

# The sexual exploitation of children through the use of ICTs

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A NETWORK OF 82 INDIVIDUAL AND ORGANIZATIONAL MEMBERS BASED IN 75 COUNTRIES.

INTERNATIONAL SECRETARIAT BASED IN BANGKOK, THAILAND.

ECPAT CAMPAIGNS TO ELIMINATE CHILD PROSTITUTION, CHILD PORNOGRAPHY AND THE TRAFFICKING OF CHILDREN FOR SEXUAL PURPOSES.



THERE IS A HUGE DIFFERENCE  
BETWEEN WHAT TECHNOLOGY CAN  
DO AND WHAT HUMAN BEING CHOOSE  
TO DO WITH TECHNOLOGY

Prof. Seymour Papert



# AGENDA

- INTRODUCTORY GENERAL REMARKS
- IMPLEMENTATION AND ENFORCEMENT OF THE RIGHT OF CHILDREN TO BE PROTECTED FROM SEXUAL EXPLOITATION THROUGH THE USE OF ICTs



# INTRODUCTORY REMARKS



# Faces of sexual exploitation through the use of ICTs:

1. Still images, videos, written and oral stories, drawings, mangas, digitally-created images;
2. “Grooming” for sexual purposes;
3. Live streamed shows and Made-to-Order CSAM;
4. Self generated erotic/pornographic videos including sexting and sextortion.



# From risks to harm

- All forms of sexual exploitation of children perpetrated through the use of ICTs (or else) are a form of violence against children
- Serious harm to children



# Acknowledging wide range of type of children victims:

- Children who are connected and child victims who are not connected;
- Victims might be connected children but initial contact not made through the use of ICTs





# Acknowledging the role of technology at different stages in cases of sexual exploitation through ICT

- **How** and **when** technology is **used** and **misused**, varies greatly depending on forms of exploitation and other factors.



# **IMPLEMENTATION AND ENFORCEMENT OF THE RIGHT OF CHILDREN TO BE PROTECTED FROM SEXUAL EXPLOITATION THROUGH THE USE OF ICTs**



# Implementation from a legal perspective



# The impact of legal gaps

- Having gaps, lenient or weak legal frameworks (e.g. laws referring to “immoral”, “indecent” or “obscene” activities or materials, which leave room for interpretation) encourages the commission of abuses against children;



# International and regional legal standards

<b>Legal standard</b>	<b>Open for signature</b>	<b>Entry into force</b>
<b>CRC</b>	<b>Nov. 1989</b>	<b>Sept. 1990</b>
<b>OPSC</b>	<b>May 2000</b>	<b>Jan. 2002</b>
<b>CoE Convention on Cybercrime</b>	<b>Nov. 2001</b>	<b>July 2004</b>
<b>CoE Lanzarote Convention</b>	<b>Oct. 2007</b>	<b>July 2010</b>



## OPSC does not criminalize:

- Mere possession;
- Intentional access to child pornography through ICT;
- Online real-time viewing of child pornography;
- Grooming.



# Need to harmonize national legislations:

- Albania, Romania, Armenia, Belarus and Azerbaijan: private possession is not illegal;
- Kazakhstan and Uzbekistan: no specific legislation on cp;
- Japan: possession of materials only of real children.



# Implementation from a law enforcement perspective:

- Limited technical, human and financial resources;
- Disparities;
- Procedural aspects such as investigations undercover.





# Implementation from a private sector perspective:

- IT sector (content and ISPs providers, mobile operators, app developers);
- Financial sector.



# Implementation obstacles from a civil society perspective



MUCHAS GRACIAS



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