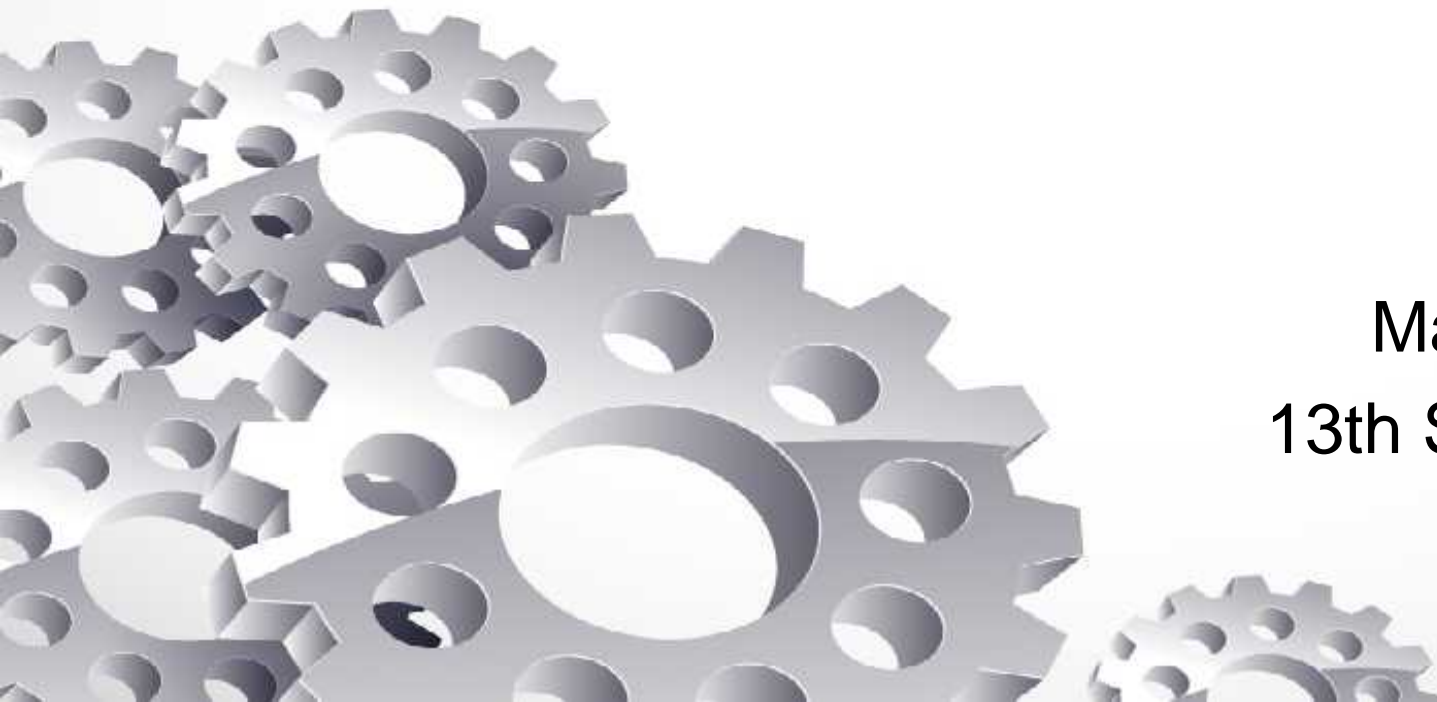


# CHILD ONLINE PROTECTION - THE ASEAN SITUATION

Amelia Gowa

Manila, Philippines

13th September, 2016



# THE SURVEY



Why hold a survey? What is the end goal?

- Developing guides and promoting awareness on online risks, particularly to vulnerable groups (children, youth, less-abled) and how they respond;
- Developing measures for child online protection, including communication channels to report 'harmful content' and online abuse to the relevant AMS authorities, with a focus on safety for children.

# THE SURVEY



The format:

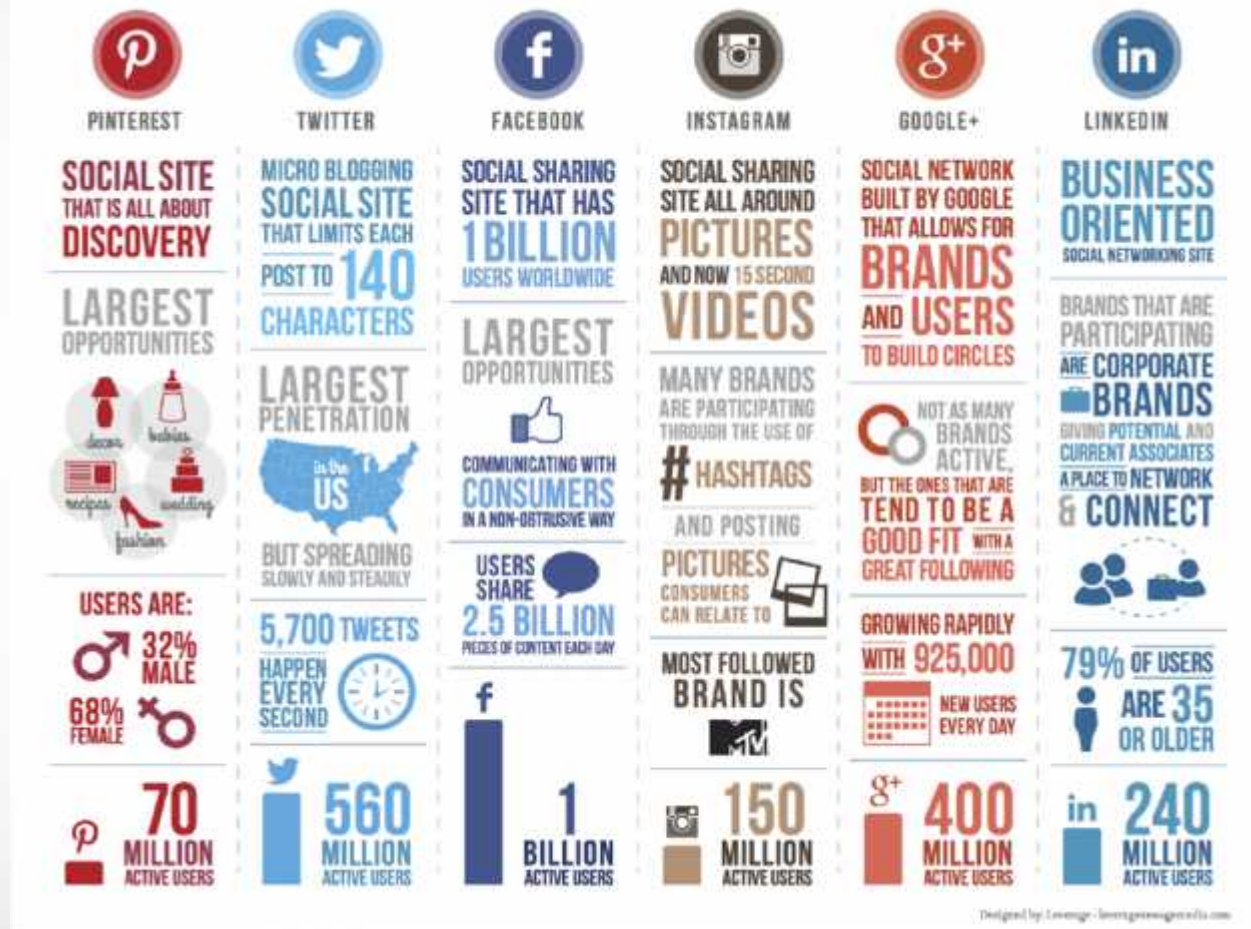
- Identifying the issues, level of accessibility

*Specific national context:*

- Policies, governance and legislation
- Awareness and educational programmes
- Training for various entities
- Research and relevant information
- Industry involvement
- International cooperation

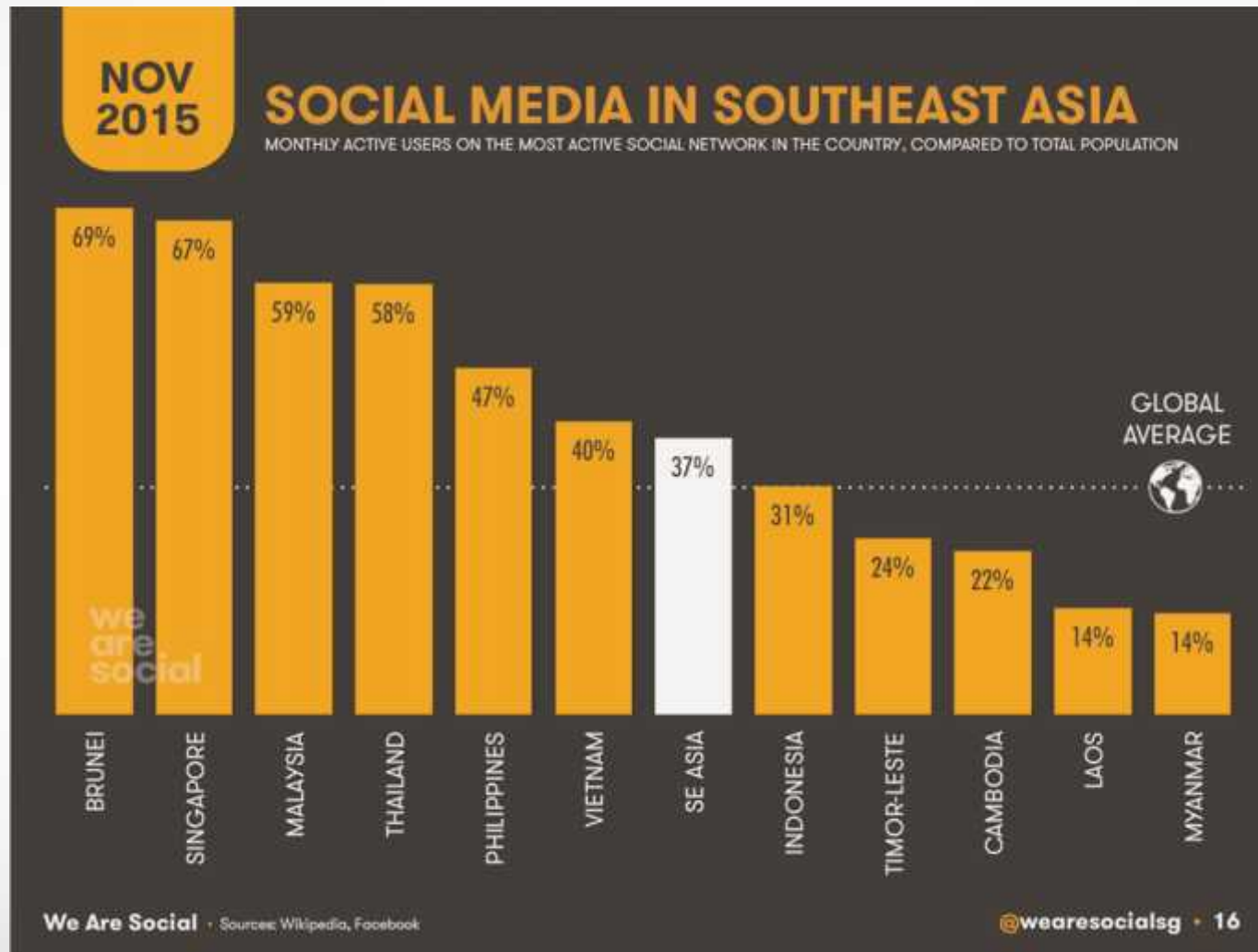
# TRENDS OF COMMUNICATION

## Social media and digital communication



Picture credit: LeverageNewAgeMedia.com

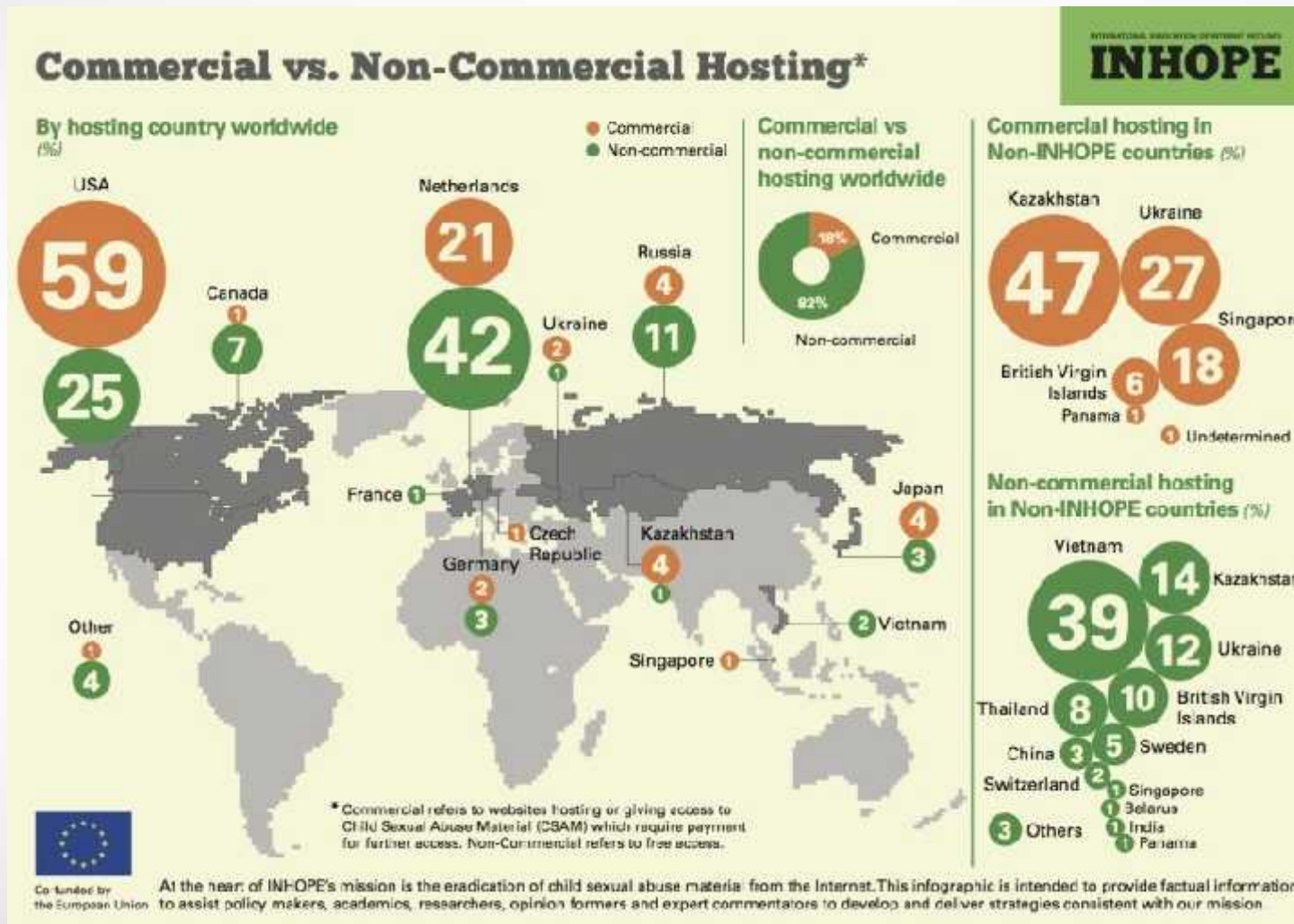
# IDENTIFYING THE ISSUES







# IDENTIFYING THE ISSUES



# REGIONAL OVERVIEW: LEGISLATION



	CRC	Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	Optional Protocol to the CRC on a communications procedure (OP3 CRC)	ILO Worst Forms of Child Labour Convention	Trafficking Protocol
<b>Brunei Darussalam</b>	Yes – with reservations	Yes	No	Yes	No
<b>Cambodia</b>	Yes	Yes	No	Yes	Yes
<b>Indonesia</b>	Yes	Yes	No	Yes	Yes
<b>Lao PDR</b>	Yes	Yes	No	Yes	Yes
<b>Malaysia</b>	Yes – with reservations	Yes – with declarations	No	Yes	Yes
<b>Myanmar</b>	Yes	Yes	No	Yes	Yes
<b>Philippines</b>	Yes	Yes	No	Yes	Yes
<b>Singapore</b>	Yes – with reservations and declarations	No	No	Yes	Yes
<b>Thailand</b>	Yes – with a reservation	Yes	Yes	Yes	Yes
<b>Viet Nam</b>	Yes	Yes	No	Yes	Yes



# REGIONAL OVERVIEW: LEGISLATION

	Expressly criminalizes 'child pornography'	Clear definition of 'child pornography'	Criminalizes simple possession	Reporting obligation for ISPs	Criminalizes sexual grooming
<b>Brunei Darussalam</b>	Yes – Penal Code	Yes – Penal Code	Yes – Penal Code	No	Yes – Penal Code <sup>4</sup>
<b>Cambodia</b>	Yes – Law on Suppression of Human Trafficking and Sexual Exploitation	Yes – Law on Suppression of Human Trafficking and Sexual Exploitation	No	No	No
<b>Indonesia</b>	Yes – Law concerning Pornography and Law concerning Electronic Information and Technology	No	Yes – Law concerning Pornography and Law concerning Electronic Information and Technology	No	No
<b>Lao PDR</b>	Yes – Law on the Protection of Rights and Interests of Children and Law on Preventing and Combating Violence against Women and Children	No	No	No	No
<b>Malaysia</b>	Yes – Child Act <sup>5</sup>	No	No	No	No
<b>Myanmar</b>	Yes – Child Law <sup>6</sup>	No	No <sup>7</sup>	No	No
<b>Philippines</b>	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act	Yes – Anti-Child Pornography Act
<b>Singapore</b>	Yes – Films Act and Undesirable Publications Act <sup>8</sup>	No	Yes – Films Act and Undesirable Publications Act	No	Yes – Penal Code
<b>Thailand</b>	Yes – Child Protection Act <sup>9</sup> and Penal Code	Yes – Penal Code	Yes – Penal Code	No	No
<b>Viet Nam</b>	Yes – Penal Code <sup>10</sup>	No	No	No	No



# REGIONAL OVERVIEW: NATIONAL POLICIES

<b>Brunei Darussalam</b>	<ul style="list-style-type: none"><li>• Child Online Protection Framework (2014)</li></ul>
<b>Cambodia</b>	<ul style="list-style-type: none"><li>• National Action Plan for Child Development (2016-2018)</li><li>• National Plan on Counter Trafficking in Persons (2014-2018)</li><li>• National Strategic Plan on the Support, Care and Protection of Orphans and Vulnerable Children (2013-2018)</li><li>• (Draft) Sub-decree on Child Protection and Code of Conduct</li><li>• Costed Action Plan to Prevent and Respond to Violence Against Children (currently in final stages of development)</li></ul>
<b>Indonesia</b>	<ul style="list-style-type: none"><li>• National Medium-Term Development Plan (2015-2019) – includes addressing violence against children</li><li>• Presidential Instruction No. 5 in Year 2014 on National Movement on Anti-Sexual Crime against Children</li><li>• National Strategy to Eliminate Violence in Childhood (2016-2020)</li></ul>
<b>Lao PDR</b>	<ul style="list-style-type: none"><li>• National Plan of Action on the Prevention and Elimination of Violence against Women and Violence against Children in Lao PDR (2014-2020)</li></ul>
<b>Malaysia</b>	<ul style="list-style-type: none"><li>• National Policy on Children and its Plan of Action (2009-2015)</li><li>• National Child Protection Policy and its Plan of Action (2009-2015)</li><li>• Plan of Action on Child Online Protection</li></ul>
<b>Myanmar</b>	<ul style="list-style-type: none"><li>• National Plan for Children (2006-2015)</li></ul>
<b>Philippines</b>	<ul style="list-style-type: none"><li>• National Strategic Framework for Plan Development for Children (2000-2025) and National Plan of Action (2011-2016)</li><li>• Comprehensive Plan on Child Protection (2012-2016)</li></ul>
<b>Singapore</b>	<ul style="list-style-type: none"><li>• No overall policy to guide programme development – various sectoral strategies concerning children</li></ul>
<b>Thailand</b>	<ul style="list-style-type: none"><li>• No overall policy to guide programme development – various plans and agendas concerning children including:<ul style="list-style-type: none"><li>• Strategy and Plan for Protection and Solution of Violence against Children and Youth (2015-2021)</li><li>• Strategy to promote Media Literacy for Children and Youth (currently in process of development)</li></ul></li></ul>
<b>Viet Nam</b>	<ul style="list-style-type: none"><li>• National Programme of Action for Children (2011-2020)</li><li>• National Programme on Child Protection (2011-2015)</li><li>• National Plan of Action on Counter Human Trafficking (2016-2020)</li><li>• (Proposed) National Plan on Child Online Protection (2016-2020)</li></ul>



# REGIONAL OVERVIEW: NATIONAL BODIES

<b>Brunei Darussalam</b>	<ul style="list-style-type: none"><li>• Ministry of Culture, Youth and Sports – Department of Community Development</li><li>• Child Online Protection Committee under the Ministry of Culture, Youth and Sports – constituting relevant ministries, agencies and ISPs</li></ul>
<b>Cambodia</b>	<ul style="list-style-type: none"><li>• Ministry of Social Affairs, Veterans and Youth Rehabilitation – child protection cuts across several departments</li><li>• Ministry of Women Affairs – leads the development of the Costed Action Plan to Prevent and Respond to Violence against Children</li><li>• Cambodia National Council for Children</li><li>• National Committee for Counter Trafficking – some overlapping coordinating functions with Cambodian National Council for Children</li><li>• National Multi-Sector Task Force for Orphans and Vulnerable Children</li></ul>
<b>Indonesia</b>	<ul style="list-style-type: none"><li>• Ministry of Social Affairs and the Ministry of Women's Empowerment and Child Protection have distinct roles in relation to child protection</li><li>• Ministry of Human Development and Culture coordinates the National Task Force on Anti-Trafficking in Persons</li></ul>
<b>Lao PDR</b>	<ul style="list-style-type: none"><li>• National Commission for Mothers and Children</li></ul>
<b>Malaysia</b>	<ul style="list-style-type: none"><li>• Ministry of Women, Family and Community Development – primarily through the Child Division of the Department of Social Welfare</li><li>• Coordinating Council for the Protection of Children – chaired by the Director General of Social Welfare and includes relevant ministries and agencies</li><li>• Child Online Protection Task Force – constituting relevant ministries and civil society</li></ul>
<b>Myanmar</b>	<ul style="list-style-type: none"><li>• Ministry of Social Welfare, Relief and Resettlement – primarily through the Department of Social Welfare</li><li>• National Committee on the Rights of the Child</li></ul>
<b>Philippines</b>	<ul style="list-style-type: none"><li>• Council for the Welfare of Children (CWC)</li><li>• Convergence of Council and Committees for Child Protection – includes representatives from the CWC, Inter-Agency Council against Child Pornography, Interagency Council against Trafficking, Committee for the Special Protection of Children and Office of Cybercrime of the Department of Justice</li></ul>
<b>Singapore</b>	<ul style="list-style-type: none"><li>• Ministry of Social and Family Development</li><li>• Ministry of Home Affairs</li><li>• Inter-Ministry Working Group on Child Protection</li><li>• Singapore Inter-Agency Taskforce on Trafficking in Persons</li></ul>
<b>Thailand</b>	<ul style="list-style-type: none"><li>• Ministry of Social Development and Human Security – Department of Children and Youth</li><li>• Several committees – Sub-Committee on Child Rights, National Sub-Committee to Combat Trafficking in Children and Women and National Child Protection Committee</li></ul>
<b>Viet Nam</b>	<ul style="list-style-type: none"><li>• Ministry of Labour, Invalids and Social Affairs</li></ul>



# BRUNEI:

1. Leadership	*
2. Research, analysis and monitoring	
3. Legislation	*
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
14. Child participation	
15. Offender support systems	
16. Notice and takedown procedures	
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	
19. Corporate social responsibility	
20. Ethical and informed media reporting	



# CAMBODIA:

1. Leadership	
2. Research, analysis and monitoring	
3. Legislation	
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	*
13. Education programme	
14. Child participation	*
15. Offender support systems	
16. Notice and takedown procedures	
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	
19. Corporate social responsibility	
20. Ethical and informed media reporting	





# INDONESIA:

1. Leadership	
2. Research, analysis and monitoring	
3. Legislation	
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
14. Child participation	*
15. Offender support systems	
16. Notice and takedown procedures	
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	
19. Corporate social responsibility	
20. Ethical and informed media reporting	



# LAO PDR:

1. Leadership	
2. Research, analysis and monitoring	
3. Legislation	
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
14. Child participation	
15. Offender support systems	
16. Notice and takedown procedures	
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	
19. Corporate social responsibility	
20. Ethical and informed media reporting	



# MALAYSIA:

1. Leadership	*
2. Research, analysis and monitoring	*
3. Legislation	
4. Dedicated law enforcement	*
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
14. Child participation	
15. Offender support systems	
16. Notice and takedown procedures	
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	*
19. Corporate social responsibility	*
20. Ethical and informed media reporting	



# MYANMAR:

1. Leadership
2. Research, analysis and monitoring
3. Legislation
4. Dedicated law enforcement
5. Judiciary and prosecutors
6. Offender management process
7. Access to image databases
8. End-to-end support
9. Child protection workforce
10. Compensation, remedies and complaints
11. Child helpline
12. Reporting hotline
13. Education programme
14. Child participation
15. Offender support systems
16. Notice and takedown procedures
17. Child sexual abuse and exploitation reporting
18. Innovative solution development
19. Corporate social responsibility
20. Ethical and informed media reporting



# THE PHILIPPINES:

1. Leadership	*
2. Research, analysis and monitoring	
3. Legislation	*
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	*
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
14. Child participation	*
15. Offender support systems	
16. Notice and takedown procedures	*
17. Child sexual abuse and exploitation reporting	*
18. Innovative solution development	
19. Corporate social responsibility	
20. Ethical and informed media reporting	





# SINGAPORE:

1. Leadership	
2. Research, analysis and monitoring	
3. Legislation	
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	*
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
14. Child participation	
15. Offender support systems	
16. Notice and takedown procedures	*
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	
19. Corporate social responsibility	
20. Ethical and informed media reporting	



# THAILAND:

1. Leadership	
2. Research, analysis and monitoring	
3. Legislation	
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	*
13. Education programme	
14. Child participation	
15. Offender support systems	
16. Notice and takedown procedures	
17. Child sexual abuse and exploitation reporting	
18. Innovative solution development	
19. Corporate social responsibility	*
20. Ethical and informed media reporting	



# VIETNAM:

1. Leadership	
2. Research, analysis and monitoring	
3. Legislation	
4. Dedicated law enforcement	
5. Judiciary and prosecutors	
6. Offender management process	
7. Access to image databases	
8. End-to-end support	
9. Child protection workforce	
10. Compensation, remedies and complaints	
11. Child helpline	
12. Reporting hotline	
13. Education programme	
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**THANK YOU**