lanka could collect historical data by asking about their experience of abuse as children. These kinds of studies can start establishing proportions of a population who have experienced abuse (Fulu, et. al 2013). National censuses are increasingly including questions about violence and abuse, such as the collaboration between the Bangladeshi Bureau of Statistics and the International Labour Organization (ILO) in 2009, which measured prevalence of commercially sexually exploited children.

For the present study, a few countries are moving towards shared data sets of administrative data to improve coordinated responses to CSE. The Maldives Child Protection Database (MCPD), established in 2010 in collaboration with UNICEF, is intended to provide records of all national child protection data to ensure appropriate referrals within the child protection system. A collaboration between the Police Service, Ministry of Health and Family, Ministry of Education and the Juvenile Justice Unit (JJU), it was planned to

be used to produce quarterly reports on youth crime trends. Training sessions were held for participating ministries; however, lack of commitment from the agencies has stalled implementation. As of 2015, the database was still not easily accessible by agencies and ministries working in child protection (Human Rights Commission of the Maldives 2015, para. 42).

Stakeholders in Bhutan interviewed for the present study report that while there are several agencies responsible for receiving reports and collecting data, there are a number of gaps in the overall coordination of data collection. The Royal Bhutan Police (RBP) database, for example, includes categories of crime against the child such as rape of a minor and child abuse, but does not include a category for types of online exploitation. The NCWC collects data on child sexual violence or abuse separately to the RBP, and also does not note online elements. The OSCC collects annual data on cases of domestic violence, common assault and sexual assault,[59] but according to the doctors, while indications of an online element in a child sexual abuse case may be documented in a detailed case history form, they are not currently recorded in the general data set. It is unclear whether or how the data sets can be accessed to allow coordinated analysis.

In Sri Lanka, the Computer Emergency Readiness Team (CERT) maintains data on complaints made to the national hotline. Analysis conducted for the present study found that for 2008–2015, a majority of complaints were about fake profiles (8,905), followed by defaced and compromised websites (164) and abuse and threats (133). CERT does not categorize whether abuse complaints are related to sexual exploitation or violence, whether the reporting is about abuse happening to a child, or whether the abuse occurred online. Nevertheless, it is a promising start for which more refining is necessary.

Innovations in data collection in the region promise further advances. In Sri Lanka, the mobile phone company Dialog has launched an app that safeguards contacts for a child's phone by only allowing up to four numbers specified by the parents or the child's guardians. The app also includes a one-touch SOS

dial button that can be used at a time of emergency ("Dialog Launches Suraksha for Child Stay Safe" 2015). Industry stakeholders interviewed for the present study indicated that currently there is a lack of demand and adoption for filtering technologies among consumers.

In Bangladesh, an online child rights monitoring and reporting system developed by Rapid Pro is to be piloted in in 2016. It will allow adolescents to participate in child rights reporting by visiting a website that provides questions relating to key child protection issues. Adolescent reporters will be required to report and respond through an online system that will be stored at the existing server for the Child Helpline, under the Department of Social Welfare Services (DSS) at MoSW.[60] The UNICEF office in Bangladesh is also designing, in cooperation with headquarters, an addition to the popular U-Report mobile reporting service. Used to report on news and weather events, the UNICEF office in Bangladesh is developing an adolescent indicator and piloting questions about whether an adolescent is in a child marriage, and whether they disappear/go to another community after getting married. These questions will also ask about adolescent girls meeting boys online in the context of child marriage.

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[59] As told to researchers during stakeholder interviews, 35 cases of sexual assault were reported to the OSCC in 2015. The doctors interviewed estimated that about 80 per cent of these 35 sexual assault cases involved child victims.

[60] See the UNICEF Bangladesh Child Protection Section, Concept Paper on Child Rights Monitoring and Reporting by Adolescents (February 2016) for more information on the proposed plan.

5. Conclusions and regional recommendations

Sexual exploitation is for the most part an invisible crime that has traditionally been difficult to track and prevent. Child victims rarely report abuse, and even in the most supportive of environments they are not always championed. The online dimension potentially intensifies the problem by transcending geographic boundaries, blurring lines between what constitutes "friend" and "stranger," and potentially extending the reach and speed of abuse. Yet regardless of the borderless dimensions of the Internet, the response frameworks that support the victim occur locally; youth who are abused either offline or online will seek services from the same providers. Given the momentum mentioned earlier in this report, through initiatives such as the WePROTECT Global Alliance, this is a moment in which the long struggle to better address issues of violence, exploitation and abuse against children are receiving increased international attention and resources.

Frameworks such as the WePROTECT Model National Response should, however, be considered with caution, because in attempting to delineate between offline and online there is a risk of missing the implications for prevention, response and understanding prevalence; abuse can begin online and continue offline or vice versa, and victims are not virtual, but situated within communities that must provide services to help in recovery and justice. In evaluating child online protection systems, the bounded physicality of the abuse should not be ignored, despite the borderless dimension of the Internet. While international, trans-boundary law enforcement responses are also key, there is a danger in treating the "online" dimension of online abuse as more than a condition or location and actually something distinct from abuse generally. As demonstrated in Singh and Bishnoi's (2016) assessment of child online protection in India, expertise in child protection response already exists in the region. The findings of the present study comport with recent studies of the India (Singh and Bishnoi 2016), Middle East and North Africa (Centre for Justice and Crime Prevention 2016), Europe (Lebegue 2016), and globally (ECPAT International 2016), that existing expertise in the region around sexual exploitation and violence against children must be leveraged and broadened to address abuse occurring in digital environments.

5.1 Key recommendations

When studying a phenomenon occurring online, there is an expectation that the problem will be somehow new, that it will represent a categorical shift from what occurred before. A further assumption is that a technical fix must exist for problems intensified by technologies. In the case of online CSE, these assumptions are true, but limited. As mentioned earlier, a case involving a crime ring existing for over 10 years that created and distributed CSAM images of boys in Bangladesh, was identified via INTERPOL's advanced training in identification of CSAM images and the agency's use of sophisticated technology. Coordination with the Government of Bangladesh, and using evidence from INTERPOL, led to the arrest of the perpetrators (INTERPOL 2014). This case provides support for assumptions that the Internet is exacerbating the problem of online CSE, as evidenced by new international and nearly invisible distribution of CSAM. The case also shows the need for specialized response, since the crime was detected using advanced software and training.

Yet in addition to image identification and takedown occurring through INTERPOL, which is a technological fix for an online problem, there was also a need for a local response to attend to the victims and perpetrators. Local response to online CSE relies on the strength of the existing child protection system, locating treatment of abuse incidents regardless of where they occur, within an existing framework. The present study recommends that this system must have strong leadership, a focal point that drives collaboration within the network and holds actors responsible for their roles.

The local response must be coordinated, with a clear reporting mechanism and pathway for response that includes clear responsibilities for units responding, such as health, law enforcement, psychology, family ministries and justice, and a referral process that enables victim recovery and perpetrator sentencing. The system must also engage local ISPs and the technology industry in prevention and detection (see note below about balancing detection and rights).

While much focus is given to identification and takedown of CSAM, this is not the only form of abuse occurring online. Detection and removal of CSAM are adapted to a technology fix because in the end,

the images are files travelling over a network from one point to another, and the files and the movement create records that law enforcement can investigate. More difficult are the complex relationships underlying abuse. As outlined earlier, online abuse can be initiated offline, as in the case of live-stream videos or extortion, and online relationships can lead to offline abuse. In addition to technological attempts to identify harmful contacts and conduct, including reporting features on social media websites such as Facebook, local response is essential for prevention and protection. The present study recommends:

- identifying which actors in children's lives can assist in identifying symptoms of abuse and referral to appropriate agencies for support and action;

- providing training to these actors in identifying and responding to symptoms of abuse;

- initiating a constructive public discourse around online CSE that counters fear-inducing media reports with facts and evidence;

- that adults working with children should familiarize themselves with the media they use;

- that adults should be aware of reporting mechanisms and privacy settings within the social media apps so that they are prepared to help children in mitigating and reporting problematic behaviour;

- that adults should establish communication with youth about their social media use and create a safe space for discussing concerns so that youth know where to turn if they need help.

While the online dimension introduces very serious issues in terms of expanding abuse to be global, it is the primary recommendation of the present study for child protection systems to focus on existing knowledge and effective practice of responding to violence and sexual exploitation, and build upon their existing knowledge base and frameworks to address the online dimension. What follows are recommendations for addressing the online aspects of CSE within the context of existing local response frameworks.

5.2 Policy recommendations

1. It is recommended that, following the International Centre for Missing & Exploited Children (ICMEC) Model Law to address CSAM, all countries

specifically define "child pornography" in law. Currently Maldives, Pakistan and Sri Lanka have no such definition in law.

2. Further, all definitions of CSAM and/or "child pornography" should be made consistent with the definition given in the Lanzarote Convention. This definition should be: a) clearly distinguished from adult pornography (regardless of its legality) and b) should not be based on the determination of "obscenity." The adoption of a standard definition across the region would hopefully provide the basis for transnational cooperation in investigation and response.

3. It is recommended that laws based on this definition: a) clearly criminalize distribution, production and possession of CSAM, b) make specific inclusion of computer-related offences, and c) distinguish between simple possession and knowing possession (see Table 8 for summary of existing laws relating to CSAM).

4. As CSAM laws are updated, special provisions should be made to prevent self-criminalization by victims of CSE. Numerous stakeholders in study countries reported ad hoc protections for such victims, but these protections need to be specified in law.

5. In cases where ISPs are mandated to retain non-content data from users, legal protections should be put in place that ensure these data can only be accessed and applied to the investigation of clearly defined CSAM and CSE crimes. ISPs in Bangladesh, Maldives and Sri Lanka are currently retaining data as part of their membership in the GSMA.

6. Countries should establish a State Compensation Fund for child victims, so that all child victims of online sexual exploitation can be compensated, regardless of whether the perpetrator has the means to pay. Sri Lanka is currently the only study country with a state compensation fund. It may be possible to explore corporate social responsibility initiatives with the ICT industry to contribute to such a fund.

5.3 Intervention recommendations

1. This study found that there were clear tensions in the region between child rights activists who advocate for reporting of CSAM and retention of non-content data, and civil liberties advocates who are concerned about increased state control

of the Internet and access to private information. It is therefore recommended that CSAM should be clearly defined exclusively in terms of sexual crimes against children, preferably within child protection legislation, before ISPs are required to report such content. Furthermore, the specialized databases and victim identification software available to address CSAM do not apply to pornography in general and warrant the separation of these different issues.

2. Awareness-raising efforts, especially those aimed at parents and those who work with children, should target the provision of training to help identify symptoms of abuse, characteristics of abusers and available reporting mechanisms.

3. Since helplines in the region are already serving the role of information service, it is recommended that they leverage their unique position to provide information services about online risks, healthy online relationships and problematic behaviours.

4. It is recommended that law enforcement: a) provide training for officers to respond appropriately to reports of CSE (both online and off), and b) develop professional incentives for the investigation of online CSE in order to counter the difficulties in pursuing and closing such cases (which are often unresolved).

5. Among the countries in this study, there appeared to be little proactive law enforcement efforts to search for CSAM online, and instead any CSAM cases involving child victims from the region were alerted to national authorities by INTERPOL or foreign law enforcement agencies. This study recommends a significant increase in attention from national law enforcement authorities for the proactive monitoring of CSAM online. Countries are encouraged to reach out to INTERPOL and UNODC for support and training.

6. All study countries should establish consistent access to and use of INTERPOL's International Child Sexual Exploitation database (ICSE DB). This may require additional training and funding, as well as sustained support for implementation by law enforcement.

7. This report recommends that CSE should be reframed as a public health issue (in addition to a criminal one). This framework would be useful for supporting the creation and delivery of comprehensive sexuality education as well

as confidential and evidence-based sexual and reproductive health services, which could serve a significant role in preventing high-risk behaviours.

8. It is recommended that UNICEF country offices connect with pro bono legal service providers in their country to ensure that more child victims of online sexual exploitation get access to legal advice and representation.

9. UNICEF and members of civil society should publicize and promote positive efforts by the ICT industry working against online CSE, so that there are greater business incentives for industry to comply with the UNICEF and ITU Guidelines.

10. Main GSMA members in the region (listed in Table 11) are encouraged to join the GSMA Mobile Alliance against CSAM to implement shared standards for addressing CSAMs within their network.

11. It is recommended that the region develop a set of best practices (possibly via SAIEVAC) for what kinds of data are needed to support the child protection systems.

12. Educational efforts for youth in the region should be updated to address the prevention of abusive behaviours by potential perpetrators as well as risky behaviours by potential victims.

Appendix A. Bangladesh [61]

1. Country overview

Internet users: 61,288,000 or 41 per cent of the total population (Bangladesh Telecommunication Regulatory Commission 2016)

Mobile connections: 131,022,000 or 87 per cent of the total population (Bangladesh Telecommunication Regulatory Commission 2015)

2. Situation assessment

2.1 Data of on/offline sexual exploitation

A recent study conducted by the United Nations reports that 37 per cent of (urban) men surveyed had experienced sexual abuse when they were children (Fulu, et al. 2013, p. 4). Rape and incest against girls is reported to be common and met, for the most part, with impunity (UNICEF 2015). Less recently, UNICEF's Rapid Assessment of the Commercial Sexual Exploitation of Children in Bangladesh, 2008–2009, found commercial sexual exploitation begins on average at around 13 years old, and the average age of a child engaged in commercial sexual exploitation is 16 years. In 2009, the International Labour Organization (ILO) and the Bangladesh Bureau of Statistics carried out a baseline survey on commercial sexual exploitation of children that recorded 18,902 child victims of sexual exploitation, 83 per cent of whom were girls, 8 per cent boys and 9 per cent transgender children. In the ILO survey, 53 per cent of boys and 40 per cent of girls abused were under the age of 16 (United States Department of State 2015).

Little available systematic research exists on online child sexual exploitation (CSE). According to one report the Bangladesh Telecommunication Regulatory Commission (BTRC) indicated that in 2013 they saw increased complaints about online abuse and harassment, including doctored photographs. These complaints numbered in the thousands, although it is not clear which, if any, involved children (Bytes for All Bangladesh 2013).

It was reported that an NGO, the Manusher Jonno Foundation, produced a piece of research related to online child sexual abuse materials (CSAM) in Bangladesh, but the findings of this study were not available.

The United States Department of State reported that in June 2015 a 12 year-old Bangladeshi girl committed suicide after a young local man stalked her to and from school and sexually harassed her over the telephone (United States Department of State 2016). In 2010, Australian law enforcement identified an organized criminal gang who were producing CSAM in Bangladesh and selling them to individuals worldwide including in Australia, Germany, Saudi Arabia, the United Kingdom and the United States (INTERPOL 2014). INTERPOL alerted the Bangladeshi police, which investigated and found that the gang had abused as many as 500 different children over the previous eight years. However, the police reported that they were unable to locate even a single child from the cache of child sexual abuse images due to the challenges of victim identification in such cases.

In 2011 the Bangladesh National Woman Lawyers' Association (BNWLA) filed a writ petition in the Supreme Court of Bangladesh, in which they reported that they had documented cases involving young offenders committing sexual offences including rape, which they have photographed or videoed and then used to blackmail victims by threatening online circulation. They found that some of these cases involved organized criminals looking to create CSAM. They also alleged that the Internet had made pornography more readily available in society in general, and that this was "deteriorating the society" (BNWLA 2011). This writ petition reportedly contributed to the government's decision to enact the 2006 ICT Act (see 3.3 below).

2.2 General child protection situation

According to UNICEF (2011), parents, families and communities are heavily invested in maintaining girls' purity, as a cornerstone of the preservation of family honour. When a girl experiences sexual abuse or exploitation prior to marriage, the result is a "permanent alteration of the girl's status," and a

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[61] Field research for this project was conducted in Dhaka, capital city of Bangladesh, where the research team met with 63 stakeholders, 30 female and 33 male.

potential loss of family honour. UNICEF reports that girls over the age of puberty do not readily report sexual violence for fear of being blamed, along with other negative ramifications – a "double victimization" at the hands of families, communities, or institutions.

Child marriage is noted by numerous studies as a systematic practice, with 15.4 years being the median age at which marriage occurs; in rural areas, it is 14.8 years (UNICEF 2011). Sexual exploitation can occur in marriage, including child marriage. The prevalence of child marriage and the concomitant risks of physical and sexual violence is an issue of concern for child rights groups (Bangladesh Bureau of Statistics 2013; UNICEF 2015; UNICEF 2011).

With more than 3.7 million 5- to 14-year-olds involved in child labour (United States Department of Labor 2014, p. 1), workplaces can also become sites for the sexual exploitation of children, with workers or employers perpetrating abuse against child labourers (UNICEF 2011).

Bangladesh has more than 32,000 registered refugees in two official camps, as well as 200,000 to 500,000 undocumented Rohingya living outside them. ICTs present both risks and benefits to refugees. Currently, government policy restricts refugees from using the Internet inside and outside the camp, and refugees are forbidden from having a cell phone or access to the Internet. More data are needed to understand the role of ICTs in refugee experiences.

According to some stakeholders, children have limited trust in both police and teachers, and are reluctant to make reports to them.

3. Policy and governance

3.1 Leadership

The primary agency responsible for child protection in Bangladesh is the Ministry of Social Welfare, and interministerial coordination of children's issues is led by the Ministry for Women and Children Affairs; there is currently no separate ministry for children and no specific lead government agency responsible for violence against children (UNICEF 2015, p. 6). The Bangladesh National Cybersecurity Strategy outlines a framework for organizing and prioritizing efforts to manage risks to Bangladeshi

cyberspace and critical information structures. The Strategy commits Bangladesh to joining regional and international partnerships addressing cyber security, and requires that Bangladesh's cybercrime legislation be harmonized with global conventions and with the ITU Toolkit for Cybercrime Legislation. The BTRC regulates the telecommunication network including mobile phones, landlines and ISPs, and the Bangladesh Computer Emergency Response Team (CERT) handles computer security and reports of computer threats, vulnerabilities and other incidents for the Government of Bangladesh, businesses and academia.

3.2 Research, analysis and monitoring

The Multi-Sectoral Programme on Violence Against Women (MSPVAW), within the Ministry of Women and Children Affairs maintains a National Database on Violence against Women and Children.

3.3 Legislation

International commitments – Bangladesh has ratified both the CRC[62] and the OPSC. However, international treaties are not directly enforceable and must be incorporated into domestic law. In 2015, the CRC Committee reiterated its previous concluding observations from 2007 regarding the implementation of OPSC, urging Bangladesh to "adopt and implement specific legislation adequately defining and punishing child pornography and child prostitution" (CRC Committee 2015, para. 82[2]).

Domestic legislation – The Children Act 2013 is the legal framework for the protection of child victims, and most of its provisions are harmonized with the CRC. However, the implementing Rule for the Children Act 2013 is still in draft format and pending government approval, which means that the new child protection framework has not yet been put into practice. The Suppression of Violence Against Women and Children Act 2000 (SVAWCA) criminalizes the trafficking, abduction, sexual assault and sexual abuse of children. However, under the SVAWCA children are defined as people under 14 years, which leaves children aged 15 to 18 without protection. The Penal Code deals with girl victims of sexual exploitation under the age of 18, but does not refer to boys at all. The main criminal laws related to online CSE in Bangladesh are the ICT

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[62]Bangladesh made a reservation to article 14 (1) of the CRC regarding the right to freedom of religion. According to the Bangladesh Constitution, the state religion is Islam, but Bangladesh is a secular state, and in 2010 a High Court judgement held that extra judicial punishment in the name of the Islamic Sharia or fatwa is illegal: High Court Writ Petition No. 8769/2010.

Act 2006, the Pornography Regulation Act 2012, and the Penal Code. The Penal Code provides for penalties for the dissemination of child pornography (Section 13), but makes no reference to the process of making it. The ICT Ministry are developing new legislation titled the Digital Security Act 2016. The draft legislation addresses CSE via digital systems and online CSAM. It additionally defines a reporting mechanism and designates roles and responsibilities for progression through the legal system.

Bytes for All Bangladesh notes that 2013 amendments to the 2006 ICT Act broadened the definition of cybercrime, introduced tougher penalties, made cybercrime a non-bailable offence and gave police powers to arrest suspects without a warrant. Bytes for All Bangladesh cautions that this may be an over-extension of state control over the Internet that can infringe on rights to privacy, freedom of expression and access to information (Sarker, et al. 2013, p. 72). During a round-table meeting held with stakeholders in Bangladesh, the majority of participants from the child rights sector supported the tougher penalties in the 2014 amendments to the 2006 ICT Act, and felt that pornography in general was a contributory cause to CSE. However, a participant from the ICT industry raised concerns regarding civil liberties, which many of the participants did not seem to be aware of, and took on board for the first time. The same participant cautioned that there are no available data to support claims about ICTs increasing the consumption of pornography by children, or claims that the availability of pornography in general creates a greater risk of sexual violence for women and girls. It was agreed at this round-table meeting that UNICEF could arrange for the same group of stakeholders to meet on a regular basis as a working group on online CSE. It is recommended that crimes related to online CSE are kept separate from general cybercrime laws that may be more controversial and may have unintended consequences beyond child protection.

Further to new regulations issued by the BTRC, the government has now made it mandatory for owners of SIM cards to register their SIM card by the end of April 2016. SIM card owners are now required to provide their national identity card and give their fingerprints, which may go some way towards providing necessary evidence for police investigations into cases of online CSE carried out using mobile phones. However, it is questionable how accurate the registered details will be; each person is permitted to register up to 20 SIM cards in his or her own name, which suggests that they could then be distributed to others who may be difficult to trace (Rhaman 2015). Furthermore, such registration requirements seem to introduce potential complications that limit children's digital access and participation, as the registration for SIM cards is linked to the electoral roll, and children under the age of 18 are not eligible to vote. This may create particular barriers for undocumented migrants or displaced children, whose parents may also be barred from registering for SIM cards due to not being on the electoral roll. A petition was filed in the Bangladesh High Court in March 2016 challenging the legality of government collection of biometric fingerprint data in the SIM card registration process on privacy grounds, but this petition was rejected in April 2016 (Mayhew 2016).

4. Criminal justice

4.1 Dedicated law enforcement

The police criminal investigation department (CID) is responsible for investigating cases involving online CSE. CID reported during stakeholder interviews that it receives few reports involving online CSE, and that it has a team who look for CSAM proactively once or twice a year. The ICT Act 2006 established procedural rules that allow for police investigation of cybercrimes and the gathering of evidence, a Cyber Appellate Tribunal, and a number of cybercrime desks in police stations. However, stakeholders noted that although officially there are cybercrime desks in each police station in Dhaka city, hardly any cases have been filed under cybercrime laws, which seems to indicate a need for training for law enforcement.

The police reported that they have a backlog of 100,000 cases pending investigation, which is overwhelming and makes prioritizing online CSE difficult in practice. A presentation on cybercrime by the Bangladesh police (shared by UNICEF Bangladesh) recommended: regional and global cooperation and knowledge-sharing; the promotion of standardized methods; the establishment of good practice guidelines; the establishment of a digital forensic laboratory for the investigation and detection of cybercrime; and the usage of the INTERPOL Criminal Information System and the INTERPOL Secure Web Site (Alam n.d.).

Strong evidence is crucial to securing a conviction in cases of online CSE, and while electronic evidence is permissible under Bangladeshi law, there is no digital forensic lab within the police. The FBI has provided support to Bangladesh for DNA forensic testing equipment and software (called CODIS). Under Bangladesh law, DNA provides conclusive proof.

4.2 Judiciary and prosecutors

There is a special cybercrime court in Dhaka, which was set up to address cybercrimes against women and girls (Chowdhury 2016). It was reported that the government plans to establish six more cybercrime courts in different cities by 2016. One of the short-term goals of the Bangladesh National Plan of Action on women and child protection for 2010–2025 includes training for judges, magistrates, the judiciary and prosecutors on monitoring sensitive cases, procedural reforms and timely settlements. However, stakeholders indicated that full implementation of the Children Act 2013 is hampered by the actions of judges who lack the training to apply it.

Stakeholders reported that there are 3 million cases pending with the lower courts. The police said that a major challenge they face is that it can take between 12 and 15 years for a judgement to be handed down by the courts, and often suspects offend again while on bail. According to stakeholders, stigma, and the perception of low chances of success, can render the court system out of reach for many.

There are informal religious and traditional justice systems that exist throughout the country. While some stakeholders advised that cases involving sexual violence against children are best dealt with through the formal system and should involve police and social workers, more research is needed to assess the comparative strengths and weaknesses of both systems.

The National Human Rights Commission has established a Child Rights Committee to deal with issues relating to child rights, child labour and anti-trafficking. The Committee has representatives from UNICEF, World Vision, Child Rights Governance Assembly, Save the Children and Plan Bangladesh on this committee. The Committee monitors government compliance with the CRC and the OPSC, and has developed SOPs for dealing with complaints received from or on behalf of children (Bangladesh 2015, para. 10–12).

4.3 Access to image databases

Bangladesh does not currently have access to the INTERPOL ICSE database, but stakeholders in law enforcement have indicated their desire to secure such access.

5. Victims

5.1 End-to-end support

The MSPVAW supports around 40 One Stop Crisis Centres, and the Bangladesh police, supported by UNDP, maintain eight Victim Support Centres for women and children throughout the country that are staffed exclusively by women police officers in order to promote a gender- and child-sensitive approach to policing, and offer holistic services including criminal investigation, counselling and refugee accommodation. The Children Act 2013 established a number of child-friendly justice procedures, including mandatory legal aid (section 55), victim and witness protection (section 58), confidentiality and the right to participation in court proceedings. The Act also imposes a one-year time frame to complete the trial from the child's first appearance in court. Special provisions are made for girl victims to be interviewed by female police officers, or in the presence of a chosen family member when a female officer is not available (section 54). It is also possible for children's evidence to be given in-camera. Section 17 of the Children Act provides that in any case where a child in contact with the law (which includes child victims and witnesses of crime) is involved in any way whatsoever, the Children's Court will have exclusive jurisdiction to try the case.

5.2 Child helpline

There are two major national helpline numbers in Bangladesh. The first is a toll-free Child Help Line number, "1098," implemented by the Department of Social Services under the Ministry of Social Welfare, funded by Telenor, and supported by UNICEF. This 24-hour telephone line provides emergency support services to children at risk and links children with existing social protection services through rescue, safe shelter, referral and networking. The second is "10921," run by the MSPVAW, which offers legal advice, telephone counselling and information or referrals to NGOs, the police, Victim Support Centres and One-Stop Crisis Centres.

6. Societal

6.1 Reporting hotline

As of January 2016, the BTRC has set up a call centre to handle complaints for a range of issues, including online abuse. Reports can also be made to CERT via email.

6.2 Education programmes

Mobile provider Grameenphone, in partnership with UNICEF, has developed a Safer Internet Guidebook for Parents. The Guidebook was developed under the "Internet for All" project, which implements Grameenphone's mission to provide a responsible, fair and affordable Internet for all. This project aims to build awareness for adults about how to speak with children about the Internet. In addition, Grameenphone is conducting Internet safety workshops at 500 schools throughout Bangladesh with the help of BRAC (Grameenphone 2015). UNFPA also runs a project called Generation Breakthrough (n.d.), which addresses the link between gender-based violence and sexual and reproductive health and rights (SRHR) – a dynamic that researchers of this study also argue extends to online settings. The project focuses on the primary prevention of violence and abuse among adolescent boys and girls in rural areas.

7. Industry

7.1 Notice and takedown procedures

The Bangladesh Telecommunication Regulatory Commission (BTRC) has the authority to block websites at the national level. In addition, under the Telecommunication Act 2001, ISPs are required to keep log data of all their customers, and produce it on request for law enforcement. Stakeholders indicated that this does not happen consistently.

7.2 Child sexual abuse and exploitation reporting

The BTRC receives complaints regarding online issues. It can receive complaints from people directly, from law enforcement agencies and from the law courts. The BTRC will comply with law enforcement or court directions but when complaints come directly from the public, the BTRC will first assess the merit of the complaint.

In 2009, the CRC Committee expressed concern in its concluding observations on Bangladesh that ISPs operate with minimum regulations to protect children against harmful information and materials, as well as marketing practices, including the exposure of children in urban areas to digital pornography.

7.3 Innovative solution development

No information was available on specific innovative solutions.

8. Health

8.1 Specialized health centres

The NPA 2010–2025 explains that government initiatives to prevent violence against women and children include the One-Stop Crisis Centres established in Dhaka, Rajshahi, Sylhet, Chittagong, Khulna, Barisal, Rangpur and Faridpur Medical College Hospital for women and children victims of violence. The OSCCs provide medical facilities, police assistance, DNA testing, legal assistance, psychosocial counselling and shelter services for women and child victims of violence (NPA 2010–2025, p. 15).

8.2 Specialized health training

The NPA 2010–2025 specifies the need for the training of child protection professionals, but it is unclear how much training has been planned and/or implemented. The Victim Support Centre (located in Dhaka and maintained by the MSPVAW) noted that it would benefit from further information technology training and capacity-building.

8.3 Data collection and record keeping

No information was available about data collected by health institutions.

9. Promising efforts

The Children Act 2013 is a very strong piece of legislation, but is hampered by issues of implementation and application (United States Department of State 2015).

The Generation Breakthrough project run by UNFPA is a good example. It takes a multisectoral approach to child protection, and could be a very good basis into which a child protection online component could be incorporated.

10. Recommendations

Key recommendation

Fieldwork and interviews showed a strong existing collaboration around child protection responses in the country. Yet ISPs and ICT industry actors are not as engaged in these discussions as they could be. It is recommended that the UNICEF office improve engagements with ISPs and ICT industry by hosting round-table discussions of prevention of online CSE

and conducting workshops around ITU and UNICEF Guidelines for takedown procedures and reporting. It is further recommended that local ISPs be encouraged to become members of the GSMA Alliance. Industry stakeholders emphasized the need for government to prioritize issues of online child safety, stating that a multi-stakeholder response is needed. An entry point for government prioritization of this issue is to link it to Digital Economy efforts.

Legal

1. Prioritize government approval of the implementing Rule for the Children Act 2013, as well as the necessary budget allocation to put the new Act into practice. Local lawyers advised that until the Implementing Rule is passed by Parliament, it is not possible to implement the Children Act 2013, because the Rule contains the necessary procedures for implementation. UNICEF reported that they are assisting the State to ensure that the Rule has a corresponding detailed budget to allow for its implementation.

2. Law enforcement should collaborate with INTERPOL to obtain access to and use of the ICSE database in order to facilitate their response to CSAM in Bangladesh.

3. Strengthen the implementation of child-friendly justice procedures to improve access to justice for child victims of online sexual exploitation. Importantly, this includes ensuring that child victims of online sexual exploitation are not treated as offenders. It is also recommended that judges routinely order compensation payments to child victims of sexual exploitation (both online and offline) as mandated by the 2013 Act. The Government of Bangladesh should implement fast-track court cases for child victims of sexual exploitation and abuse (both online and offline).

4. Ensure that criminalization of CSAM is defined in and addressed by child protection laws, rather than combined with adult pornography and actions which cause offence to the State and religion. This could be achieved through an amendment to the Penal Code, or to the Children Act 2013. The Penal Code should be amended to include offences related to the exploitation of children in prostitution (including boys).

5. Build law enforcement and investigative capacity to address cybercrimes against children, including online sexual exploitation of children. This includes the promotion of standardized criminal investigation methods and the establishment of a digital forensic laboratory for the investigation and detection of cybercrime.

Leadership and partnership

1. Build on the round-table meeting held during this study and capitalize on the will to establish a working group on online CSE led by UNICEF, and comprising stakeholders from across government, ICT and civil society sectors. Multiple stakeholders advised that closer coordination between the BTRC, relevant children's and social ministries, the United Nations, ISPs and mobile phone operators is needed. Strengthened dialogue and coordination can help foster shared understandings of the specific risks facing children online, formulate plans of action to protect and prevent the online sexual exploitation of children, and marshal resources. Partnerships such as the UNICEF–Grameenphone work on safe Internet practices and the 1098 Helpline provide promising examples of what is achievable through multisectoral collaboration.

Reporting mechanisms

1. Helplines should ensure that staff: are sufficiently trained on online sexual exploitation issues; are equipped to supply helpful information for online cases; and have the capacity to enact referral protocols to other relevant services for online cases. A major role of helplines and hotlines is in the provision of information to clients (followed by other support services such as legal, counselling and referrals). As a first order issue, focus should therefore be given to building the capacity of helplines to provide accurate information about online sexual exploitation and related online issues.

Prevention

1. Educational efforts should be updated to address the root behavioural and gender norms that give rise to online sexual exploitation, focusing on encouraging boys to take responsibility for their actions as much as girls for their protection. Programmes such as UNFPA's Generation Breakthrough could be assessed to see whether there is scope to expand this work to on online risks and behaviours.

Appendix B. Bhutan [63]

1. Country overview

Internet users: 261,440 or 34.4 per cent of the total population (Asian Development Bank 2016)

Mobile connections: 653,600 or 86 per cent of the total population (Asian Development Bank 2016)

2. Situation assessment

2.1 Data of on/offline sexual exploitation

A joint 2012 study from Bhutan's National Commission for Women and Children (NCWC), the Government of Bhutan and UNICEF reports that over a 12-month period, 333 children were reported as victims of violence. While this number does not distinguish between online and offline violence, it provides an indication of prevalence for a country with 252,000 inhabitants aged under 18 (UNICEF, Royal Government of Bhutan and NCWC 2012). A new study is currently under way and is scheduled to finish in 2016. This new study does have an allowance for "non-contact" violence, but it is yet to be seen whether this will generate data on online sexual exploitation. Incidences of trafficking in persons are reportedly small in number (Human Rights Council Working Group on the Universal Periodic Review 2014).

Perspectives differ about the prevalence of online CSE in Bhutan. The Royal Bhutan Police (RBP) reports no official police records pertaining to online CSE, the exploitation of children in prostitution, or the production of child sexual abuse materials (CSAM). However, a psychosocial service provider in Thimphu reportedly handled a case where a 16-year-old girl was in a relationship with an older male in his 30s. When the girl no longer wanted to be in the relationship, the older male threatened to share intimate photos of the girl online. Under threat, the girl stayed in the relationship for several more months before her parents found out and reported the incident to police, leading to a criminal case.

The NCWC reported that while the online context needs to be studied further, there are two priority areas for attention: 1) smartphone apps such as WeChat, Snapchat and Whatsapp as potentially exposing youth to unwanted content and contacts and 2) the circulation of nude or semi-nude pictures and videos involving adolescents, often generated by the adolescents themselves and unexpectedly distributed to a wider audience. Of particular concern is that photos and videos of girls consistently show their faces, while boys' photos do not, allowing for uneven vulnerability to blackmailing and other forms of reputational harm. For example, one respondent reported recent popular videos in which identifiable, unconscious girls were raped by boys whose identities were not visible. A Bhutanese journalist reported on the incidents and reportedly pressured Parliament to improve how the legal system addresses these issues for youth.

2.2 Sociocultural factors

Stakeholders describe Bhutan as a small and close-knit society. A 2007 report to the CRC claimed that, to some extent, these strong social bonds can help provide a base for child protection. In addition, stakeholders advised that Bhutanese culture values gender equality, which can help to mitigate gender-based violence and sexual exploitation. A number of stakeholders reported that gender-based violence, sexual assault and violence against children were still serious issues not yet sufficiently addressed (see also Child Frontiers 2015; UNICEF 2012). Some suggested that the close-knit nature of Bhutanese society might even exacerbate the offline consequences of online exploitation because of limited privacy and confidentiality in close social groups.

Bhutan has long had a large population of Buddhist monks, and their incorporation into everyday life is a foundation of the nation's identity (Kelly 2013). Of the more than 4,000 monks in Bhutan, many came to monasteries as children (as young as 7) often sent by parents living in poverty. Some stakeholders report that child monks and nuns (often poor, sometimes

disabled) are uniquely vulnerable to exploitation or violence (Arora 2013). Media outlets report children as young as 9 have been sexually abused by monks and are groomed to come and spend the night at the monasteries (Arora 2013). The Child Care and Protection Office of the Dratshang (Commission for Monastic Affairs) is one formal structure that child monks can access, but as these offices are relatively new, stakeholders felt it was not yet possible to assess their efficacy.

The director of Draktsho, an organization that provides education and support to children with disabilities, said there are many cases of CSE involving children with disabilities, especially in the Eastern Bhutan where parents are often dealing with alcoholism and/or poverty. She explained that children with intellectual disabilities are more vulnerable because they often cannot identify the perpetrator and do not understand what has been done to them. She did not know of any cases of online CSE, but she reported that many children with disabilities with whom she works own mobile phones and use social networking sites and the Internet.

3. Policy and governance

3.1 Leadership

The NCWC is the competent authority to exercise powers under the Child Care and Protection Act of Bhutan 2011 (CCPA) and to promote and protect the rights of children, and is the national mechanism for coordinating and monitoring activities related to women and children's rights, and reporting to treaty bodies.[64] The Bhutan National Plan of Action for Child Protection (NPACP) Five Year Plan (July 2013–June 2018) addresses child protection systems strengthening but does not refer specifically to online sexual exploitation (UNICEF 2012). Following a mapping and assessment process (UNICEF 2012), Bhutan moved quickly from ad hoc child protection to a child protection systems approach in 2011 (UNICEF 2013).

UNDP Bhutan reported that a draft Jabni Act, to regulate the legal profession and the quality of lawyers and to establish a Bar Council, is before Parliament but is unlikely to be passed until 2017. An interim secretariat has been established to look at the legal environment and access to justice for vulnerable groups, and has produced recommendations to review current legislation in this regard. Currently, the Office of the Attorney General is playing this role as well. Save the Children Bhutan reported that the government has formed a committee to look at the best way to provide legal aid, and Save the Children is on this committee. UNICEF and Save the Children Bhutan are also working with government to review the juvenile justice system and to ensure that vulnerable groups are protected within this system.

3.2 Research, analysis and monitoring

Several agencies collect data relevant to online CSE, but stakeholders indicated a lack of coordination. The RBP database includes categories of crime against the child such as rape of a minor and child abuse, but does not include a category for types of online exploitation. The NCWC collects data on child sexual violence or abuse separately from the RBP, and also does not note online elements. The One-Stop Crisis Centre also collects data (see Health, below).

3.3 Legislation

International commitments – The Government of Bhutan ratified the CRC in 1990, which was immediately incorporated into national law upon ratification. Bhutan ratified the OPSC in 2009.

Domestic legislation –The Child Care and Protection Act (CCPA) forms the basis of Bhutan's child protection legal framework and is supplemented by the Child Care and Protection Rules and Regulations of Bhutan 2015. Currently, offences related to CSAM and the exploitation of children in prostitution in Bhutan are criminalized under the Penal Code provisions at Section 225 related to paedophilia, in which offences related to production and distribution of CSAM are classified as misdemeanours, and carry a sentence of one to three years. However, this appears to be in conflict with Section 223 of the CCPA, where the offence of child pornography is classified as a third-degree felony, which carries a sentence of five to nine years and is a non-bailable offence. Furthermore, the CCPA definition of "child pornography" does not make it clear which actions are criminalized in relation to this offence.

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[64] The Commission has a representation of 11 members from government, law enforcement, judiciary, health, education and social sectors, civil society and private sector (Bhutan Report 2007). The NCWC has reporting functions and provides a forum for receiving and investigating reports on the violations of the rights of children and women.

Section 179 of the Bhutan InfoComm and Media Authority (BICMA) creates the offence of "computer pornography," which makes "any obscene communication in any form including any comment, request, suggestion, proposal, or image regardless of whether the maker of such communications placed the call or initiated the communications," a misdemeanour. No information was available on how this would interact with the Penal Code or CCPA's criminalization of paedophilia and child pornography, respectively.

The issue of self-generated sexual content involving children is still one that lacks clarity. Police reported that a girl who sent nude photos to a boy (who later distributed them against her will) would be liable for producing CSAM, while the Office of the Attorney General indicated that she would be absolved based on a lack of intention (mens rea). The boy would be liable for distribution of CSAM.

The Ministry of Information and Communication (MoIC) reported that they have drafted a Social Media Policy that provides guidance mostly to civil servants, but also to citizens generally, about how to best leverage the positive uses of the Internet and considers the role of the Internet in promoting e-governance, transparency and accountability (Social Media Policy of the Royal Government of Bhutan, Department of Information and Media, Ministry of Information and Communications). Currently, the draft policy does not address online sexual exploitation or online safety more broadly.

4. Criminal justice

4.1 Dedicated law enforcement

Cases involving online CSE are handled by the RBP. There is no dedicated law enforcement for cybercrime cases because this is an emerging issue in Bhutan and police advised that they do not receive enough cases to prioritize this area of investigation.

The RBP has invested in community policing since 2009, and has made significant efforts to engage with children and young people on crime prevention through their Police Youth Partnership Programme. The partnership initiative works with schoolchildren during school holidays, and with out-of-school children during term time, to educate them about the role of police and children's rights under the law. The RBP has also recently released a statement appealing to people to not circulate obscene videos and photographs of

children over social media, stating that stringent action will be taken and that such practices damage the well-being of the child (Kuensel online 2015b).

The RBP advised that they had one case reported to them by INTERPOL in New York, involving an image of a non-Bhutanese child circulated by college students in Bhutan (RBP reportedly lacks the detection capacities or information technology skills available to INTERPOL). Through interviews with the college students, the RBP determined that the students were sharing the photo out of curiosity rather than malicious or exploitative intent, so no charges were filed. In 2016 the RBP also investigated a case on WeChat involving an image of a child playing with a large model phallus. They advised that the phallus symbol is part of Bhutanese culture, and they found no intent to create CSAM, but warned the owner of the images that they should be removed.

4.2 Judiciary and prosecutors

Bhutan has a relatively swift judicial system, and according to statistics from the Royal Court of Justice in 2013, of 19,653 cases registered with a Bhutan court, only 68 were not resolved within 12 months (Royal Court of Justice Judiciary of Bhutan 2015). While children have a right to a lawyer, there are few lawyers in the country, and it is not current practice for child victims to obtain legal representation in court; Bhutan's first law school is slated to open in 2017 and it is hoped that the numbers of lawyers will increase.

4.3 Access to image databases

Bhutan does not have access to the INTERPOL ICSE database.

5. Victims

5.1 End-to-end support

In Bhutan, one of the stated objectives of the Child Care and Protection Act is "to prevent stigmatization, victimization and criminalization of children and facilitate reintegration." The first in-camera trial – where children are offered a more private venue for testimony – in Bhutan was conducted in 2008 for a rape case involving a minor. Stakeholders reported that all future cases involving minors are intended to be conducted in-camera with the aim of making the courts more child-friendly. Furthermore, according

to the Government of Bhutan, the principles of the CRC are referred to whenever the NCWC, the RBP, or the judiciary deals with cases involving minors.[65] The RBP reported during stakeholder interviews that child victims might be accorded witness protection if the police are convinced that they are under threat, in which case a protection order can be obtained from the court. UNICEF, Save the Children Bhutan and the Bhutan National Legal Institute (BNLI) have been collaborating to produce child-friendly justice procedures at a national level, and have worked with a government committee to consider providing pro bono legal support to children. They have also set up a child bench to deal with children's cases. UNFPA Bhutan has suggested as a provisional step that special time slots for children's cases to be heard in court, separate from adults. The government is also planning to establish a separate Children's Court in Thimphu.

5.2 Redress

Under the Civil and Criminal Procedure Code of Bhutan, the courts have the power to award restitution and damages, which are payable by the perpetrator (section 198). The perpetrator may also be required to pay the victim's medical expenses in addition to compensatory damages. In cases involving children, judges are required to "order damages or reparation for the child and the child's family as required."[66] Cases involving compensation paid by perpetrators to child victims are reportedly difficult for the courts to administer. In many cases, where the perpetrator is not employed and does not have the means to pay compensation, it was reported that the perpetrator must remain in prison until they can pay the amount owed, potentially indefinitely.

5.3 Child helpline

The NCWC is currently setting up a specific toll-free "1098" helpline for children, but it is not yet active.

6. Societal

6.1 Reporting hotline

There is no single clear process for reporting online CSE in Bhutan. BICMA, for instance, has no public reporting mechanism.[67] Reports could, in theory, be made through police reports, the general 113 emergency number, or by presenting at one of eleven Women and Child Protection Units/Desks set up around the country.[68]

6.2 Education programmes

There are limited prevention, education and awareness-raising activities on the online sexual exploitation of children, including limited efforts by the ICT industry to raise awareness. The NGO Bhutan Centre for Media and Democracy (BCMD) works to encourage the Bhutanese people to nurture democracy through the use of media, and carries out programmes with youth to encourage active citizenship. The BCMD sees both benefits and risks to Internet technologies for young people, and conducts awareness-raising activities for urban and rural youth about staying safe online, privacy settings, password settings and things that should or should not be shared online.

7. Industry

7.1 Notice and takedown procedures

The Information, Communications and Media Act 2006 (BICMA) provides procedural rules for notice and takedown of content (article 170). More information is needed about the implementation of notice and takedown procedures for Druknet (Bhutan Telecom), Bhutan's major ISP.

7.2 Child sexual abuse and exploitation reporting

The BICMA noted that it currently does not have a public complaint mechanism. Instead, the public must report a case to the police or the NCWC. The BICMA noted that were it to become involved, the

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[65] See "Written replies of Bhutan to the List of Issues in connection with the Second Report" (cited in Child Rights International Network 2014a).

[66] Rule 41 (o) of the Child Care and Protection Rules and Regulations of Bhutan 2015. Also, the law requires a child who is 'indigent' (below a certain income threshold) or whose parents are indigent to be provided with legal assistance by the State. See rule 86 of the 2015 Rules and section 180 of the 2011 Act.

[67] They only become involved in cases when a police report triggers their involvement.

[68] In principle, reporting can be done in any police station, irrespective of whether it has a unit/desk or not.

trigger would be a police report to the BICMA. The BICMA's next step would be to action the report with the ISP, requesting the ISP to take down the offending material. The BICMA also noted that police may liaise directly with ISPs to take down offending material. Under the BICMA, ISPs are under no general obligation to monitor the information that they transmit or store, nor a general obligation to actively seek facts or circumstances indicating illegal activity (article 169). ICT facility providers, ICT service providers and vendors are directed not to "knowingly publish or send material of a pornographic or sexually explicit nature to children" (BICMA, article 160[4]). ISPs are obliged to block transmissions of illegal content that they are aware of when this is technically feasible and can reasonably be expected (BICMA, article 167).

7.3 Innovative solution development

No information was available on specific innovative solutions.

8. Health

8.1 Specialized health centres

The One-Stop Crisis Centre in Thimphu manages crisis interventions for adults and children affected by abuse, sexual exploitation, rape and battery and reported during stakeholder interviews that it has received several cases of CSE involving an online element. The OSCC is the only one of its kind in Bhutan and provides physical and psychological examinations of the victim, documents the injury or trauma, dispenses emergency contraception and prophylactics, and works with the NGO RENEW, the NCWC and the police to help arrange long-term support for victims. Victims in other provinces are also referred to the OSCC, and can receive telemedicine support from the Thimphu doctors. Lower-level crisis interventions are available in two other districts areas in Bhutan.

8.2 Specialized health training

RENEW receives referrals for psychosocial support from police, the NCWC and the OSCC on cases involving violence or abuse of women and children,

and stated in stakeholder interviews that it has not so far seen any cases of online CSE. RENEW runs a long-term shelter care, and is reportedly the only organization that provides counselling to women and children in Bhutan. Most of its referrals involve adults, and among the child cases it receives the issues tend to involve offline incidents of child sex abuse, rape, incest, and physical or emotional violence.

Doctors from the OSCC can provide expert medical reports to be used as evidence in court. However, doctors interviewed during stakeholder meetings were concerned that they were not called as witnesses to explain this evidence, and that second opinions were not frequently obtained. They felt a consequence could be that inaccurate medical reports are accepted as admissible evidence by the judges, potentially contributing to false convictions.

8.3 Data collection and record keeping

The OSCC collects annual data on cases of domestic violence, common assault and sexual assault.[69] However, according to the doctors, while indications of an online element in a child sexual abuse case may be documented in a detailed case history form, they are not currently recorded in the general data set. Counsellors at RENEW reported that there may be a problem of online CSE that is not being reported, but they have no data on this.

9. Promising efforts

The NCWC are disseminating standard operating procedures to help streamline and organize reporting and referral processes between government, police and NGOs. The NCWC is also contributing to the development of an information management system to help standardize data on violence against children.

The Department of Information and Media under the Ministry of Information and Communications has developed a draft Social Media Policy for citizens and civil servants. The policy notes that "social media has great potential as a development tool" but can also create harms and dangers, including for children. The policy describes a code of conduct for all citizens that requests transparent, responsible, careful and considerate behaviour online; however, it does not address the specific risks of online sexual exploitation of children.

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[69] As told to researchers during stakeholder interviews, 35 cases of sexual assault were reported to the OSCC in 2015. The doctors interviewed estimated that about 80 per cent of these 35 sexual assault cases involved child victims.

The interim secretariat (referred to by UNDP Bhutan) is looking at the legal environment and access to justice for vulnerable groups, which represents a promising entry point to include online CSE as part of this legal review.

10. Recommendations

Key recommendation

Most stakeholders understood that online CSE was an issue that could arise, but currently was not a priority for the government. Yet given the increasing use of digital technologies and the large proportion of youth (42 per cent) in the population, there is a need for a stronger understanding of youth Internet use. It is recommended that a national research study, conducted potentially in collaboration with UNICEF Bhutan, examine youth Internet use and experiences of online abuse to develop a baseline measurement that can be used to inform resource allocation and provide comparative data in the future.

Sociocultural

1. Through stakeholder interviews, psychological counsellors indicated that they believed online CSE often went unreported. Further exploration is warranted to see whether psychological counsellors could encourage reporting by improving their clients' awareness of reporting tools or by promoting online safety during their counselling sessions.

Legal

1. Provide special time slots for children's cases to be heard in court, separate from adults, while the special children's court is being developed.

2. The interim secretariat (referred to by UNDP Bhutan) that is looking at the legal environment and access to justice for vulnerable groups should consider online CSE as one of their issue areas.

3. Advise judges, as permitted by law, to call doctors from the OSCC as witnesses in court, and ensure that second opinions on expert medical reports are obtained.

4. UNICEF should liaise with the National Taskforce led by the Office of the Attorney General (OAG) on their review of the Penal Code and the Evidence Act, and ensure that they comply with the internationally recognized frameworks related to preventing CSE. It is recommended that

the Council of Europe Budapest and Lanzarote Conventions together with their Explanatory Reports are used for this purpose (see Appendix H).

5. The OAG expressed a need for specialist prosecutors to handle different kinds of cases such as sexual offences and both victims' and perpetrators' rights. It is recommended that specialized prosecutors be trained to handle cases involving CSE, including online CSE.

Law enforcement

1. Explore opportunities where neighbouring countries with more expertise in online CSE might provide support under bilateral law enforcement agreements. Further exploration is needed on the capabilities within countries to establish these collaborations.

Building an evidence base

1. Following the example of Sri Lanka's Digital Landscapes study, UNICEF could coordinate a national study of youth Internet practices in Bhutan to collect baseline data on use, awareness levels, harmful encounters and youth negotiation of risk.

2. Ensure that the new NCWC standard operating procedures and information management system integrates and coordinates data collection, reporting and referral procedures for cases of online sexual exploitation of children. Currently, data collection about online CSE is not coordinated across agencies, and this coordination is necessary to assess prevalence and address the needs of victims.

Education and awareness

1. Existing efforts such as those by the NGO BCMD to conduct online safety sessions should be assessed for expansion – to cover more youths and ages, as well as urban and rural locations. Stakeholders also recommended that Bhutan's draft social media policy should include a specific component that addresses child online sexual exploitation. That there are limited prevention, education and awareness-raising activities was of concern to stakeholders, who noted a need to better equip parents, teachers, children, as well as civil servants and direct service providers, with the tools and knowledge to prevent harms to children online.

Appendix C. Maldives [70]

1. Country overview

Internet users: 96,240 or 24 per cent of the total population (Asian Development Bank 2015)

Mobile connections: 388,970 or 97 per cent of the total population (Asian Development Bank 2015)

2. Situation assessment

2.1 Data of on/offline sexual exploitation

There have been a number of studies to document the prevalence of sexual violence against children in Maldives (Fulu 2007; IGMH/UNFPA 2009). Minivan News reported in 2013 that child sexual exploitation (CSE) was a significant issue of concern for the country, citing a report of the Maldives Institute of Psychological Services (Naish 2013), not publically available. Child and Family Services' most recent data (from 2011) shows that 22 per cent of the 573 cases handled that year involved sexual abuse. In 2015, a UNICEF report indicated that the majority of girls who were subject to police investigation ended up being charged with sexual offences (Naik 2015). In its report to the Committee on the Rights of the Child in 2015 (p. 35), it is observed that "it is unclear how many cases of alleged sexual abuse of minors are dropped for lack of sufficient evidence to press charges" (CRC 2013, p. 35).

There are reports of children being trafficked for sex from Bangladesh to Maldives, and further reports of an increase in the production of CSAM (ECPAT International 2014). Online dimensions of CSE are undocumented, however.

Stakeholders reported that there is a reluctance to report or even discuss cases involving CSE due to cultural and religious taboos, coupled with limited baseline information about online sexual abuse, the problem of online abuse being not well reported or understood in Maldives. Stakeholders from the police, counsellors and youth worker groups did note, however, that there are known incidences of the sexual extortion of children, although few arrests have been made. Of the cases of sexual extortion of children that stakeholders were aware of, the perpetrators were either boys or older men. In a number of cases seen by the police, fake social media accounts were used by strangers to facilitate the chatting to and exchanging of photos with girls.[71] The police said that it is very difficult to identify and arrest the owners of these fake accounts, so it is not known who they are and where they are from.

The Maldivian media have also reported on cases of sexual extortion of women and girls (*Maldives Independent* 2015). It was reported that in July 2015, 15 people (including a woman) were arrested on Fuvahmulah island for blackmailing two girls aged 16 and 14 into sexual exploitation. The girls were tricked into taking drugs and filmed naked, and then were sexually exploited on threat of the videos being leaked.[72]

2.2 Sociocultural factors

Strong cultural norms around gender roles can produce an enabling environment for sexual extortion or blackmail. Using sexualized photos to make threats against girls is seen as a common practice (*Maldives Independent* 2015). The existence of "honour" culture has been known to lead to self-censoring practices in victims, and instil a culture of impunity for perpetrators of child sexual abuse (CRC 2016, para. 29).

Girls encounter specific risks (and offline consequences) when they engage in online practices of photo sharing. In particular, girls who engage in religious and cultural practices of modest dress are perceived to transgress cultural, religious and gender

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[70] Field research for this project was conducted in Malé, the capital city of Maldives, where the research team met with 53 stakeholders, 31 female and 22 male.

[71] The research team also made requests for prevalence data about incidences of online sexual exploitation reported by stakeholders during the field trip; at the time of writing the data had not yet been provided.

[72] In this same media report, cases involving the blackmail of adults were also reported, including cases involving government officials; a case in which an online profile of a woman was used to extract explicit photos and videos from those men who befriended her; and a case in which a policeman was arrested for doctoring a nude photo of a woman and subsequently blackmailing her.

norms when a photo perceived as sexual is shared; girls can subsequently experience community-induced stigma and shaming, and can become vulnerable to blackmailing and extortion by those who view or receive the photo. Incidents of rape in which girls were sexually assaulted by boys or men that they met online were also reported. According to stakeholders, boys are even more reluctant to come forward and report abuse.

Maldives has an established relationship to high-end tourism that has recently (2009) seen regulatory changes that allow for local "guesthouses" on the islands where locals live. Therefore, new conditions of physical access (researchers visited one "bikini beach" adjacent to a school) are now combined with longstanding cultural norms about interactions with tourists. However, more data are needed to understand the relationship between tourism and online CSE.

3. Policy and governance

3.1 Leadership

Several recent changes in regime in the Maldives in 2008, and again in 2012, have led to significant alterations to the child protection landscape.[73] Most recently, in 2014 a new Ministry of Law and Gender was created, merging the Office of the Attorney General and the Gender Department in the former Ministry of Health and Gender. The Ministry of Law and Gender is now the principal agency for gender issues and child rights (ARC 2015, para. 11).

The Telecommunication Authority is mandated to regulate all telecommunication in Maldives under the Maldives Telecommunication Regulation 2003 (section 5). The Regulatory Body of the Authority is responsible for the administration and enforcement of the 2003 Regulation (section 6). The protection of children is not specifically envisioned by the Regulation.

3.2 Research, analysis and monitoring

The Maldives Child Protection Database (MCPD), established in 2010 in collaboration with UNICEF, is intended to provide records of all national child protection data to ensure appropriate referrals within the child protection system. A collaboration between the Police Service, Ministry of Health and Family,

Ministry of Education and the Juvenile Justice Unit (JJU), it was planned to be used to produce quarterly reports on youth crime trends. Training sessions were held for participating ministries. However, lack of commitment from the agencies has delayed use. In 2011, the Ministry of Gender and Family was reportedly unable to access the MCPD; in addition the Child and Family Protection Services keeps records on spreadsheets not linked to the MCPD (Maldives 2013). As of 2015, the database was still not easily accessible by agencies and ministries working in child protection (CRC 2016, para. 42).

3.3 Legislation

International commitments – Maldives has signed and ratified both the CRC and the OPSC. It has signed, but not ratified the Optional Protocol to the CRC on communications procedure (OP3).

Domestic legislation – The Government of Maldives reported to the CRC Committee in 2013 that there was a significant backlog of bills pending, including the Child Rights, Child Care and Protection Bill (CRCCP), which will replace the existing Act on the Protection of the Rights of Children (APRC; Act No. 9/91), the Juvenile Justice Bill and the Human Trafficking and People Smuggling Bill, which identifies trafficking of minors as an aggravated offence. The CRCCP Bill contains a chapter on child protection systems, which was the result of a strategic planning process by the Ministry of Gender, Family and Human Rights, with the assistance of UNICEF (CRC 2013, paras. 20–22). However, not all of these laws are completely consistent with international standards. The Sexual Offences Act 2014, for instance, criminalizes pregnancy out of wedlock even in cases of rape or abuse (CRC 2016, para. 444).

Since 2008 there have been a number of changes strengthening various laws and regulations related to sexual offences (generally, and involving children). There are stricter mandatory sentences for sexual offenders, with increased sentences in the cases of child victims (Ministry of Justice 2008).

Maldives reportedly has no criminal procedure code or evidence code, which may result in the law being applied in an arbitrary manner, without due regard to internationally recognized procedural safeguards (ICJ and SAHR 2015, p. 20; CRC 2016).

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[73] In 2013, Maldives was ranked seventh out of the eight SAARC nations on an "enabling legal and policy framework" for the realization of children's rights (Heiburg, T., et al 2013, pp.14 and 56).

Stakeholders advised that a new Telecomms Law is expected to be implemented in 2016, but this law does not talk in detail about child protection, although there may be general clauses that apply. The draft law was not made available to this study. Stakeholders at the Telecomms Authority advised that there should be a specific law on online child protection, because even the new draft cybercrime law is aimed mostly at other forms of financial cybercrime that are currently on the rise in Maldives. Furthermore, the Telecomms Authority advised that it does not have a specific mandate for child protection, and it would be better for the Ministry of Gender and Family to produce specific legislation related to child protection online.

At the time of writing, there was no subsequent national strategic action plan nor a specific National Plan of Action in place related to child protection (ARC 2015, para. 9). The CRC Committee recommended that the Government of Maldives draft a new plan in their concluding observations of March 2016 (CRC 2016, paras. 10–11), together with a coordinating body at a high ministerial level to implement the CRC at a cross-sectoral level.

4. Criminal justice

4.1 Dedicated law enforcement

A Cybercrime Unit within the Maldives Police is responsible for investigating cases involving online offences, including online CSE cases.

Cybercrime Unit officers noted they have major challenges in quickly removing offensive materials such as CSAM from the Internet because hosting parties might require a court order from their own country and this takes a long time. For example, many cases involve hosts in Nigeria and the Lao People's Democratic Republic, where it can take months to get content taken down. By this time, Cybercrime Unit officers noted, the images will have been copied multiple times and it will be too late to stop their spread. The Cybercrime Unit said that it would be very helpful for them to have a cybercrime law that addresses electronic evidence, which is not currently accepted by the courts. A draft law is before Parliament that is based on the Budapest Convention benchmarks, but this is stalled for political reasons because the law is broad and there is tension related

to giving the police too much power. There was confusion among stakeholders regarding the validity of electronic evidence. One lawyer told researchers that she had been involved in cases in which electronic evidence was accepted, but officials at the High Court informed the research team that electronic evidence would be considered as circumstantial and would need to be backed up by other kinds of evidence. Several stakeholders said that there was a need for a new and more detailed Evidence Act to clarify the use of electronic evidence and also the use of DNA evidence in child sex abuse cases.

4.2 Judiciary and prosecutors

Conviction rates in child sexual abuse cases remain low; prior to 2009, convictions in such cases required two witnesses, and although this has since changed, the judiciary may not always be aware of the new rules (CRC 2013, para. 135). Issues of jurisprudence like this are often complicated by the role of Islamic law in Maldives; the CRC has expressed concern that victims of offences under the OPSC may be criminalized under Sharia law, including charges of zina (CRC 2009, para. 24). In 2013, the government clarified that the 2009 act would prevent such punishment of victims, by changing the age and presumption of consent, but there are still concerns about how consistently this change is enacted in practice (CRC 2013, para. 259).

Islamic law in Maldives is used to interpret the Penal Code sections that relate to sexual offences. Islamic legal interpretations mean that certain offences are not applied within a marriage, which is problematic considering the possibility for children under age 18 to marry given special permission (CRC 2013, para. 59). Such young married girls may also suffer online domestic violence within their relationship, and this may not then fall under the scope of child protection laws because of the victim's marital status. For young victims of sexual violence, Islamic law can dictate certain types of corporal punishment. Islamic law is not codified, and is therefore implemented largely at the judge's discretion. Stakeholders advised that it would be up to the judge how to apply Islamic law to cases involving child victims of online CSE, and child perpetrators of online CSE. In 2010, a total of seven children aged under 18 at the time of the offence were sentenced to lashing,[74] although the actual

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[74] The Government of Maldives explains that 'lashing' under Maldivian law is a punishment that aims to symbolize society's disapproval of the crime, and is not intended to be practised on bare skin, or to draw blood. There are also strict rules regarding how much force can be used (CRC 2013, para. 76). Nonetheless, flogging of any kind constitutes inhumane and degrading treatment and is not compliant with the CRC.

enforcement of the sentence was delayed until the offenders turned 18 (CRC 2013, para. 109). Amnesty International reported in 2013 that in 2009, at least 180 people faced the punishment of flogging for extramarital sex, some of whom were survivors of rape and other forms of sexual abuse, and according to media reports almost 90 per cent of them were women and girls.

The Human Rights Commission of the Maldives (HRCM) is mandated to receive complaints from children who can report incidents or make enquiries via a toll-free helpline that was introduced in 2010 (Human Rights Commission 2006, article 21[a]). However, concerns have been raised regarding the political and judicial pressure that the HRCM operates under, with reports that the HRCM was summoned to court on numerous occasions to explain critical interpretations of the judiciary (ARC 2015, para. 17). This initiated a period of open conflict, and the Supreme Court reportedly declared a Universal Periodic Review (UPR) submission by the HRCM to be unlawful, biased, encouraging terrorism and undermining judicial independence, although individual HRCM members were not convicted of any criminal charges (ICJ and SAHR 2015, p. 16). The Court also barred the HRCM from directly communicating with foreign organizations without government oversight (ibid.).

Concerns have been raised that judges lack professional training on international principles, human rights law and new legislation (Human Rights Council 2013, para. 91). During the UPR review of Maldives in 2015, concerns were raised that most judges had no formal training in law, yet exercised considerable discretion in determining offences and appropriate punishments, often based on their own interpretation of Islamic law (Human Rights Council 2015, para. 41). As of 2015 there were only three female judges in Maldives out of a total of 200 judges and magistrates (ICJ and SAHR 2015, p. 19). The CRC Committee found in 2016 that judges are reported to hold discriminatory views in relation to girls and have shown insensitivity towards child victims of sexual abuse, and in some cases even have previous convictions for sexual offences themselves (CRC 2016, para. 44).

Several stakeholders said it would be helpful if judges received training regarding online child sex abuse cases; however, further to a circular issued by the judicial services commission during the field mission,

it was decided that judges may only be trained by other judges and not by civil society. Researchers were advised by High Court officials that judges would be open to training by foreign judges on online CSE cases.

4.3 Access to image databases

Maldives does not have access to the INTERPOL ICSE database.

5. Victims

5.1 End-to-end support

In 2013, the Government of Maldives advised the CRC Committee that police and the courts would make arrangements that allowed witnesses to give evidence without being identified to the defendant or the public (CRC 2013, para. 134). Furthermore, articles 51–56 of the Special Measures Act 2009 provide for protection of the identity of child victims, a right to counselling, financial assistance from the State and support for civil claims against the perpetrators. However, Advocating the Rights of Children (ARC) (2015, para. 86) and the HRCM note that there are no provisions for witness protection in Maldivian law. Furthermore, the CRC Committee (2016, para. 33) found that children who are under the age of 16 or who have not attained puberty are not permitted to give testimony in court, which is in violation of their right to be heard where they wish to do so. There is no government-based legal aid system in Maldives, and no active bar association which may support pro bono legal support for children (UNDP 2014a; CRIN 2014).

5.2 Redress

In Maldives there is no Civil Procedure Code, and therefore it is not clear how child victims can bring a civil claim for compensation. However, it may be possible for children to bring a claim under provisions of the Constitution that allow victims of rights violations to apply to the court for a just remedy (Maldives 2008; CRIN 2014). The research team was advised by Maldivian lawyers that there is no government victim compensation scheme, and although the law allows for victims to bring civil compensation claims, this has reportedly never happened in child sexual abuse cases.

5.3 Child helpline

There are two helplines that children and parents can call: 1) "1412," run by the MoLG in partnership with Child Helpline International;[75] and 2) Police Helpline (hotline) "3000600," run by police.[76] According to stakeholders, the police hotline is more effective and professional, but the public has more trust and confidence in the toll-free hotline run by the MoLG.

In June 2015, Ooredoo Maldives, a mobile phone and Internet service provider, raised funds to support Child Helpline International. Ooredoo donated a smart phone and a toll-free Ooredoo number that children can call. The helpline provides confidential crisis management. At the time of reporting, no data were available on the use of the helpline, although it remains a promising resource.

6. Societal

6.1 Reporting hotline

No information was available on the methods of reporting CSE.

6.2 Education programmes

ARC, the Ministry of Education, Society for Health Education (SHE), the Telecomms Authority and the Cybercrime Unit have all run awareness-raising campaigns that address cyberbullying and blackmail. ARC and the Ministry of Education have collaborated to run a Surf Smart campaign in schools, which addresses cyberbullying and blackmail. SHE has also carried out awareness campaigns using young peer educators. The Cybercrime Unit has also run awareness-raising campaigns in schools regarding the importance of privacy settings on social media accounts. In its report to the Committee on the Rights of the Child (2013), the government describes a series of community-based theatrical plays organized by the Ministry of Gender and Family and UNFPA, which present child rights violations such as bullying, sexual abuse, violence and neglect.

Currently, awareness-raising does not focus on the behaviour of the perpetrator or emphasize the criminal nature of blackmail and child pornography. Based on national studies of adolescent health development in 2003, 2008 and 2009, the Ministry of Health recommended that age-appropriate sexuality education needed to be taught in schools to combat the increasing "sexual health illnesses" in Maldives, acknowledging that "current school curriculum provides little to no information about reproductive health, leaving adolescents and youth unguarded and vulnerable" (CRC 2013).

7. Industry

Stakeholders said that there is currently no government censorship of the Internet, but this viewpoint conflicts with reports from Freedom House (2015), which state that "The Communications Authority of the Maldives (CAM) often blocks websites that are deemed anti-Islamic or pornographic by the Ministry of Islamic Affairs."

7.1 Notice and takedown procedures

The Telecomms Authority advised that they look to Singapore for best practices in this matter – when a website is reported to contain CSAM, the Telecomms Authority instructs the ISP to block it. One of the two mobile phone providers in Maldives, Dhiraagu, is a member of the GSMA Mobile Alliance Against Child Sexual Abuse Content.[77] All members sign on to provide notice and takedown procedures of CSAM.

7.2 Child sexual abuse and exploitation reporting

Dhiraagu reported to the research team that they follow Internet Watch Foundation standards and protocols. Diraaghu keeps records of Internet usage, but only in terms of the amount of data used, not content logs.

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[75] The number is toll-free and confidential. Calls are answered by trained caseworkers: <https://ooredoo.mv/media/press/ooredoo-supportsmaldives-child-helpline> (accessed on 21 January 2017).

[76] Details are available on the Family and Child Protection Department's Facebook page: <www.facebook.com/Family-and-Child-Protection-Department-622219177901473> (accessed on 21 January 2017).

[77] The GSMA sponsors an alliance to obstruct the use of the mobile environment by individuals or organizations wishing to consume or profit from child sexual abuse content. See <http://www.gsma.com/publicpolicy/wp-content/uploads/2013/01/mYouth-Mobile-Alliance-Flyer.pdf> (accessed on 21 January 2017).

7.3 Innovative solution development

No information was available on specific innovative solutions.

8. Health

8.1 Specialized health centres

Each atoll has a Family and Child Service Centre (FCSC), which addresses protection issues, and in cases of sexual abuse or any other form of abuse that requires a health professional, the case is referred to the health facility (e.g., Health Centre, Atoll Hospital, Regional Hospital, or the main tertiary hospitals) accessible in that particular area or atoll. The Victim Support Unit (VSU) was established as a unit within the Maldives Police Service in 2014 and receives funding support by UNDP to provide psychosocial services to victims of crime. A major gap in service provision was reported between Malé and the atolls, where there is a lack of victim support. The VSU does not yet have trained psychosocial specialists in the atolls, and the geography of Maldives – spread across a thousand islands – presents a challenge to service delivery.

8.2 Specialized health training

Victims of child sexual abuse are provided psychosocial services and health care by professionals within the Child and Family Protection Services, and these services are supplemented by the SHE, a civil society organization (CRC 2013, para. 150). In 2007 the CRC Committee was concerned that professionals working with and for children in Maldives were inadequately trained to identify, report, or manage child abuse cases; the CRC Committee in 2016 (para. 45) again urged the government to strengthen the development of programmes and policies for the prevention, recovery and social reintegration of child victims.

8.3 Data collection and record keeping

No information was available about the collection of health data.

9. Promising efforts

Mobile company Dhiraagu's membership in the GSMA Mobile Alliance Against Child Sexual Abuse Content shows a strong commitment to working against online CSE. Its use of Internet Watch Foundation standards and protocols is also quite promising. Another leading mobile phone company in Maldives, Oreedoo, is a member of the UN Global Compact (one of the partners in the Children's Rights and Business Principles), and as such has made a commitment to corporate social responsibility.

10. Recommendations

Key recommendation

Coding of abuse cases is currently based on how the abuse is initially reported. For example, if a parent or community member reports a case of sexual abuse, it is coded as a child sexual abuse case, and if it is discovered later that it was a case of commercial sexual exploitation, the file is not updated. For cases of commercial sexual exploitation of children and online CSE to be correctly counted, the reporting, referral and responding mechanisms would benefit from improved coding processes that more accurately record the type of abuse and can be changed or updated as more information is collected about the complaint.

Legal

1. Researchers met with two pro bono lawyers who provide some assistance to the SHE counselling service on an ad hoc basis. It is recommended that UNICEF explore the possibility of working with pro bono legal services to provide legal assistance to victims of online CSE.

2. The government should draft a National Plan of Action related to child protection online.

3. UNICEF should host workshops with industry to promote the Children's Rights and Business Principles, discussing the possibilities of incentives, such as public recognition for companies who follow the principles or are members of the GSMA Mobile Alliance Against Child Sexual Abuse.

4. Training should be provided to judges on online CSE – consider partnering with UNDP or the American Bar Association (which were mentioned by stakeholders as examples of foreign organizations which might be acceptable to local judges) – to bring foreign judges to Maldives who would have some influence over Maldivian judges. An open question is the capacity

for such training and whether neighbouring countries or international bodies could assist with implementation.

5. The State should update criminal procedural laws to allow for electronic evidence.

Education and awareness

1. As recommended by the CRC Committee in 2007, local, religious and other leaders could be invited to take a more active role in supporting efforts to prevent and eliminate discrimination against and stigmatization of girl victims of CSE and to provide guidance to communities in this regard.

2. A coordinated strategy is necessary to raise awareness of online CSE. A multisectoral approach that engages religious, education, health and media actors in addressing online sexual exploitation is recommended. For example, work with religious leaders to address the implications of honour culture for online sexual exploitation, with the aim that leadership and guidance can be provided at a community level within a child rights-based interpretation of Islamic law. Also, engage with tertiary education institutions to develop modules related to online CSE and electronic evidence for law students. Introduce guidelines and awareness training for media professionals on reporting of cases involving CSE (online and offline). Develop trainings for relevant duty bearers including government officials, and social workers regarding online CSE.

3. ARC, the Ministry of Education, SHE, the Telecomms Authority and the Cybercrime Unit have all run awareness-raising campaigns that address cyberbullying and blackmail. Currently, awareness-raising does not focus on the behaviour of the perpetrator or emphasize the criminal nature of blackmail and child pornography. It is recommended that new awareness campaigns focus on prevention by addressing perpetrator behaviour online.

Appendix D. Pakistan [78]

1. Country overview

Internet users: 27,462,000 or 13.8 per cent of the total population (World Bank 2016)

Mobile connections: 145,270,000 or 73 per cent of the total population (World Bank 2016)[79]

2. Situation assessment

2.1 Data of on/offline sexual exploitation

A number of reports on child sexual exploitation (CSE) in Pakistan exist, including a 2005 situation analysis of commercial sexual exploitation of children (CSEC) by the Working Group Against Child Sexual Abuse and Exploitation and Save the Children (Sweden). This report found sexual exploitation of boys and girls in numerous social contexts, from red-light districts and places of work to child marriage and adult males' customary exploitation of young boys. A 2009 report by UNICEF Office of Research – Innocenti documenting sexual abuse and exploitation of boys similarly found that cultural norms in North West Frontier Provinces considered sex with boys by men a source of pride. The report (2009) also found that boys can be vulnerable to sexual abuse in the workplace, street, prisons and schools. According to stakeholder interviews, child labourers and servants are at risk due to unsupervised and isolated workplace environments such as houses (for domestic servants) or in the fields (for agricultural work). But fieldwork suggests that children are at risk in numerous contexts in Pakistan, at home, in school, at play and in the workplace. Some stakeholders explained that abuse and exploitation are prevalent, but not talked about. While a number of NGOs in the child protection sector are collecting and collating data on these issues,[80] little generalizable data are available on the prevalence of sexual exploitation of children in Pakistan.

Stakeholder interviews revealed a number of anecdotal issues related to the online sexual exploitation of children. Some stakeholders suggested internet cafes are still used (although not as popular as 4–5 years ago since the rise of home and mobile Internet) among youth who do not have regular access to the Internet. While pornography is officially banned in Pakistan, proxy servers (also illegal) are popular and can be used to access websites blocked by the government. Moreover, while the government maintains a list of URLs to be blocked because of obscene or blasphemous content, it does not currently block all pornography. Stakeholders suggested that pornography and child sexual abuse materials (CSAM) can be accessed or bought at these cafes and also downloaded to mobile devices. Stakeholders claimed that sextortion and blackmail are common forms of online sexual exploitation. Stakeholders also noted the use of mobile phones and social media platforms to acquire and distribute images to threaten, control and shame victims.

A recent case in Kasur, located about an hour's drive from Lahore in Punjab Province, exemplifies the blurring of online and offline worlds and the difficulties in collecting data. Kasur was mentioned many times by stakeholders as exemplifying the dangers of technology-facilitated sexual exploitation. The Human Rights Commission of Pakistan found evidence of widespread abuse of children (5–16 years old) over a sustained period of years by several men, recorded on video and used as blackmail against victims and their families. News coverage varied significantly, reportedly due to sensationalist reporting and the reticence of those directly involved. Unconfirmed accusations of corruption and a political cover-up also reportedly complicated investigations into the facts. The reported number of young male victims varied from 30 to 300. Reports said instances of sexual abuse were recorded on video and were used to coerce the boys into further sexual abuse, to extort money, or to engage in other forms of manipulation and control. A common assumption was that these videos were distributed only on DVDs. Yet regional NGOs reported that the videos were also captured on mobile devices and shared online. Despite the conflicting accounts, it appears there was inaction by the police and little

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[78] Field research for this project was conducted in Islamabad, the capital, and researchers also visited Lahore where the technology industry has a significant presence. The research team met with 68 individuals and stakeholders, 30 female and 39 male.

[79] Note that one person can register up to five mobile SIM cards.

[80] For example, see Sahil: <http://sahil.org> (accessed on 21 January 2017).

accountability for the failure to act. Some stakeholders suggested that the recent amendments to the Penal Code, and certain provisions of the Prevention of Electronic Crimes Act 2016, were drafted in response to the Kasur incident and subsequent difficulties bringing perpetrators to justice.

2.2 Sociocultural factors

Sexual activity (often broadly defined) before marriage can cause shame and a loss of "honour," particularly for girls and their families.[81] Even if a sexual crime, abuse, or violence is perpetrated on a child, there could be significant social pressure to remain silent. Interviews suggested that some parents suppress the reporting of sexual exploitation or related crimes due to the shame it would bring not only on the child, but also on other siblings, parents and the community. Honour killing of girls by family and community members represents an extreme manifestation of the violence such shame may bring. As a result, victims are negatively incentivized to report sexual abuse, violence, or exploitation to parents, family, community members, religious authorities, teachers, or police. The fear of reporting is also exacerbated by a lack of confidential mechanisms for children to report abuse or exploitation. Since reporting results in stigmatization, keeping quiet may be seen as being in a child's best interest. In many cases described by stakeholders, victims do not have access to a viable child protection system. Numerous stories emerged about victims and their families who reported sexual violence to police only to be left unprotected – or in some cases further victimized – by law enforcement officers. Some stakeholders reported that victims of abuse and exploitation may resort to suicide.[82]

Shame, fear of dishonour and stigmatization can further empower perpetrators. In cases involving sextortion, perpetrators may use a picture, whether authentic or digitally altered, to threaten the victim with exposure via digital technologies to a wide audience. A number of stakeholders reported that perpetrators use such tactics in order to manipulate victims to, for example, pay money, send nude photos, engage in sex, or mutilate themselves.

Both technology usage and social pressures should be considered when examining the online sexual exploitation of children. Online exploitation occurs in, and is enabled by, the cultural context and social structures of the offline world.

3. Policy and governance

3.1 Leadership

With regard to the rights of the child and human rights as a whole, the National Commission for Human Rights only started functioning in 2015, and there is no independent National Commission on the Rights of the Child. Powers were devolved to the provinces as part of constitutional amendments in 2010; thus child protection legislation is devolved to the provinces, and criminal law, procedure and evidence comes under federal law (Committee on the Rights of the Child 2016c). One of the apparent effects of devolution is that leadership is stronger in some provincial levels than at the national level. For example, Balochistan has seen a newly drafted child protection bill and the proposed creation of a child protection commission comprised of relevant stakeholders. Thus leadership at the provincial level could be a viable entry point to developing child protection mechanisms. Yet there still is an absence of an effective and coordinated child protection case management and referral system in most provinces. The Government of Pakistan reports that the Ministry of Human Rights is also implementing a project (as of 2016) on Ending Violence against Children, with the support of the SAARC Development Fund and involving media, civil society organizations and the public sector (ibid.).

3.2 Research, analysis and monitoring

No information was available on national efforts to research or monitor online CSE. Better research in general was a recommendation of the Committee on the Rights of the Child (2016b).

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[81] The Zina and Hadood Ordinances define crimes related to sexual activity generally (Committee on the Rights of the Child 2016b). One respondent described girls as an "ethical liability" while they remain unmarried, meaning that the family runs the risk that a girl will engage in sexual activity, whether voluntary or as sexual abuse or violence and thus bring shame on herself and the family.

[82] Research failed to uncover any reliable, generalizable data about the prevalence of suicide in Pakistan. But stakeholders mentioned it frequently in interviews.

3.3 Legislation

International commitments – Pakistan ratified the Convention on the Rights of the Child (CRC) in 1990 and its Optional Protocol (OPSC) in 2011.[83] The Committee on the Rights of the Child has put forward recommendations including: that a responsive legislative framework be created, that perpetrators be prosecuted, that the recovery and reintegration of child survivors be supported in a child-sensitive manner, that prevention and awareness-raising activities be delivered, and that more research and monitoring be conducted (Committee on the Rights of the Child 2016; 2009). International treaty obligations are not recognized unless first enacted as domestic laws that are consistent with Islam (Yilmaz 2013). Pakistan has not introduced corresponding laws, and some of the tenets of the CRC cannot yet be applied in court (CRIN 2013). Pakistan has not signed the Council of Europe Convention on Cybercrime (Budapest Convention; Council of Europe 2016). Pakistan has signed the WePROTECT "Statement of Action" (WePROTECT Summit 2014).

Domestic legislation – In March 2016, Pakistan amended its Penal Code to criminalize certain offences against children (Government of Pakistan 2016). The amendment also raised the age of criminal responsibility from 7 to 10 years of age in all cases, and up to 14 in some cases.[84] Relevant to online sexual exploitation are the following new offences: "292A Exposure to seduction," "292B Child pornography," "328A Cruelty to a child," "369A Trafficking of human beings" and "377A Sexual abuse" (Government of Pakistan 2016).

Pakistan recently passed the Prevention of Electronic Crimes Act 2016. While the Act is primarily focused on other criminal conduct, it also contains provisions relevant to the protection of children from online sexual exploitation, offences against the modesty of a person and minor, and cyberstalking.

For a number of stakeholders, the Prevention of Electronic Crimes Act represents an important step for Pakistan towards establishing a legal framework to protect children and punish those who harm them via technology. Yet, the Act has been the target of significant and sustained criticism from civil society and free expression organizations. For

some stakeholders, the offences set forth in these laws are drafted so broadly that they may actually be counterproductive. Of particular concern is that a number of offences in the Electronic Crimes bill may be used to prosecute children as young as age 10. These offences, as currently written, do not take into account the broader context of abuse and exploitation of children, such as when a child is coerced into exploiting another child, and so may penalize children who are themselves victims.

For example, a child may take a photo of him- or herself with her mobile phone while engaging in some form of "sexually explicit conduct" (a phrase that may be interpreted broadly). This child has committed a "child pornography" offence under section 19A subsection (1)(A) of the Act. This offence requires no specific criminal intent, nor is the consent of the depicted person relevant. Indeed, according to the bill, the child who took the "selfie" is both the victim and the perpetrator of the crime. Furthermore, subsection (1)(A) may actually empower those who sexually exploit children, like blackmailers. In a representative case of blackmail, according to stakeholders, a blackmailer may obtain a child's sexually explicit selfie from a phone or hacked computer or account. The blackmailer can then threaten to reveal the photo publicly unless the child performs a desired act. Under subsection (1)(A), the blackmailer can threaten to report him or her to the police, because the child is a co-perpetrator, albeit, in his/her own exploitation. Now that the law has passed, victims might decide not to report blackmail or extortion to the police, out of a very reasonable fear of investigation, embarrassment and prosecution.

Because these laws subject children to criminal sanctions, they may unwittingly give leverage to blackmailers, exploiters, traffickers and abusers alike. Multiple interviewees stated that children already do not trust the police. Given these laws, they will have additional reasons to avoid reporting abuse and exploitation to law enforcement. In addition, some stakeholders expressed concern that the new laws around possession of child pornography may be used to prosecute or intimidate NGOs that work in child protection. If a victim or family reports and provides evidence of sexual exploitation or abuse by transmitting a sexually explicit image to an NGO,

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[83] See <http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=PAK&Lang=EN> for full status of Pakistan with the CRC (accessed on 21 January 2017).

[84] See: Act XLV of 1860, Pakistan Penal Code, Section 83: <www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html> (accessed on 21 January 2017).

both the victim's family and the NGO staff may have committed a crime by transmitting or possessing that image. The statute is broadly worded and does not shield child protection workers from prosecution for possession, though it does include the requirement that a perpetrator act "without lawful justification." Criminal liability for possession of CSAM may further inhibit both victims and NGOs from reporting such material to police and law enforcement.

4. Criminal justice

Pakistan's legal system incorporates elements of British law inherited from the colonial period with Napoleonic code-based law and Islamic law. The Constitution of Pakistan gives both the federal Parliament and provincial legislatures the power to make laws regarding criminal law, criminal procedure and evidence (article 142[b]). Although provincial laws are relevant for child protection, they are beyond the scope of this assessment.

4.1 Dedicated law enforcement

Pakistan's Federal Investigation Agency (FIA) has established a specialized cyber division, the National Response Centre for Cyber Crimes (NR3C), with technical expertise and tools to conduct investigations of online crimes. The NR3C has the ability to deploy its capacities in investigations of crimes against children, but it is reportedly limited in both jurisdiction and funding. Now that the Prevention of Electronic Crimes Act has become law, and if the government names the NR3C or the FIA as the investigatory agency with power to investigate electronic crimes, the NR3C may have jurisdiction to investigate at least some crimes of online sexual exploitation of children.

Respondents generally agreed that local law enforcement agencies do not have the resources, training, or skills necessary to investigate effectively the online sexual exploitation of children. Respondents also indicated that while the federal government has successfully launched joint task forces as part of counter-terror and counter-narcotics operations, there are no joint task forces or federal-local collaborations for investigations of crimes against children or cybercrimes. The NR3C could collaborate with local law enforcement agencies, pending appropriate funding and jurisdiction.

Additionally, some respondents indicated that without a report or complaint, law enforcement agencies in Pakistan do not currently conduct proactive investigations into the online sexual exploitation of children. Federal police reportedly do not perform stings, undercover operations, "honeypots," or proactive measures to infiltrate perpetrator networks. Without proactive investigations, and with so many barriers to reporting crimes, the online sexual exploitation of children in Pakistan often goes uninvestigated and unprosecuted. Respondents stated that as few as two federal investigations have been conducted in Pakistan for crimes related to the online exploitation of children, and both of them were reported by foreign embassies, and involved victims living outside of Pakistan.

4.2 Judiciary and prosecutors

The CRC Committee found in 2016(b) that Pakistan has not taken sufficient measures to prosecute perpetrators and provide justice to victims of CSE. There is a considerable backlog of criminal cases at all levels of courts throughout Pakistan, but especially in the lower courts where cases of online CSE would initially be brought. There are very few female judges or prosecutors. Former Special Rapporteur on the judges and lawyers, Gabriela Knaul, reported in 2012 that there is a general public perception that the judiciary is "massively corrupt" (Human Rights Council 2013a). In addition, judges face high numbers of threats, attacks and even killings from private actors (ibid.). The Special Rapporteur also reported that prosecutors are poorly paid and are vulnerable to dismissal without notice, which means that qualified people tend not to take up the role. Consequently, there are very low conviction rates (reportedly only 2 per cent of criminal cases) and the public does not have great trust in the formal justice system (ibid.). But there has been some progress: the FIA, with the support of UNODC, has established shelters for trafficked women and children in Balochistan. In Punjab, the government has begun setting up "one-stop shops" for women survivors of violence.

It has been noted by the CRC Committee (2016b) that the best interests of the child are often disregarded in the justice system. Under the Pakistan Code of Civil Procedure 1908, children and their representatives are entitled to bring civil claims for compensation for rights violations (Code of Civil Procedure 1908; Code of Criminal Procedure 1898; CRIN 2013). While courts are technically available to victims of sexual exploitation, stakeholders indicated that redress in court for sexual offences is almost unheard of,

because the negative consequences to the victim of disclosure outweigh what can be gained through a court proceeding.

4.3 Access to image databases

Pakistan does not have access to the INTERPOL ICSE database.

5. Victims

5.1 End-to-end support

Respondents reported nearly a complete lack of an integrated system of victims' services in Pakistan that could adequately address either online or offline sexual exploitation. While a patchwork system of services offered by NGOs exists in some areas, for most of its population, the government does not provide adequate victims' services for mental or physical care, restitution, or legal aid with the process of reporting a crime and proceeding through investigation and prosecution. Pakistan does have a number of child protection units in some provinces, although stakeholders reported that they were insufficient or poorly implemented. The survivors of crime in Pakistan can suffer secondary victimization at the hands of state institutions when they lack accessibility to justice (Waheed 2016). Numerous stakeholders indicated that Pakistan suffers from "hidden" public health concerns of undiagnosed trauma due to sexual violence, abuse and exploitation. In cases of family violence and sectarian cases of extremism, security for victims is an issue. In some cases, victims were murdered even on the court premises and in the presence of the police (Waheed 2016, note 7).

5.2 Redress

Children and their representatives are entitled to bring civil and criminal cases to challenge violations of their rights.[85] Where fundamental rights are at issue, the Constitution (1973) also provides for proceedings to enforce these rights before the High or Supreme Courts (articles 184, 185 and 199).

6. Societal

6.1 Education programmes

Most stakeholders said "awareness" was an important challenge related to online sexual exploitation, but they diverged on a common approach to an awareness campaign. Private telecommunication companies expressed a desire to participate in an awareness campaign, but stipulated that they did not want to design the content, recognizing that they were not experts on CSE. Government agencies also expressed a willingness to cooperate in an awareness campaign and emphasized messaging centred on helping children avoid obscenity and pornography online by blocking content. Certain government actors also suggested that awareness campaigns could educate parents about the availability of obscene materials online, and persuade children to adopt safer habits when going online. The emphasis remained on preventing children from viewing obscenity. NGOs have done some work at raising awareness about the dangers children face from offline sexual exploiters, but have not focused campaigns on online exploitation. Schools were suggested as a potential site for awareness campaigns, but 24 million children in Pakistan are out of school, and leaders who run the many religious schools are selective about what messaging is allowed. Discussing online or offline sexual exploitation and abuse in schools would be a challenge because of social norms.

7. Industry

7.1 Notice and takedown procedures

The Pakistan Electronic Media Regulatory Authority (PEMRA) regulates FM radio and broadcast and cable television domestically, including licensing foreign channels and networks that broadcast in Pakistan. The PEMRA expressed a commitment to making Pakistan safer for children, and an eagerness to promote television content for children aimed at teaching them how to be safer online (among other life skills). The PEMRA can also enforce a media Code of Conduct that is binding on journalists. According to other respondents, this code is often employed to restrict the political statements and/or investigations of journalists. Respondents noted that media coverage of sexual exploitation of children was itself exploitative, with journalists failing to follow basic ethical standards. For example, journalists sometimes

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[85] See the Code of Civil Procedure, 1908; the Code of Criminal Procedure, 1898; and CRC/C/RESP/38.

record the faces of child victims of sexual abuse and exploitation. Journalists also often broadcast the street or house where victims live, which can reveal their identity to people in the victim's village. According to respondents, media coverage of stories of sexual abuse and exploitation tend to promote sensationalism. By enforcing the Code of Conduct with an eye to improving journalistic ethics (instead of merely regulating content), the PEMRA might help address media exploitation of victims of sexual abuse and promote more effective journalism.

The Pakistan Telecommunication Authority (PTA) regulates broadband Internet providers in Pakistan. PTA rules also regulate Internet cafes. The Ministry of Information Technology (MoIT) has direct access to the PTA and can instruct the PTA to add URLs to a block list. The MoIT is the author of the Prevention of Electronic Crimes Act discussed above.

According to both the PTA and the MoIT, obscenity in media and on the Internet is a significant danger to children. Respondents from those agencies urged Internet providers to take responsibility for the harmful effects of the content they make available in Pakistan. Respondents also stated, repeatedly, that the most pressing priority with regard to sexual exploitation of children online should be increasing awareness. They noted that technical literacy is low in Pakistan, and that parents, teachers, other responsible adults and children themselves are largely unaware of the dangers facing children in online spaces. According to some respondents, chief among those dangers is exposure to pornography and obscenity, although little scientific evidence was provided to support the claim.

The PEMRA monitors content in real time, including live programming, in order to log violations of obscenity, blasphemy, violence and other standards. Violators are subject to fines, directives (like on-air apologies), or forfeiture of licenses. The PTA is responsible for maintaining a list of URLs that it disseminates to Internet service providers who are required to block those URLs. The MoIT is in charge of information technology infrastructure and technology programmes that relate to national-level economic development. The MoIT is also active in policy responses to cybercrime issues. The PTA notes that there is no reporting system for reporting incidents of online sexual exploitation, but that if it does receive complaints about a website, it will block it.

Government officials can communicate directly with major social media companies such as Facebook regarding content. Facebook has established protocols for responding to government requests to take down content that may violate local laws (Facebook n.d.b.). However, not all requests that violate local country laws violate Facebook community standards. According to data from Facebook, in 2014, the social media company restricted access to 1,827 pieces of content alleged to violate blasphemy laws or were critical of the State as reported by the PTA, the MoIT and the NR3C. In 2015, the website notes six pieces of content that were reported by the government to allegedly violate local laws prohibiting blasphemy and restricted by Facebook (n.d.b).

8. Health

8.1 Specialized health Centres

Pakistan's budget allocation to the health sector is reportedly very low (Committee on the Rights of the Child 2016b). There was no information available regarding specialized health centres for child victims of sexual exploitation.

8.2 Specialized health training

There are reportedly low numbers of mental health professionals in Pakistan, and there is an acute shortage of child psychiatrists and psychologists, with an estimated one psychiatrist to 4 million children (ibid.). This has implications for child victims of online sexual exploitation who require specialized treatment.

8.3 Data collection and record keeping

Pakistan does not currently have access to the INTERPOL ICSE database.

9. Promising efforts

A small but notable number of NGOs working on freedom of access online, freedom of information and freedom of expression are emerging in Pakistan. Central to their missions is informing the public about the inadvertent consequences that cybercrime laws and censorship laws banning blasphemous material have on freedom of expression and access to information. One stakeholder is pioneering innovative training programmes that focus on ICTs like mobile phones and online technology to empower women and girls against gender-based violence and sexual harassment online.

One understudied area is the use of media programming to create awareness about online or

offline sexual exploitation or abuse of children. In May 2016 a serial television drama called *Udaari* included a plot about child sexual abuse. Because of the storyline, the PEMRA cited the programme with a "show cause" notice asking them to explain the programme's immorality, vulgarity and obscenity (Entertainment Desk 2016). At the same time, a number of media reports found support for *Udaari* on social media (Amer 2016). These kinds of incidents are an opportunity to gauge both the acceptance and perception of CSE and abuse from the public, the government, or other institutions. Decades of research on education via entertainment – e.g., popular radio and television programming – exists in the literature (Sighal, et al. 2003). Newer techniques use behaviour change models using traditional and online media based on empirical social science research methods to measure and impact attitudes, values and beliefs. It is unclear whether any of these techniques has been attempted in Pakistan, which could include collaborations between the private (media) sector, NGOs, government, donors and academia. The contribution of children's voices to the national dialogue would be an important component to media education and awareness.

10. Recommendations

Legal

1. Existing or new laws and legislation should shield child victims from criminal prosecution. If the law holds child victims of sexual exploitation criminally liable, it magnifies the power of exploiters, multiplies the damage done and creates barriers to reporting serious crimes. Actors central to developing a child protection system, such as UNICEF, can review such laws and provide technical advice to lawmakers and policymakers. Consider involving relevant religious actors to ensure laws are both appropriate to local culture and align with the CRC and the OPSC. UNICEF's engagement with leaders at the provincial level (for example in Balochistan) to work to develop child protection mechanisms may be held up as a model for other provinces.

Reporting, referrals and victims' support

1. In an effort to establish a child protection system, government and other authorities can support mechanisms for the anonymous reporting of

online and offline CSE. Efforts at setting up and maintaining reporting mechanisms can be created in partnership with telecommunication companies (for example as with UNICEF Bangladesh's child help-line partnership with Grameenphone). Access to mental health services for victims as part of a referral mechanism can also be strengthened.

Law enforcement capacities

1. Support should be given to foster collaboration and coordination between law enforcement at the federal, provincial and local levels to effectively respond to child online sexual exploitation cases. Under the overarching framework of the Child Protection Commission, bilateral coordination between FIA and provincial police departments can be strengthened. This type of coordination (with funding) may eventually handle cases of abuse and exploitation of children that would involve both law enforcement and multidisciplinary child protection actors. In this context, FIA shelters for trafficked women and children can be strengthened.

2. Support can be given to train law enforcement, prosecutors and the judiciary on child-sensitive investigations. At present, local police reportedly have little or no training or resources to conduct investigations of the online exploitation of children. The federal police, through the FIA's NR3C Unit, have the expertise, but lack the funding to develop the capacity of local partners and address local law enforcement deficiencies in dealing with victims of online or offline sexual exploitation. With support from UNODC and foreign government/law enforcement assistance, technical capacity can be strengthened for identifying/investigating online abuse of children, both at the federal and provincial levels. Pakistan should work with INTERPOL to obtain access to the ISCE database.

Awareness and education campaigns

1. Support and coordinate multisectoral education and awareness campaigns. Stakeholders across all sectors expressed the need for an awareness campaign, which indicates this recommendation may have the space for political support. Yet it is important to note that victims of abuse exposed to awareness campaigns directed at reporting

incidents may not likely get the support they need due to the lack of relevant and specialized services or referral mechanisms. Indeed, an increase in reporting alone, without a concurrent investment in victims' services and police resources, may be harmful. More research is needed on the focus of an awareness campaign, and could include encouraging parents and responsible adults to create "safe spaces" for their children to talk about online and offline sexual abuse and exploitation.

ICT industry

1. Encourage ICT industry coordination to explore innovative technical solutions. The ICT industry may develop child online safety programmes in Pakistan while maintaining freedom of expression and access to information. For example, ISPs partnering with multiple stakeholders may provide software to families, individuals and business that allow children to connect to a separate, limited network of sites that are likely to be "safe" for children. Such decentralized, customizable approaches can potentially be more effective than centralized government blacklisting or blocking of sites and harmful content, which have limited effect due to circumvention technologies.

Appendix E. Sri Lanka[86]

1. Country Overview

Internet users: 5,460,000 or 26 per cent of the total population (Asian Development Bank 2016)

Mobile connections: 21,663,600 or 103.16 per cent of the total population (Asian Development Bank 2016)

2. Situation assessment

2.1 Data of on/offline sexual exploitation

In 2006, ECPAT International reported the commercial sexual exploitation of approximately 40,000 children in Sri Lanka, 30,000 of whom were believed to be boys exploited by foreign nationals (2006, p. 11), although this exact statistic has been challenged by some.[87] The US Department of State Trafficking in Persons (TIP) report for 2016 found that Sri Lanka is primarily a source country for children subjected to sex trafficking and is categorized under the Tier 2 Watch List (TIP 2016). Sri Lanka also has a documented history of CSE in travel and tourism (ECPAT 2006).[88]

There is no comprehensive set of data on the online sexual exploitation of children in Sri Lanka, apart from 2006 data related to CSAM (ECPAT 2006). Many stakeholders interviewed as part of this study expressed concern for a perceived increase of sexual extortion of children online. Anecdotally, one NGO reported that a group of boys had organized an online database system of images in which sexualized photos of girls were stored and traded along with personally identifying information. There has been no reported investigation of this case to date.

2.2 Sociocultural factors

Potentially one of the most significant sociocultural factors impacting the sexual exploitation of children online in Sri Lanka is the asymmetry of gender roles in society (including for children). Girls face serious consequences if their online behaviours are perceived as transgressing offline cultural norms (Dissanayake 2014). This can result in secondary victimization, both at the community level in terms of social stigma from peers, family, teachers and neighbours, and in terms of discriminatory treatment through the justice system.[89] Stakeholders also noted that the onus was put on girls to protect themselves, whereas behavioural change messages for boys were afforded less priority (as noted by one stakeholder: "Boys will be boys").

According to the Ministry of Foreign Employment, an estimated 1.7 million Sri Lankans are employed abroad, affecting nearly 25 per cent of the population. Research indicates that children left in their habitual place of residence by migrating parents can experience a heightened risk of child labour or abuse from alternative carers (Jayasuriya and Opeskin 2015). Stakeholders noted that for these groups, consistent adult guidance of a child's online and mobile phone activity was less likely and could make such children vulnerable to online child sexual exploitation (CSE) as well.

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[86] Field research was conducted in Colombo, the capital city, where the majority of government offices, national NGOs, ICT and technical industry groups are based. The research team met with 50 stakeholders, 20 female and 30 male.

[87] While this statistic is published and available, some stakeholders questioned the accuracy of the findings. Similarly, Jayaweera (2014) contends that "there is no reliable source of quantitative data" to assess incidences of sexually exploited children, while Squire and Wijeratne for Terre des Hommes (2008) say that the "legitimacy of the figures and the methods used to establish [sexual exploitation of children] vary." These numbers should therefore be taken as an indication of the existence of CSE rather than reporting its prevalence or magnitude.

[88] The 2006 ECPAT report, for instance, found online advertisements that characterized Sri Lanka as an "ideal destination" for child sexual exploitation in travel and tourism.

[89] Indeed, the phenomenon of secondary victimization was recognized by a Sri Lankan judge in a rape case decided in 2010, who opined that "if the victim is a young girl of marriageable age she will lose any prospects of getting married under decent circumstances, naturally as no decent person of substance will like to enter into matrimony with a girl who is known to be a victim of rape, or for that matter no parent of some standing will knowingly allow, or give their consent to, such a marriage." The judge went on to describe how harrowing the secondary victimization can be when a victim is compelled to disclose what happened to her repeatedly to the police and then to a packed courtroom, and cited this as a reason why many victims prefer to remain silent (D.K. Indika Gayan v. AG-CA205/2007, HC.99/2001, before Ranjith Silva, J. and J. Upaly Abeyratne. Decided on 16.12.2010; cited in Weeratna 2015, p. 52).

3. Policy and governance

3.1 Leadership

The National Child Protection Authority (NCPA), within the Ministry of Women and Child Affairs, is the central agency for the prevention of child abuse and protection of child victims. The National Children's Charter was introduced in 1991, in order to harmonize national laws with the CRC. The Computer Emergency Readiness Team (CERT) is a national centre that acts as the focal point for cyber security. The NCPA established a Taskforce on Online Sexual Exploitation in 2015 (childprotection.gov 2015).

Specific measures to address commercial sexual exploitation through travel and tourism – the National Action Plan to Combat Child Sex Tourism and the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism – were begun in 2006, but without any online element. The National Action Plan was implemented over a two-year period and included an awareness-raising campaign and enhanced coordination between the police, NGOs and the tourism industry (ECPAT 2006). However, NGOs reported in stakeholder interviews that efforts to address commercial sexual exploitation through travel and tourism have decreased in recent years, including efforts to proactively investigate the crime.[90]

3.2 Research, analysis and monitoring

UNICEF's recent Digital Landscape study (conducted by the Institute for Participatory Interaction in Development) surveyed a sample of 5,349 children in order to identify the knowledge gaps and constraints in child and adolescent digital media practices and online safety. Although the study did not ask about sexual exploitation directly, it did gather data on some behaviours associated with the risk of exploitation. Notably, male users were found to be more likely than female users to share private information and to be less cautious when meeting strangers. CERT and the NCPA collect data on complaints and helpline use, respectively, although neither has a category for child online sexual exploitation (see further discussion of

data collection below). The National Committee on Women (NCW), which sits within the Ministry of Women and Child Affairs, has also commissioned a study on cyber-violence against women, focusing on prevention and legal reform.

3.3 Legislation

International commitments – Sri Lanka has ratified the CRC and the OPSC, has signed the WePROTECT Statement of Action, and became the first South Asian country to accede to the Budapest Convention on Cybercrime in 2015.

Domestic legislation – Sri Lanka has enacted a number of laws that address child sexual abuse and exploitation, some with online components. These include the Children's Charter 1992, the Penal Code (updated in 2006), the Obscene Publications Ordinance Act (OPOA, amended in 1983), and the Computer Crimes Act (CCA). As of 2016, Sri Lanka was going through a constitutional review process, and it is unclear what impact this may have on issues related to online CSE.

The Penal Code was amended in 1995 at Section 286A to introduce a new offence of "obscene publication and exhibition relating to children" under 18 years of age, which criminalized obscene or indecent exhibitions, shows, films, or photographs involving children.[91] The Penal Code was further amended in 1998 to impose a duty on developers of photographs or films to report any indecent or obscene photograph or film of a child they discover through their work, resulting in a penalty of imprisonment for up to two years and a possible fine. In 2006, the Penal Code was further amended at Section 286B to extend the reporting duty to persons providing "service by means of a computer," such as cybercafés, and requiring them to "take all such steps as are necessary to ensure that such computer facility is not used for the commission of an act constituting an offence relating to the sexual abuse of a child." Further, Section 286C of the Penal Code was also introduced in 2006 to criminalize the storing or distribution of child pornography by email and the Internet.

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[90] In collaboration with the NCPA, the CyberWatch programme monitored the Internet for child sexual abuse materials and other forms of commercial sexual exploitation. According to ECPAT (2006) sting operations based on chat room information led to several arrests under this programme.

[91] This new offence covered hiring, employing, assisting, persuading use, inducement, or coercion to perform in obscene or indecent photograph or film. It also criminalized distribution, publication, or possession of such photographs or films. The penalty under this section was set at imprisonment of between 2 and 10 years and a possible fine.

The Attorney General's office reported that requesting owners of websites hosted abroad to cooperate on evidence gathering is extremely difficult, and mutual legal assistance agreements are needed to ensure enhanced cooperation with ISPs located outside Sri Lanka. Sri Lanka does not have direct extradition or extraterritorial agreements with other countries. However, the police and the judiciary have been found to cooperate to punish foreign offenders arrested in Sri Lanka under their own country's territorial laws (Terre des Hommes 2008).

4. Criminal justice

4.1 Dedicated law enforcement

A police department within the NCPA is responsible for investigating cases involving online CSE. This department can also request assistance from the Cybercrimes Investigation Department (CID). Stakeholders indicated that technology access/expertise limits these departments; the CID does not have the INTERPOL-recommended software used for tracking online CSE.

Several stakeholders advised that the most significant issue for Sri Lanka is not the laws but rather their implementation. The most significant areas reportedly in need of reform are the police investigation stage (which includes procedural laws related to sentencing), the court system (which is currently inordinately slow) and the handling of evidence.

4.2 Judiciary and prosecutors

A number of police and justice sector professionals reported that delayed justice is an issue in Sri Lanka. A perpetrator of child rape can be released on bail for a very long time before facing court, which makes the deterrence factor very low. Due to these delays in cases coming to court, and a general lack of trust and confidence in the justice system, the Attorney

General's office receives around 200 requests every year to drop cases. Furthermore, there is a very low rate of convictions in cases when they do eventually reach court. Although harsh penalties exist under the Penal Code for perpetrators of child sex abuse, in reality sentences are routinely suspended, and the perpetrator goes free.[92]

Police advised that if the case comes under the Computer Crimes Act it has then to go to the Attorney General's office where it reportedly takes five to six years for judgements to be dispensed in almost all types of cases. If the case comes under the Penal Code or the OPOA, then the police can file a plaint in court, which is quicker, but they still have to wait for an expert report before the case can be heard.

Police advised that cases that involved digital forensic evidence, or the application of the CCA, could experience extreme delays (from a year and a half to six years). This was partly due to delays in obtaining expert forensic reports, which are currently provided on a pro bono basis by experts located in the university who take around a year and a half to produce their reports. The CCA mentions the university as the source of expert reports but there does not appear to be any budget allocation for this. The Evidence Ordinance references the government analysis department, but this department does not have the expertise to analyse electronic evidence. Only the Colombo court is equipped to use video evidence.

4.3 Access to image databases

Sri Lanka does not have access to the ISCE database.

5. Victims

5.1 End-to-end support

Child victims are entitled to legal aid if they qualify for financial assistance, and there are 47 "Legal

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[92] The report further to the study, 'Justice Suspended?' explains that when the Penal Code was amended in 1995, the government brought in mandatory punishments in cases involving sexual abuse of women and children including sentences of between 7 and 20 years. Following this amendment, courts reportedly imposed strong deterrent sentences in such cases and wide publicity was given to these penalties in the media. However, in a Supreme Court judgement handed down in 2008, in which a 16-year-old girl had eloped with a man and the man was charged with rape, the judge held that it was unjust to impose a mandatory 10-year jail sentence on the accused in view of the consensual circumstances of the case, and therefore gave the accused a suspended sentence. Following this case, it was found that several High Court judges had released the accused in inappropriate child sexual abuse cases with suspended sentences based on a misunderstanding of the Supreme Court judgement. It seemed that certain judges were under the impression that they had a general discretion to impose suspended sentences on the accused in all cases of sexual violence against women and children, while disregarding the gravity of the offence and lack of mitigating circumstances. In response, LHRD filed a Fundamental Rights case in the Supreme Court, to draw attention to the judges of the harmful consequences of suspending sentences in cases involving sexual violence, and to request proper guidelines on sentencing from the court.

Aid Centres" across the country, but these are reported to lack adequate resources, and in practice it is reportedly difficult for child victims to obtain a lawyer. In terms of child-friendly justice procedures, a 1999 amendment to the Law on Evidence in Sri Lanka provides for the use of video evidence of the preliminary interview of a child victim in child abuse cases; however, this provision is reportedly rarely observed despite technical facilities being available, due to a lack of awareness among law enforcement officers (Child Rights International Network 2014b, p. 10).

The Victims Protection Act of 2011 gave witness protection to victims of crime for the first time. More recently, the Assistance to and Protection of Victims of Crime and Witnesses Act No. 4 of 2015 provides a higher level of protection and relief to both victims and witnesses of crime, including children. However, lawyers advised that although this law is good on paper, it is poorly implemented. Victim support systems are still in development. The CRC Committee notes that child sexual abuse victims have been placed in remand after being exploited in prostitution and lack appropriate shelter care (CRC 2010). Tamil children in particular appear to have less access to support and safety (Geetharthanan n.d.).

5.2 Redress

The 2015 Assistance to and Protection of Victims of Crime and Witnesses Act provides that victims of crime are entitled to receive a sum of money from the National Authority for the Protection of Victims and Witnesses and Crime to cover the costs of expenses accrued as a result of the offence and participation in judicial proceedings. Stakeholders were advised that the corresponding Victims of Crime and Witnesses Assistance and Protection Fund was not yet operational.

Child victims are entitled to bring civil claims for compensation under the Civil Procedure Code of Sri Lanka, but the action must be brought by an adult on their behalf (chapter XXXV). Courts can award compensation in civil proceedings in the form of pecuniary and non-pecuniary damages, but compensation is not awarded to cover the costs of rehabilitation or to address satisfaction of the victim (Child Rights International Network 2014b). Stakeholders advised that the slow pace of the

court systems probably dissuades many victims from pursuing such cases, even when they have access to a lawyer.

5.3 Child helpline

The National Child Protection Authority (NCPA) runs a child helpline phone number, "1929", which is also advertised as a reporting option in online safety campaigns. The 1929 helpline responds to the emergency needs of children, and links them to appropriate care and rehabilitation services (childprotection.gov 2015). The NCPA reported that over a six-month period it received an unprecedented 2,317 reports of cruelty to children to the 1929 number, although unclear from the reporting is the number of complaints related to online sexual exploitation.

Stakeholders working directly with children and youth advised that NCPA helpline staff would benefit from up-to-date training on how to appropriately respond to reports of online sexual exploitation or harassment.

6. Societal

6.1 Reporting hotline

Complaints can be made to Sri Lanka Computer Emergency Readiness Team (CERT) on incidents relating to a variety of cyber security issues. To date, it was reported that the number of complaints to CERT specifically identifying online sexual exploitation of children is low, but this may in part because CERT only recently started disaggregating complaint data by age. Between October 2015 and February 2016, CERT received 32 complaints by individuals under the age of 18. Twenty-five of these reports were made by girls and were categorized as complaints about devices or accounts being "hacked" or the setting-up of a false account.

6.2 Education programmes

Education was identified by stakeholders as a key prevention tool (both formally in schools and culturally in communities), and was a consistent topic of concern for stakeholders. There is limited teaching of sexual and reproductive health in Sri Lankan schools; a curriculum does exist, but many teachers are reluctant to teach it.[93]

[93] A 2015 report from UNESCO finds that comprehensive sexual education can positively impact self-esteem and safer sexual behaviours but must be culturally and age-appropriate – understanding the contexts of gender, sex and sexuality.

The MoE has also worked with UNICEF to produce violence prevention campaigns in schools, and has introduced Internet Safety Teams comprised of teachers and peer leaders. The NGO Grassrooted also works with schools to run candid education and awareness-raising sessions with adolescents about online safety and the risks of online sexual exploitation. Microsoft Sri Lanka and Dialog, a mobile operator in Sri Lanka, have both begun to raise awareness among youth and children on safe use of the Internet, covering privacy management, cyber security and information sharing. Microsoft has developed an online safety curriculum and is seeking Ministry of Education approval to roll it out in schools.

7. Industry

7.1 Notice and takedown procedures

CERT has worked with Facebook to coordinate the removal of content they receive through complaints, although stakeholders advised there is some discrepancy between Sri Lankan standards of obscenity and Facebook's terms of service (Paranamanna 2013). There was no other information about government capacity for blocking or removing illegal content online.

7.2 Child sexual abuse and exploitation reporting

The Information and Communication Technology Agency (ICTA) helps the government formulate and implement government policy on ICT; however, there is no information on any requirements for monitoring, storage, or response by the ICT industry in the case that sexual exploitation material is found online.

7.3 Innovative solution development

The mobile phone company Dialog launched the app Suraksha, which monitors incoming and outgoing calls on a device, restricted to four contacts specified by the child's parents or guardians. The app also includes a one-touch SOS dial button that can be used at a time of emergency (Daily News 2015). Some stakeholders suggested that it would be desirable to filter types of inappropriate content at the ISP and mobile operator level. Such filtering technologies are relatively new, and experimentations around proof of concepts are under way.

8. Health

8.1 Specialized health centres

The Sri Lankan Ministry of Health reported that they are setting up safe homes for child victims of sexual exploitation and has done so already in selected hospitals, including the Colombo North Teaching Hospital. This model will ensure that all services are coordinated within one unit. The model is being replicated at the provincial level with a view to setting up five throughout the country.

8.2 Specialized health training

Stakeholders advised that as part of criminal cases child victims are referred to a specialized judicial medical officer for assessment. A judicial medical officer will give some counselling and reassure the victims that it was not their fault. This is likely to be a one-off session, unless the medical officer decides the child needs to be referred to a psychologist. There are some counsellors and therapists, as well as triage hospital services for child victims, but there is no systematic mechanism to provide these services to them.

8.3 Data collection and record keeping

There is reporting data from both the CERT hotline and the NCPA helpline on reported crimes across the country. However, neither of these include specific categories for online CSE. For CERT, the categories broadly address online abuse (which can include cyber crime such as hacking) and for the NCPA, categories include cruelty to children and grave sexual abuse, but do not specify online. No information is available about data collected by health institutions.

9. Promising efforts

Sri Lanka was one of the first members of the WePROTECT Initiative in the region, and the first to ratify the Budapest Cybercrime Convention.

The Digital Landscape study is a good example of the type of data gathering that could further child protection efforts. Not only is the study broad and up to date, it marries quantitative data with the qualitative data on actual child behaviours that are so often lacking from data collection efforts.

The Ministry of Women and Child Affairs, with the support of UNICEF, has initiated a mapping of the child protection system that will identify strengths and gaps in current responses.

10. Recommendations

Key recommendation

Stakeholders identified substantial delays in the justice system as a significant issue. It is recommended that the Ministry of Justice undertake a functional assessment, potentially in collaboration with UNICEF, that:

- tracks speed of cases from arrest to conclusion to identify where bottlenecks occur;

- measures user satisfaction with the process;

- determines caseload and number of days spent per case;

- assesses record-keeping practices to determine how cases are tracked.

Reporting, data collection and evidence

1. Coordination of data sets and response protocols among police, CERT and the NCPA helplines will improve response to abuse reporting. Where possible, data collection should include online categories and be disaggregated by age, gender and geography. This will additionally aid in informing future evidence-based policy.

2. Specialized training for NCPA helpline staff and the Women and Children's Bureau is recommended to improve handling of initial complaints, referrals, recording of data and the investigation of cases.

Education and Awareness

1. Stakeholders report that access to sexuality education is limited, and youth are potentially unaware of the risks of sharing images of themselves. A public health approach that identifies online CSE as a public concern may be necessary to provide national sexuality and relationship training.

Legal

1. ICTA will be conducting trainings of justice sector professionals under the auspices of Sri Lanka's accession to the Budapest Convention. The NCPA, UNICEF and other child protection actors should coordinate with ICTA and determine to what extent current gaps can be addressed through ICTA's training programme.

2. Given that the examination of electronic evidence is exacerbating delays in cases getting to court, the State should prioritize funding of the university forensic department identified in the CCA as having the mandate to produce expert forensic reports regarding electronic evidence. In the alternative, or in addition, the State should ensure that the Government Analysis Department is equipped to analyse electronic evidence further to its mandate under the Evidence Ordinance.

3. It is recommended that online CSE cases should be filed under the Penal Code or under the OPOA, rather than under the CCA, because this will be quicker, especially if the delays in examining electronic evidence can be overcome.

4. The Government of Sri Lanka should set up a State Compensation Fund for child victims of online sexual exploitation.

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Appendix G. Important international laws and recognized frameworks for addressing online child sexual exploitation

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

- Text of the CRC: viewed 21 January 2017, <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

- UNICEF Implementation Handbook for the CRC: viewed 21 January 2017, <www.unicef.org/publications/index_43110.html>.

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

- Text of the OPSC: viewed 21 January 2017, <www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>.

- UNICEF Handbook on the OPSC: viewed 21 January 2017, <www.unicef-irc.org/publications/pdf/optional_protocol_eng.pdf>.

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Abuse (Lanzarote Convention)

- Text of the Lanzarote Convention: viewed 21 January 2017, <www.coe.int/en/web/conventions/full-list/-/conventions/treaty/201>.

- Explanatory Report to the Lanzarote Convention: viewed 21 January 2017, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800d3832>

Council of Europe Budapest Convention on Cybercrime

- Text of the Budapest Convention: viewed 21 January 2017, <www.coe.int/en/web/conventions/full-list/-/conventions/treaty/185>.

- Explanatory Report to the Budapest Convention: viewed 21 January 2017, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800cce5b>.

International Centre for Missing & Exploited Children Model Law on Child Pornography

- Child Pornography: Model Legislation & Global Review: viewed 21 January 2017, <www.icmec.org/research-library/>.

Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse

- Luxembourg Guidelines: viewed 21 January 2017, <http://luxembourgguidelines.org/>.

UNICEF and ITU Guidelines for Industry

- The UNICEF and ITU Guidelines for Industry on Child Online Protection: viewed 21 January 2017, <www.itu.int/en/cop/Documents/bD_Broch_INDUSTRY_0909.pdf>.

Children's Rights and Business

- Business & Human Rights Resource Centre: viewed 21 January 2017, <www.business-humanrights.org/en/principles/childrens-rights-and-business-principles>.

- Children's Rights and Business Principles: viewed 21 January 2017, <http://childrenandbusiness.org/>.

Child-friendly Justice Procedures

- UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime: viewed 21 January 2017, <www.un.org/en/ecosoc/docs/2005/resolution%202005-20.pdf>.

- UNODC and UNICEF Model Law and Related Commentary on Justice in Matters involving Child Victims and Witnesses of Crime: viewed 21 January 2017, <www.unodc.org/documents/justice-and-prison-reform/Justice_in_matters...pdf>.

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