



REPORT OF ASEAN CONFERENCE ON THE PREVENTION AND RESPONSE TO THE MISUSE OF FINANCIAL SERVICE PROVIDERS IN CHILD SEXUAL EXPLOITATION



KEMENTERIAN
PERHUKUMAN REPUBLIK INDONESIA
PEREMPOWAAN PERISIAAN DAN PENUNJANGAN ANAK



Down to Zero
Fighting sexual exploitation of children



ASSOCIATION
OF SOUTHEAST
ASIAN NATIONS



REPORT OF ASEAN CONFERENCE ON THE PREVENTION AND RESPONSE TO THE MISUSE OF FINANCIAL SERVICE PROVIDERS IN CHILD SEXUAL EXPLOITATION

Hosted By



ASSOCIATION OF SOUTHEAST ASIAN NATIONS



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The ASEAN Conference on the Prevention and Response to the Misuse of Financial Service Providers in Child Sexual Exploitation was made possible through the valuable support of many organizations, experts, authors, reviewers, advisers, volunteers, interns and secretariat team, whose commitment and dedication made the Conference possible.

The Organizing Committee: ECPAT Indonesia, The Ministry of Women's Empowerment and Child Protection Republic of Indonesia, Denpasar City Government, Down to Zero Alliance, ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) under the leadership of Indonesia's ACWC Representative for Children's Rights and Association of Criminal Law and Criminology Lecturer (ASPERHUPIKI)

The Partner Collaboration: Center for Study and Child Protection (Yayasan PKPA), Kindernothilfe, German Cooperation, Yayasan Our Rescue Indonesia Raya, ECPAT International, Terre des Hommes Asia, Yayasan Kasih yang Utama, Yayasan Gemilang Sehat Indonesia

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- Dr. Ahmad Sofian, ECPAT Indonesia
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- Dr. Ahmad Sofian (National Coordinator ECPAT Indonesia)
- H.E. Ekkaphab Phanthavong, Deputy Secretary-General (DSG) of ASEAN for Socio-Cultural Community (ASCC)
- I Kadek Agus Arya Wibawa SE, MM (Vice Mayor of Denpasar, Bali)
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- Benjamin Lawrence Patrick Aritao - International Justice Mission
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GLOSSARY

ACCE	Australian Centre to Combat Child Exploitation
ACWC	ASEAN Commission on the Promotion and Protection of the Rights of Women and Children
AI	Artificial Intelligence
AML	Anti Money Laundering
AMLC	Anti-Money Laundering Council
AMMTC	ASEAN Ministers Meeting on Transnational Crime
APJII	Asosiasi Penyelenggara Jasa Internet Indonesia (Indonesian Internet Service provider Association)
ASCC	ASEAN for Socio-Cultural Community
ASPERHUPIKI	Asosiasi Pengajar Hukum Pidana dan Kriminologi (Indonesia and Association of Criminal Law and Criminology Lecturer)
AUSTRAC	Asia Australian Transaction Reports and Analysis Centre
CAD	The Commercial Affairs Department
CDD	Customer Due Diligence
CFT	Countering the Financing of Terrorism
CRBP	Children's Rights and Business Principle
CSAM	Child Sexual Abuse Material
CSE	Child Sexual Exploitation
CSEM	Child Sexual Exploitation Materials
CSERT	Child Sexual Exploitation Response Team
CSH	Cyber Secual Harassment
CVC	Convertible Virtual Currency
DAP	Direct Access Protocol
DeFi	Decentralized Finance
DSG	Deputy Secretary-General
ECPAT	Ending the Sexual Exploitation of Children
EMIs	E-money Issuers

ETH	Ethereum
EVAC	Elimination of Violence Against Children
FATF	Financial Action Task Force
FBI	Federal Bureau of Investigation
FICG	Financial Intelligence Consultative Group
FinTech	Financial Technology
FIU	Financial Intelligence Unit
FSGI	Federasi Serikat Guru Indonesia (Federation of Indonesia Teachers Unions)
FTA	Financial Trend Analysis
HEDIPRO	Hero of Digital Protection
ICITAP	International Criminal Investigative Training Assistance Program
ICT	Information and Communication Technology
IFCAC	International Financial Crime and Anti-Corruption Center
ITE Law	The Electronic Information and Transactions Law
IWF	Internet Watch Foundation
KHA	Konvensi Hak Anak (Convention on Children's Rights)
KOMINFO	Kementerian Komunikasi dan Informatika (Ministry of Communication and Information Technology)
KPAI	Komisi Perlindungan Anak Indonesia (Indonesian Commission on Child Protection)
KUHP	Kitab Undang-undang Hukum Pidana (Criminal Procedure Code)
PTSD	Post-Traumatic Stress Disorder
KPPPA	Kementerian Pemberdayaan Perempuan & Perlindungan Anak (Ministry of Women Empowerment and Child Protection)
KYC	Know Your Customer
LBH	Lembaga bantuan Hukum
LEAs	Law Enforcement Agencies
LPKA	Lembaga Pembinaan Khusus Anak (Youth Correctional Center)
MIS	Management Information System
MSBs	Money Service Businesses
NCMEC	National Center for Missing & Exploited Children
NFBPs	Non-financial Businesses and Professions
NGO	Non Governmental Organization

NICHD	The National Institute for Children and Human Development
NSPCC	The National Society for the Prevention of Cruelty to Children
OCSEA	Online Child Sexual Exploitation and Abuse
OFW	Overseas Filipino Worker
OJK	Otoritas Jasa Keuangan (Financial Services Authority)
PERMA	Peraturan Mahkamah Agung (Supreme Court Rules)
PKPA	Pusat Kajian dan Perlindungan Anak
POLRI	Kepolisian Republik Indonesia (Indonesian National Police)
PPATK	Pusat Pelaporan dan Analisis Transaksi Keuangan (Indonesian Financial Transaction Reports and Analysis Center)
RPA-COEA	Regional Action Plan for the Protection of Children from All Forms of Online Exploitation and Abuse
RPA	Regional Plan of Action
SPCC	Society for the Positive Care of Children
SPPA	Sistem Peradilan Pidana Anak (Juvenile Criminal Justice System)
STR	Suspicious Transaction Reports
TFGBV	Technology Facilitated Gender-Based Violence
TISA	Typology Investigations & Strategic Analysis
TPKS	Tindak Pidana Kekerasan Seksual (The Law on Sexual Violence Crimes)
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention on Transnational Organized Crime
UPTD PPA	Unit Pelaksana Teknis Dinas Perlindungan Perempuan dan Anak (Unit for the Protection of Women and Children)
YKYU	Yayasan Kasih yang Utama

ABOUT THE CONFERENCE

The ASEAN Conference on “Preventing and Responding to the Misuse of Financial Service Providers in Child Sexual Exploitation” is organized by the Indonesia Ministry of Women’s Empowerment and Child Protection, the Denpasar City Government, ECPAT Indonesia, and the Association of Criminal Law and Criminology Lecturers (ASPERHUPIKI). This event is held in collaboration with the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), through the leadership of Indonesia’s ACWC Representative for Children’s Rights, and with support from the Center for Study and Child Protection (PKPA), Yayasan Our Rescue Indonesia Raya, the Down to Zero Alliance, ECPAT International, Terre des Hommes, Kindernothilfe, German Cooperation, UNICEF Indonesia, Yayasan Kasih Yang Utama, and Yayasan Gemilang Sehat Indonesia. This event took place on August 7-8, 2024, at the Aston Denpasar Hotel & Convention Center in Bali and focused on four key topics:

1. Misuse of financial service providers in crimes of child sexual exploitation at the international and regional levels;
2. Good practices for detecting and reporting transactions related to child sexual exploitation crimes, involving financial service providers;
3. Strategies and potential for collaboration with financial service providers to combat child sexual exploitation;
4. Child sexual exploitation and abuse from a multi-perspective approach.

The conference provided a venue to further unpack the misuse of financial service providers in sexual exploitation crimes committed against children in the region. It brings together expert speakers and participants from various stakeholders, including government officials, law enforcement, Financial Intelligence Units (FIUs), financial service providers (including financial technology companies), international and national NGOs, and UN agencies.

This conference produced a comprehensive report regarding the situation of misuse of financial service providers in sexual exploitation crimes and good practices, as well as strategic recommendations to eradicate sexual exploitation crimes through the involvement of financial service providers.

KEYNOTE SPEECH



Keynote Speech by **Nahar, SH., M.Si**
(Deputy for Special Child Protection
Ministry of Women Empowerment and
Child Protection)

Assalamu'alaikum wr. wb., Om Swastiastu, Shalom, Namu Buddhaya, Salam Kebajikan.

Your Excellencies:

National Coordinator of ECPAT Indonesia;

Deputy Secretary-General (DSG) of ASEAN for the Socio-Cultural Community (ASCC);

Mayor of Denpasar;

Vice Chair of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC); Distinguished partners, resource persons, committee members, and participants,

First of all, I would like to express my deepest appreciation to the ASEAN Secretariat, the Representatives of ACWC Indonesia in the field of Child Rights, ECPAT Indonesia, ASPERHUPIKI, and the Down to Zero Alliance for their support in organizing this important event.

We are honored to host the first ASEAN Conference on "Preventing and Addressing the Misuse of Financial Service Providers in the Sexual Exploitation of Children." This conference offers a valuable opportunity for stakeholders to exchange ideas and

strategies on preventing the misuse of financial services in such crimes.

Distinguished guests,

Digital transformation in the financial sector has brought various benefits, including easier and faster financial transactions, increased participation of women in entrepreneurship and business, and enhanced economic growth and family well-being.

However, alongside these positive changes, there are also challenges, such as risks related to cybersecurity, personal data protection, the digital divide, and intense competition in business processes involving both human labor and digital services.

Alongside various data and facts related to digital transformation that offer hope for all of us, my main concern focuses on the misuse of financial service providers in child sexual exploitation. This issue is particularly alarming considering that Indonesia is home to the second-largest number of Fintech companies in ASEAN, a figure I am confident will continue to grow globally each year.

Most of the buyers of Child Sexual Exploitation Materials/CSEM now use cryptocurrencies, such as Bitcoin, as a tools of payment, rather than traditional payment methods. Over the past few years, the use of cryptocurrencies to purchase Child Sexual Exploitation Materials/CSEM has surged. For instance, in 2019, Chainalysis tracked nearly 930,000 U.S. dollars in Bitcoin and Ethereum (ETH) transactions related to CSEM.

In 2022, Indonesia Financial Transaction Reports and Analysis Center (PPATK) revealed that there were financial transactions amounting to 114 billion Rupiah related to human trafficking and child pornography. These findings were uncovered through the tracing of banking transaction activities. This highlights that many perpetrators have shifted to using digital wallets or e-wallets for child pornography payments. ECPAT Indonesia reported that 42% of transactions related to child sexual exploitation crimes were conducted through bank transfers, with an additional 4% conducted via e-wallets and international financial service providers. However, these figures are very likely not reflective of the actual situation, as the increasing use of electronic financial services may lead to a rise in such transactions.

Ladies and gentlemen,

The available data does not fully capture the existing problem. Many transactions may go undetected because the financial sector in Indonesia has not yet prioritized the issue of child sexual exploitation in its efforts to combat money laundering. Financial service

providers have not fully recognized the critical need to address child sexual exploitation as a primary concern when dealing with predicated crime related to money laundering. Therefore, the commitment of national banks to engage in the prevention of child sexual exploitation is crucial in protecting our children from becoming victims.

I sense the enthusiasm of the Indonesian government in integrating the issue of child sexual exploitation into banking policies. Recently, PPATK has begun developing early warning guidelines to monitor CSEM transactions. I hope similar initiatives can be adopted by other ASEAN Member States.

This ASEAN conference is designed to inspire regional stakeholders to address the misuse of financial service providers in child sexual exploitation and to devise effective measures to combat this threat. Today, we are taking a significant step forward in examining the link between the CSEM issue and the financial sector, and in engaging more financial institutions in our shared mission.

Together, we can identify actionable steps to combat the misuse of financial services in child sexual exploitation across the ASEAN region.

Through this conference, we hope to increase our awareness in efforts to prevent the misuse of financial service providers in child sexual exploitation.

Moreover, I hope we will see a stronger collective commitment across Southeast Asia to address this crime and to develop a regional strategic plan aimed at preventing the exploitation of financial services in this context.

In closing, I want to reaffirm our shared commitment: no child should ever experience the horrors of sexual exploitation. The government, private sector, fintech companies, academics, and society as a whole must share the responsibility to protect children from all forms of this harm.

Let us join hands and unite our resources to strengthen our collective efforts in combating the misuse of financial service providers for child exploitation. I extend my deepest gratitude to all partners and stakeholders who have worked tirelessly to make this important event happen. May our discussions throughout this conference be fruitful and impactful.

When women are empowered and children are well-protected, well-being is within reach for all. Thank you. Wassalamualaikum Wr. Wb, Om Shanti Shanti Shanti Om, Namoh Buddhaya.



Opening Speech by **Dr. Ahmad Sofian**
S.H, M.A (National Coordinator of ECPAT
Indonesia)

The Excellency

Bintang Puspayoga (Minister of Women Empowerment and Child Protection)
represented by Mr. Mr. Nahar Deputy Special Child Protection (Ministry of
Women Empowerment and Child Protection)

H.E Ekkaphab Phantavong, Deputy Secretary General (DSG) of ASEAN for Socio-
Cultural Community (ASCC)

H.E Wan Noraidah binti Wan Zain (ASEAN Commission on the Promotion and
Protection of the Rights of Women and Children (ACWC) Vice Chair

I Kadek Agus Arya Wibawa, Vice Mayor of Denpasar, Bali)

Dr. Fachrizal Affandi, chair of ASPERHUPIKI

Mr. Mattias, from ECPAT International

Speakers, Moderators, and Participants

We are delighted to welcome you to the ASEAN Conference on the Prevention and Response to the Misuse of Financial Service Providers in Child Sexual Exploitation. The conference committee received many paper abstracts from scholars and practitioners from various national and regional backgrounds. This has allowed us to curate what we hope will be an engaging and thought-provoking series of sessions, chaired by The Ministry of Women's Empowerment and Child Protection Republic of Indonesia, ECPAT Indonesia and the Association of Criminal Law and Criminology Lecturers (ASPERHUPIKI).

This conference will be the first conference in ASEAN that discusses deeply the situation of the misuse of financial service providers in sexual exploitation crimes. It will provide an important forum featuring expert speakers and participants from various stakeholders representing government, law enforcement officers, Financial Intelligence Unit (FIU), Financial Service Provider (including Financial Technology Companies), International dan National NGOs and UN Agencies that will deep dive into four topics :

1. Misuse of financial service providers in crimes of sexual exploitation of children at the International and ASEAN Countries level
2. Good practices of detecting and reporting suspected transactions related to child sexual exploitation crimes by involving financial service providers
3. Strategy and potential for collaboration in engaging financial service providers to eradicate sexual exploitation of children
4. Child Sexual Exploitation and Abuse from Multi-Perspectives

We have difficulty finding data and research results or publications related to the Misuse of Financial Service Providers in Child Sexual Exploitation in ASEAN countries. Therefore, in this conference it is important to map this problem. At this conference, not all ASEAN countries were present to explain the situation and conditions of the Misuse of Financial Service Providers in Child Sexual Exploitation. Hopefully this conference can map this problem in ASEAN countries.

Our keynote speaker and panelists are experts in their fields. We hope to provide many insights for all participants attending the conference. Additionally, this conference will produce a comprehensive report on the misuse of financial service providers in sexual exploitation crimes, including good practices and strategic recommendations to eradicate these crimes through the involvement of financial service providers.

The effort to prevent and respond to the misuse of financial service providers in child sexual exploitation will not stop at this conference. We will continue to share the conference recommendations with key stakeholders and hope there will be a strong commitment to addressing this issue.



Opening Speech by **H.E. Ekkaphab Phanthavong**, Deputy Secretary-General (DSG) of ASEAN for Socio-Cultural Community (ASCC)

Excellency Bintang Puspayoga, Minister for Women's Empowerment and Child Protection, Republic of Indonesia,

Excellency Soukphaphone Phanit, Permanent Secretary of Lao Women's Union of Lao PDR and Chair of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children,

Dr. Ahmad Sofian, National Coordinator for ECPAT Indonesia,

Representatives from the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children and other ASEAN Sectoral Bodies,

Representatives from ASEAN's development and dialogue partners, international organisations, financial institutions, civil society organisations, and other stakeholders,

Distinguished guests, ladies and gentlemen,

Good morning.

It is my great pleasure to join you all for the ASEAN Conference on the Prevention and Response to the Misuse of Financial Service Providers in Child Sexual Exploitation. I commend the strong commitment of ACWC through the leadership of Indonesia and the Ministry of Women Empowerment and Child Protection of Indonesia in spearheading this important initiative with support from ECPAT Indonesia. Today's Conference will serve as a platform for critical and constructive discussion on deepening our understanding of

how the misuse of digital and financial technology perpetuates child sexual exploitation.

Ladies and gentlemen,

ASEAN recognises the multiple risks children face online which makes them vulnerable and at high risk of abuse and exploitation. In 2022, UNICEF reported that up to 20% of children aged 12-17 years old were identified as victims of online sexual exploitation and abuse. Undeniably, online child sexual exploitation is facilitated through the use of financial technology to carry out this lucrative crime against our children. As such, ASEAN recognises the need for enhanced understanding of and commitment to durable actions to effectively prevent and respond to child online exploitation and abuse. To this end, ASEAN's comprehensive regional response is guided by the ASEAN Regional Plan of Action on the Elimination of Violence Against Children and the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN.

In the context of trafficking-in-persons, the ASEAN Multi-Sectoral Work Plan Against Trafficking in Persons (2023-2028) reflects ASEAN's strategies and modalities against criminal use of technology in trafficking-in-persons. It further manifests ASEAN's high-level commitment for strengthened regional cooperation on combating trafficking-in-persons across relevant sectors in the region. Moreover, ASEAN demonstrates the commitment to transforming ASEAN into a leading digitally connected community under the ASEAN Digital Masterplan 2025. In doing so, ASEAN ensures that cybersecurity and digital data governance best practices are adopted, as widely as possible, in promoting digital services and new and emerging technologies in the region, among others.

Through the annual ASEAN ICT Forum, ASEAN actively engages the private sector, especially the IT industry, in implementing a whole-of-ASEAN approach in building a digital ecosystem that is safe for all children. With sustained commitment of ACWC and SOMSWD, the 3rd ASEAN ICT Forum will be convened in September this year under the leadership of Indonesia and Thailand. In the implementation of all these frameworks and engagements, ASEAN ensures that children's voices and perspectives are amplified and heard. On this, the 7th ASEAN Children's Forum hosted by Indonesia in 2022 focused on building digital resiliency for ASEAN's children. The children delegates from all ASEAN Member States called for the private sector to ensure digital security through strengthened child protection system and user - friendly information on digital security, among others.

Ladies and gentlemen,

It is with trust that this conference would continue the momentum on child protection in ASEAN as we share good practices on preventing and responding to child sexual exploitation. Our reflections on misuse of financial technology in the context of child sexual exploitation and abuse will enable us to further identify actionable steps to address the challenges and strengthen our partnership with financial institutions who play vital role in deterring violence against children online.

In closing, I would like to express again my sincere appreciation to ACWC for their hard work in protecting and promoting the rights of children. I also express gratitude to ECPAT Indonesia for supporting this initiative. I wish you all a productive session ahead and I look forward to the outcomes of this conference. Thank you.



Opening Speech by **I Kadek Agus Arya
Wibawa SE, MM** (Vice Mayor of Denpasar,
Bali)

Om Swastyastu
Assalamualaikum Warahmatullahi Wabarakatuh
Salam Sejahtera for all of us
Shalom
Namo Buddhaya
Greetings of virtue

The Excellency,

Bintang Puspayoga (Minister of Women Empowerment and Child Protection) represented by Mr. Mr. Nahar Deputy Special Child Protection (Ministry of Women Empowerment and Child Protection), Dr. Ahmad Sofian S.H, M.A (National Coordinator of ECPAT Indonesia), H.E Ekkaphab Phantavong, Deputy Secretary General (DSG) of ASEAN for Socio-Cultural Community (ASCC), H.E Wan Noraidah binti Wan Zain (ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) Vice Chair, Dr. Fachrizal Affandi, chair of ASPERHUPIKI, Mr. Mattias, from ECPAT International, Speakers, Moderators, and Participants

Respected Guests,

Let us first express our gratitude to Ida Sang Hyang Widhi Wasa (Almighty God) for His blessings and grace that have allowed us to gather today for this very important event. Your presence at the ASEAN Conference on "Prevention and Response the Misuse of Financial Service Providers in Child Sexual Exploitation Crimes," held from August 7 to 8, 2024, is a tangible expression of our collective concern for the issue of child sexual exploitation, particularly those involving the misuse of financial service providers.

Honored Guests, Child sexual exploitation is a heinous crime that violates children's fundamental rights. This act not only ruins the future of children but also damages our social fabric. One of the common methods used by perpetrators is exploiting loopholes in the financial system. Therefore, efforts to prevent and combat this crime must be comprehensive and involve various parties, from the government, financial institutions, and law enforcement agencies to the broader community.

Respected Guests,

It is a great honor for us in Denpasar to be chosen as the host city for this first ASEAN conference on Prevention and Response the Misuse of Financial Service Providers in Child Sexual Exploitation Crimes. This complements our position as a child-friendly city of the highest category for four consecutive years and as a region recognized for being women and child friendly by the Ministry of Women Empowerment and Child Protection of the Republic of Indonesia.

Therefore, as the host, we warmly welcome all participants attending this first ASEAN conference, including speakers from both ASEAN and non-ASEAN countries, government representatives, international organizations, NGOs, practitioners, academics, and those interested in child protection.

Honored Guests,

This first ASEAN conference is expected to serve as a platform for sharing knowledge, experience, and joint commitments in combating child sexual exploitation crimes. Through constructive discussions and cooperation, we hope this conference can produce comprehensive reports or recommendations regarding the misuse of financial service providers in child exploitation crimes involving financial services.

That concludes my remarks. I hope the ASEAN conference on the prevention and mitigation of the misuse of financial service providers in child exploitation crimes runs smoothly and successfully.

Om Santi, Santi, Santi Om

Wassalamualaikum warahmatullahi wabarakatuh

Peace be upon us all

Shalom

Namo Buddhaya

Greetings of Virtue



Opening Speech By **Madame Wan Noraidah binti Wan Zain**, ACWC Vice Chair, ACWC Malaysia Children's Rights Representative, Deputy Director General (Operations), Department of Social Welfare, Ministry of Women, Community and Family Development of Malaysia

Her Excellency Bintang Puspayoga, Minister for Women's Empowerment and Child Protection of Indonesia,

His Excellency Ekkaphab

Phanthavong, Deputy Secretary-General of ASEAN for ASEAN Socio-Cultural Community,

His Excellency I Gusti Ngurah Jaya Negara, Mayor of Denpasar, Bali,

Dr. Ahmad Sofian, National Coordinator for ECPAT Indonesia,

Representatives from the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children and other ASEAN Sectoral Bodies,

Representatives from ASEAN's partners, international organisations, financial institutions, civil society organisations, and other stakeholders,

Distinguished guests, ladies and gentlemen,

Good morning.

On behalf of the ACWC Chair, please allow me to extend my appreciation to the Ministry of Women's Empowerment and Child Protection of Indonesia and ECPAT Indonesia for organising this conference and for the opportunity to address you today. I applaud the ACWC through the leadership of Indonesia for the strong commitment in upholding the rights of children particularly in ending child sexual exploitation as a regional priority.

This conference provides us a platform to exchange initiatives and learn from one another on how we can respond to challenges in preventing and responding to the misuse of financial service providers in child sexual exploitation. Indeed, our two-day deliberations aligns with ASEAN's commitment to promote and protect the rights of children, and will contribute to realising ASEAN's commitments and priorities under the Regional Plan of Action for the Protection of Children from All Forms of Online Child Sexual Exploitation and Abuse.

Ladies and gentlemen,

ASEAN's zero-tolerance policy for all forms of violence against children; guides national and regional efforts in building a safe and empowering ASEAN Community for all children. ASEAN recognises that violence against children traverses the physical world and digital platform, hence the need for an integrated and coordinated response. As such, enhancing understanding of and commitment to actions to effectively prevent and respond to child online exploitation and abuse through safe and secured financial systems in our region, among others, is an urgent and collective responsibility of ASEAN.

At the 43rd ASEAN Summit, the ASEAN Leaders reaffirmed the commitment to accelerate efforts to promote and protect the rights of women and children guided by the ASEAN Regional Plan of Action on the Elimination of Violence Against Children (RPA on EVAC). Moreover, the ASEAN Declaration on the Prevention and Control of Transnational Crime and the ASEAN Convention Against Trafficking in Persons, Especially Women and Children are key regional frameworks that guide ASEAN Member States' efforts to strengthen protection measures and services across sectors and across borders. This is to enable effective prevention and response to all forms of child online violence, abuse, and exploitation, including on cybersecurity and financial intelligence to address financing of child sexual exploitation.

To this end, it is important to unravel, the intersecting issues of online child sexual exploitation with ASEAN financial systems through strengthening data and evidence and focusing on the best practices and lessons learned on actionable financial intelligence, prioritizing the issues in our shared policy agendas, and involving all relevant stakeholders in our efforts going forward.

Ladies and gentlemen,

I believe that the conference will provide opportunities for ASEAN Member States to learn from one another and open pathways to eliminate child sexual exploitation. Our collective

efforts n will also widen the participation of civil society organisation and communities to comprehensively address these issues. In closing, I would like to express my sincere appreciation to ACWC for their leadership and hard work in protecting and promoting the rights of children. I also express gratitude to ECPAT Indonesia for supporting this event. I wish you all a productive session. Thank you.

PLENARY SESSION SUMMARIES

Plenary Session I explores the growing intersection between financial technology and child sexual abuse and exploitation. It brings together experts from national and international organizations, law enforcement, government bodies, financial intelligence units, financial institutions, youth representatives, the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), and UN agencies to discuss the current realities, prevention strategies, and best practices for addressing this issue. The session highlights collaborative approaches across borders, sectors, and disciplines to enhance prevention, detection, and response efforts. The shared perspectives will guide strategic actions in leveraging financial systems to combat child sexual exploitation more effectively.

PLENARY SESSION I

Child Sexual Abuse and Exploitation in the Context of Financial Technology

Presented by Mattias Bryneson - (Director of Network Engagement and Strategic Partnerships ECPAT International)

ECPAT members across the world work to end all forms of sexual exploitation of children, and the secretariat supports coordination of research advocacy in action.

In 2022, organized crime generated an estimated \$150 billion from trafficking in persons, including sexual exploitation of children. And financial exchange is a key element of sexual exploitation of children across a range of crimes.

Monetization covers a number of different situations such as:

1. Individuals purchasing live stream child sexual abuse or child sexual abuse media using international money transfer mechanisms
2. Individuals including locals and travelers or tourists paying for venue or street-based sexual activity with a child, through cash or digital wallets

3. Children falling victim to sexual extortion, particularly boys, coerced into producing and sharing self-generated sexual images
4. Children engaging in sexual activity in exchange for payment, including the production and sharing of self-generated sexual images.
5. Online sites and forums offering child sexual exploitation and abuse behind paywalls providing Direct Access Protocol (DAP) access for on-demand abuse.

Advancements in communication technologies and the rise of new platforms have enabled diverse payment methods, which are increasingly misused to facilitate the sexual exploitation of children. Additionally, new payment technologies such as cryptocurrencies, gift cards, tokens, and other digital payment services have grown rapidly and are now being used by various groups involved in child sexual exploitation.

It is important to recognize that children and young people may be involved in different ways depending on the form of exploitation. Their participation may be voluntary, coerced, forced, or a combination of these. In each case, the impact on the child or young person will vary based on factors such as context, age, and gender.

Monetization is a critical element in combating sexual exploitation of children, and to understand the flow of money between exploiters to detect and investigate crimes. With the trend in monetization, banks and financial institutions have a critical role to play in combating the sexual exploitation and abuse of children.

The financial gains motivating criminals who traffic and exploit children transit through the open banking system. They cover criminal operational costs, but the monetization process extends beyond facilitating sexual criminal activities and encompassing the receipt and future access of funds primarily by integrating illegally obtained money into the legal financial system (money laundering).

Authorities and financial institutions have long played a key role in detecting illicit transactions through financial surveillance, in collaboration with financial intelligence units, law enforcement agencies, and civil society organizations. This cooperation, at both national and transnational levels, has been effective in tracking transactions linked to criminal activities such as illicit drugs and weapons trafficking. The expertise developed in financial surveillance can also be applied to combat the sexual exploitation and abuse of children, but the methodologies must be adapted to the evolving dynamics of monetization in relation to these criminal acts.

Modern monetization now involves a wide range of financial tools, including



cryptocurrencies, easily accessible electronic wallets, and digital payment systems, which contrast sharply with the cash transactions that were more prevalent a few decades ago.

Banks, financial institutions and platform donors that monitor and flag transactions can reduce their potential liability so that their services are being used to facilitate sexual exploitation and meet commitments to protect children.

There are insights from two recent projects by ECPAT members in Peru and Sweden. One such project, Project QWAC, enabled Scotiabank Peru, with support from Scotiabank Canada and CHS Alternativo, and in collaboration with ECPAT International, to pilot an operational alert system tailored to the Peruvian legal framework and available data. This project is a replication of Project Shadow in Canada, which developed an operational alert system capable of detecting transactions linked to 40 indicators of money laundering related to online child sexual exploitation and abuse.

Project QWAC highlighted how organized crime monetizes venue-based and street-based child sexual exploitation and launders the proceeds through the financial system.

It demonstrated the importance of gaining a deep understanding of the local context of sexual exploitation and trafficking in Peru, particularly the challenge of tracking small payments. Fieldwork revealed the widespread use of digital wallets, such as Plin and Jape, for everyday transactions, including those linked to sexual exploitation. These digital wallets, along with other financial services like Western Union and Monogram, have the potential to aid in the detection, investigation, and prosecution of such crimes in Peru.

The project also emphasized the need for tailored collaboration approaches between banks and financial intelligence authorities, considering different legal systems. In common law countries like Canada, direct collaboration between financial institutions and authorities is possible. However, in civil law countries like Peru, additional involvement from prosecutors and police is required for effective cooperation.

The second project is an initiative in Sweden aimed at developing financial indicators specifically designed to detect and investigate live-streamed child sexual abuse between Swedish perpetrators and abusers in the Philippines. This project is led by ECPAT Sweden's financial coalition, which includes all major banks in Sweden, the National Operations Department of the Swedish Police, and FinTech company Softronic.

The approach involved conducting case studies of court cases to identify potential indicators related to perpetrator profiles, transaction patterns, payment methods, and amounts for automated data analysis and reporting. Based on this, scenarios were developed and tested on financial data sets. This yielded positive results and additional refinement of indicators, and working with fintech partners to automate the analysis of large data sets and to reduce the time and efforts for the banks who participated. The banks then reported suspicious transactions to the financial intelligence unit through existing money laundering reporting mechanisms, marking them as suspected cases of child sexual exploitation.

A significant challenge faced during the project was adhering to Swedish bank secrecy laws while enabling multi-sector collaboration. Despite this, the project clearly demonstrated the effectiveness of financial monitoring in detecting and reporting suspected cases of child sexual exploitation, and underscored the critical role banks and financial institutions can play in this process. The results and the experience from the ECPAT network and related initiatives demonstrate the potential for monitoring and analyzing the use of financial transactions to detect, investigate and prosecute sexual exploitation of children, and also highlights some of the challenges.

Financial technology increasingly plays a role in facilitating exploitation across various contexts. It is being misused by individual perpetrators and criminal networks for the sexual exploitation and abuse of children in multiple ways, including payments, extortion, blackmail, and money laundering. The value of illegal financial transactions and the type of payment platforms or services used vary depending on the local context and the nature of the crime.

Leveraging financial technology to monitor and report illegal financial transactions related to the sexual exploitation of children can significantly aid investigations. It can also provide critical evidence, reducing the reliance on survivors to testify in prosecutions. However, banking secrecy laws that may restrict the sharing of financial information remain a key challenge, with constraints differing across legal systems.

The volume of financial data that must be monitored for suspicious transactions or patterns is considerable. FinTech firms can play a crucial role by offering solutions to help reduce the workload, making it easier for institutions to detect and report suspicious activities.

Civil society organizations possess a deep understanding of local dynamics and conditions, which is essential for addressing complex issues like child trafficking and exploitation. This includes generating financial indicators based on the lived experiences of survivors and insights from practitioners. These organizations can serve as effective intermediaries between justice systems, law enforcement, civil society, and financial authorities.

Civil society organizations also play a key role in building public support for actions against trafficking and child sexual exploitation, which is crucial for the long-term sustainability of interventions. Additionally, they contribute by independently monitoring the effectiveness of these interventions.

In summary, an intersectional approach involving banks and financial institutions, financial crime units, sex crime units, and child protection civil society organizations is necessary to ensure that the required expertise and knowledge informs the development of scenarios and the reporting of financial transactions.

Findings on Children and Youth Perspectives on Child Sexual Exploitation

Presented by Molly Aevrille Santana - (ECPAT Indonesia Youth Group)

These findings on Indonesian children and youth perspectives on child sexual exploitation were gathered using two methods. First, online surveys were distributed to children and youth aged 13 to 24 years across Indonesia. Second, consultations were conducted with child and youth leaders after the data was collected, aiming to gather their feedback and gain deeper insights into the issue.

The perceptions of children and youth regarding child sexual exploitation are influenced by information they have encountered through the news, discussions with other peers, and their own experiences. According to their responses, the most familiar forms of child sexual exploitation include:

1. Sexting: Sexual conversations involving children through messaging apps.
2. Child Prostitution
3. Child Marriage
4. Grooming
5. Child Sexual Exploitation Material (CSEM): Photos, videos, or other materials depicting sexual activities involving children.
6. Sextortion: Using CSEM to threaten or manipulate a child.
7. Sexual Live Streams
8. Trafficking

The findings indicate that children and youth are aware of child sexual exploitation (CSE). However, this awareness does not necessarily mean they are safe from its harm.

Some cases of child grooming and child sex trafficking also emerge in the survey. The findings found that some children filmed their sexual intercourse and sold the video, which made these kinds of videos traded around the internet. From their perspective, there are also some specialist messaging platforms to trade CSAM, such as telegram. In child sexual trafficking, the perpetrator usually manipulates the child with the promise of quick money. There are also sexual live streams that appear in black apps (TikTok) and dating apps where a child is involved and exposed to it. There is also a finding where a YouTuber was found to have groomed a 13-year-old child by sending them lingerie.



Children and youth have indicated that factors contributing to CSE often include economic issues at the family level and a lack of attention from adults—such as family members, parents, teachers, and other responsible parties. A child’s lack of awareness regarding online risks also contributes to the problem. In addition, children are still being treated as objects of sexuality.

Applications commonly used in OCSEA cases are usually intended for users over the age of 13, such as messaging apps, social media, dating apps, livestream apps, online games, and cloud services. However, in reality, some children are still able to register on these platforms by circumventing age restrictions and manipulating their registered age.

Fintech innovations—such as digital wallets and online banking—are widely used by children and youth in their daily transactions, providing convenience anytime and anywhere. However, the rise of fintech also raises concerns for youth and children, including the potential misuse of fintech for CSE transactions, personal data leaks, and financial theft.

The primary concern of children and youth is the insufficient legal frameworks in fintech to protect them. Based on these concerns, children and youth have several

recommendations, particularly for the government. They urge every government department to include internet use risks, particularly concerning CSE, in the school curriculum. They also call for collaboration among all stakeholders—government ministries, departments, and civil organizations—to raise awareness of these risks.

Regarding monitoring, children and youth want enhanced collaboration among all parties to implement rigorous monitoring of fintech activities. They expect financial institutions to undertake more stringent monitoring to detect suspicious transactions. Additionally, they recommend the provision of proficient psychological services, especially for victims of CSE, and more responsive reporting services that are accessible to those in need.

The most critical recommendation from children and youth is for stricter regulation. They call for tighter regulations for registration and verification, especially from financial service providers, to prevent misuse and avoid identity manipulation. They also expect specific regulations and frameworks from financial institutions to trace CSE transactions.

Misuse of Financial Products and Services in Indonesia related to the Sexual Exploitation of Children and OJK Policies to Prevent It

Presented by R. Rinto Teguh Santoso - Director of AML/CFT Indonesian Financial Service Authority (OJK)

Under money laundering laws, there are 26 predicate crimes associated with money laundering, including corruption, robbery, narcotics, psychotropics, and other criminal activities that carry a penalty of imprisonment for four years or more. Child Sexual Exploitation (CSE) is considered a money laundering predicate crime because the penalties for such offenses exceed four years of imprisonment, as outlined in the criminal code, the new criminal code, the Child Protection Law, and the Sexual Violence Crime Law. Under money laundering law, there are two types of offenses: active money laundering and passive money laundering.

CSE is a predicate crime according to money laundering law. Article 3 states that anyone who transfers, forwards, spends, pays, grants, deposits abroad, changes the form, converts the currency, or deals with assets recognized as, or reasonably believed to be, the result of criminal activity shall be subject to prosecution for money laundering. Article 4 stipulates that anyone who hides or disguises the origin, source, location, purpose, transfer, or ownership of assets known to them or reasonably believed to be the result of criminal activity shall also be subject to prosecution for money laundering. Article 5 indicates that anyone who accepts or controls the placement, transfer, payment, grant, deposit, exchange, or utilization of assets known to them or reasonably believed to be the result of criminal activity shall be subject to imprisonment. This article can also be imposed on Financial Institutions (FIs) which accept placement, transfer, payment, grant, deposit, exchange or utilize the assets of which are known or reasonably leads as the result of the criminal action. Therefore, the FIs should be aware before accepting or opening business relations with the prospective customer or the customer.

Sectoral risk assessment is a tool used to determine the risk level associated with various predicate crimes. According to the latest sectoral risk assessment, financial institutions are identified as having the potential risk of being used for money laundering related to CSE crimes. Although CSE crimes present a lower risk level compared to other predicate crimes, the data shows this trend. Most financial institutions in the banking and securities

sectors exhibit a lower risk rating. However, in one commercial banking industry, other criminal actions, including CSE, are rated as medium risk.

According to Indonesian AML/CFT law, OJK is responsible for the supervision and regulation of AML/CFT principles, as well as conducting examinations to assess the effectiveness of compliance by financial institutions. OJK supervises around 2,100 financial institutions, including banks, finance companies, securities firms, and insurance companies. By 2025, OJK will also extend its supervision to include cryptocurrency and open-loop savings and loan cooperatives.

Regarding child sexual exploitation (CSE) as a money laundering predicate crime, funds derived from CSE have the potential to be placed in financial sectors such as banking, capital markets, and non-banking products. To mitigate these risks, FIs can implement specific risk management strategies. The initial and primary step involves the directors and commissioners setting a top-down AML/CFT policy that determines the institution's risk appetite. To minimize exposure to the risk of criminal acts, including sexual exploitation, FIs should establish a robust policy and procedures framework. This framework should include strict protocols for opening business relationships or transactions with prospective or existing customers, including the requirement for customers to disclose the source of their funds and provide supporting evidence.



The third pillar is the Management Information System (MIS), where FIs perform profiling and enter names associated with criminal acts of child sexual exploitation into their MIS. This system functions as both a screening tool and a means to manage data related to prospective and existing customers. Cooperation with law enforcement is essential for FIs to obtain data on suspects, defendants, and convicts of criminal acts, including child sexual exploitation. If a match is found between the data of a prospective or existing customer and criminal activities related to child sexual exploitation, based on their risk appetite, FIs can refuse to establish a business relationship or decline transactions with the customer.

Referring to Article 5, Paragraph 2 of the AML/CFT Law, financial institutions (FIs) are required to report suspicious transactions to the Indonesian Financial Intelligence Unit (FIU) if they know or suspect that the source of the funds is illegal, including funds related to CSE. To prevent money laundering for any predicate crime, OJK strongly encourages FIs to actively engage in measures that align with their risk tolerance and appetite. One such measure that FIs can take is to postpone or temporarily suspend transactions. According to Article 47 of the OJK regulation on AML safety, FIs should postpone transactions if: 1) the customer or the transaction raises a reasonable suspicion of involving assets derived from criminal activities, or 2) the customer is suspected of having an account used to accommodate assets from criminal activities.

Good practices in Indonesia of detecting and reporting suspected transaction related to child sexual exploitation crimes by involving financial service providers

Presented by Diana Soraya Noor - Director for International Strategy and Cooperation Indonesian Financial Transaction Reports and Analysis Center (PPATK)

The financial gain tied to CSE must be taken seriously. In examining CSE cases globally, crimes linked to CSE often involve substantial financial transactions. This highlights the importance of financial intelligence in detecting and tracing the flow of funds related to CSE.

Financial intelligence is guided by the Financial Action Task Force (FATF) recommendations, which require each jurisdiction to establish a Financial Intelligence Unit (FIU). These units are responsible for receiving and analyzing suspicious transaction reports (STRs) and other reports from reporting entities. Once the analysis is complete, the reports are disseminated to law enforcement. In Indonesia, this function is carried out by PPATK, as outlined under Law No. 8 of 2010 on Money Laundering.

PPATK receives a wide range of reports from financial institutions, including STRs, cash transaction reports, international fund transfers, reports from non-financial businesses and professions (NFBPs), and customs reports on cross-border transactions. All these reports are legally mandated from entities like banks, financial service providers, NFBPs, and customs. After receiving the reports, PPATK conducts thorough analyses by cross-referencing information from other government databases and coordinating with various agencies. The process also involves international cooperation. For instance, PPATK works closely with AUSTRAC, enabling PPATK to extend the analysis beyond Indonesia since money laundering and CSE are transnational crimes. Once PPATK identifies potential criminal activity, the analyzed intelligence is sent to law enforcement.

PPATK was established in 2003 and has processed over 300 billion reports up until June 2024. While many reports are linked to crimes like fraud, corruption, and online gambling, PPATK has received relatively few reports from financial service providers related specifically to CSE. PPATK has managed to identify patterns of transactions linked to CSE. These patterns often involve both large and small amounts of money, with funds frequently flowing into Indonesia from various countries, some of which are considered high-risk for CSE. Transfers often include remarks related to pornographic

content and utilize money remittance services, which have fewer Know Your Customer (KYC) requirements compared to banks, making them easier to exploit.

Here are a few cases PPATK has analyzed:

1. A woman in Bali received multiple transfers from foreign jurisdictions, with transaction descriptions like “gifts” or “photos.” These funds were then transferred to other parties, often involved in the entertainment industry. While there is no clear indication that children were involved, further analysis is needed to confirm whether this case involved child exploitation.
2. Case involved cryptocurrency. Several men in North Sumatra received frequent low-value transfers via virtual asset exchangers, which were then transferred to banks and withdrawn for daily needs. PPATK believes these transactions are linked to CSE based on the patterns that have been identified.
3. Similarly, PPATK has seen cases involving e-wallets where funds were transferred with references to pornography content.

PPATK also noticed patterns involving older men from foreign countries sending small amounts of money to numerous recipients in Indonesia, often during unusual times of day. This pattern is also observed across other Southeast Asian countries.

While these transactions are not as complex as those linked to crimes like corruption or narcotics, identifying CSE-related transactions remains a challenge. Many transactions involve small amounts of money, and the relationship between the parties is often unclear. Additionally, not all transactions include remarks that directly indicate pornography or CSE-related activities. This highlights the difficulty faced by financial institutions in detecting CSE-related suspicious transactions.

To address these challenges, PPATK has adopted a proactive approach. Instead of waiting for reports from financial institutions, PPATK has implemented data mining techniques to conduct strategic analyses. For example, PPATK has identified female customers under the age of 21 who receive frequent transfers from male counterparts, with at least five transactions per week, often accompanied by remarks related to pornography. From this analysis, we identified more than 24,000 subjects aged 10 to 18 years involved in over 130,000 transactions totaling \$1.27 billion. However, further analysis is needed to confirm whether these transactions are indeed related to CSE.

Geographically, the highest concentration of these cases is in East Java. The challenge



in Indonesia, as in other countries, is that financial service providers often struggle to detect and report transactions linked to CSE. The low value of funds involved and the lack of clear transaction details make it difficult to flag these transactions as suspicious. Internationally, FIUs are also grappling with these challenges. Through the Egmont Group, which is a global forum for FIUs, PPATK has shared these difficulties.

In Indonesia, PPATK has initiated a project to develop red flag indicators for CSE-related STRs at a regional level. PPATK has proposed this initiative through the Financial Intelligence Consultative Group (FICG), which includes ASEAN countries, Australia, and New Zealand. PPATK is also collaborating with the Philippines and Australia to create a draft by the end of this year. Looking forward, there is an idea to establish a shared database of suspicious names or entities that could be monitored more closely. This approach has been successful in combating terrorist financing, which faces similar challenges in terms of low-value transactions and self-funding.

In conclusion, PPATK and other stakeholders in Indonesia are taking CSE issues seriously and are committed to finding solutions and approaches to address this crime, as it directly affect future generations. PPATK is fully committed to tackling CSE from a financial intelligence perspective.

Good practices in Australia on detecting and reporting suspected transaction related to child sexual exploitation crimes by involving financial service providers

Presented by Tom Blissenden - Senior Liaison officer Southeast Asia Australian Transaction Reports and Analysis Centre (AUSTRAC)

AUSTRAC's primary mechanism to combat child sexual exploitation (CSE) is the Child Sexual Exploitation Response Team (CSERT), established in 2021. The CSERT addresses all types of CSE, including live-distance abuse and offenders traveling to commit such crimes. However, it also focuses on issues such as childlike sex dolls, the extortion of minors for financial gain, and the role of artificial intelligence and online gaming in CSE.

CSERT collaborates closely with the Australian Centre to Combat Child Exploitation (ACCE), which brings together government agencies, the private sector—including financial service providers—and non-profit organizations to enhance information sharing and collaboration in combating these crimes. CSERT's primary functions include initiating and leading projects and referrals based on the analysis of suspicious transaction reports and other financial transactions. The team provides both proactive and reactive financial intelligence to law enforcement partners. For instance, in the last year alone, over 300 financial intelligence products were disseminated. These efforts include identifying patterns and indicators related to the purchase of CSE material, as well as conducting environmental scans to detect emerging risks and crime types related to CSE.

One of CSERT's significant achievements has been collaborating with Australia's public-private partnership, the Fintel Alliance, to produce a financial crime guide on child sexual exploitation. This guide, available on the AUSTRAC website, offers indicators and behaviors to assist financial service providers in enhancing their transaction monitoring systems and profiling. The goal is to identify and stop payments related to CSE and to ensure high-quality suspicious transaction reports (STRs) are submitted to national Financial Intelligence Units (FIUs), such as PPATK or AUSTRAC.

Financial intelligence plays a critical role in combating CSE, particularly as financial gain is one of the primary motivations for these crimes. Over the past few years, AUSTRAC has seen a rise in cases where CSE is driven by financial motives, emphasizing the need to "follow the money." The financial sector plays a pivotal role here, as they are on the frontline of identifying suspicious transactions. It is their responsibility to report

these transactions, which may include international funds transfers and STRs, to their National FIU.

In Australia, international funds transfer reports have no threshold for reporting. Even a transaction as small as one Australian dollar is reported, providing a rich source of data for financial intelligence analysis. Beyond FIU reports, AUSTRAC also examines other information sources such as criminal databases, tax and company records, and customs and travel data. All this data is compiled into financial intelligence products, which are shared with law enforcement to aid investigations into CSE.



Domestically, the ACCE is the primary mechanism for bringing together law enforcement, AUSTRAC, and private sector partners—including banks, remittance companies, digital currency exchanges, and non-profit organizations—to promote greater information sharing and collaboration in the fight against CSE.

Internationally, collaboration is crucial. CSE is a cross-border crime both in its execution and its financial components. For example, live-distance child abuse, which is streamed online, transcends geographical boundaries. Therefore, international cooperation is essential.

The Financial Intelligence Consultative Group (FICG), an informal mechanism comprising FIUs from ASEAN Member States, New Zealand, and Australia, meets quarterly. One of the group's priorities for the next two years is addressing child sexual exploitation, with significant work expected from FIU partners in the region. AUSTRAC looks forward to supporting these efforts and strengthening the indicators that will help financial service providers submit STRs.

AUSTRAC also works closely with the Philippines' Anti-Money Laundering Council (AMLC), which has been instrumental in combating CSE, particularly as the Philippines is considered a high-risk country for Australian offenders.

One of the key players in live-distance child abuse is the facilitator, who oversees all aspects of the CSE cycle and often receives the funds from offenders. The facilitator coerces victims through various means, such as financial incentives, threats, violence, or intimidation, to engage in sexual activities. In many cases, the facilitator has no connection to the offender, which complicates tracing the relationship.

A range of financial indicators can be associated with live-distance child abuse, and it's important to note that not one single indicator will reveal whether a financial account is being abused for child sexual exploitation. Some of these indicators include multiple small, round-value payments made by an offender to a facilitator, often within the same day. Payments may be made before the abuse takes place, and associated purchases may reveal items like webcams or streaming website subscriptions. The amounts involved are usually small, ranging from 13 to 50 Australian dollars (approximately 130,000 to 500,000 Indonesian Rupiah), but can be higher depending on the severity of the exploitation.

One Australian case involved a Western Australian man who made payments to a known CSE facilitator in the Philippines. Financial intelligence revealed that these payments were for the purchase of CSE material, which was being streamed online. Telecommunications payments further facilitated the abuse. Following a referral, the offender was arrested and charged with over 58 CSE-related offences and sentenced to over 14 years in prison.

Child exploitation is a global issue, and some offenders travel to other countries to engage in sexual exploitation of children, often in areas where social or environmental factors are favorable. In many cases, travel-related abuse occurs after an escalation of live-distance child abuse. The Philippines has traditionally been a primary country for Australian offenders to travel to source CSE material, and AUSTRAC has observed that these offenders will often transit through the region including Singapore, Hong Kong, Malaysia and Thailand. Financial indicators of traveling to offend include travel-related expenses, such as passport purchases, airfare, baggage fees, and accessing financial services from high-risk countries.

A case from 2020 involved an individual named Ian Chappell, who was intercepted at Melbourne Airport due to financial intelligence. His transactions included payments to high-risk jurisdictions, account access overseas, and travel-related expenses. Upon his return from Vietnam and Singapore, he was found with over 52,000 images and videos of CSE content. Chappell preyed on over 13 children on 74 occasions. His payments to facilitators in the Philippines led to the arrest of five female facilitators and the rescue of 15 victims. Chappell was later sentenced to 16 years in prison.

Policies and Best Practices for Combating Child Sexual Exploitation within Financial Institutions

Presented by Tori Hill – Leader | Global Compliance, Anti-Human Trafficking Initiative, Financial Intelligence Unit, Office of Typology Investigations & Strategic Analysis (FIU-TISA) Western Union

Western Union serves aspiring populations, primarily those who migrate to other countries to improve their lives and send money back home to support their families. This is the core customer base. Western Union operates in almost every country globally, with notable exceptions like Iran, Russia, North Korea, and Belarus. Most common method of service is through customers visiting storefronts to send money to someone in another country. However, customers can now transfer money online through our app or website, using debit cards, credit cards, or bank accounts.

From a financial institution perspective, Western Union has been working in this space for about 15 years. The goal is not only to prevent Western Union from being abused for child sexual exploitation (CSE) but also to assist other financial institutions, especially those newer to this issue, in understanding best practices and identifying consumers that have been removed from the systems.

The first key priority for financial institutions in tackling CSE is establishing clear organizational priorities. This requires an understanding of the institution's exposure to the issue. The Financial Intelligence Unit (FIU) in Western Union, focuses on three specific sub-typologies of CSE for 2024 which are online live streamed abuse, child sex tourism, and sextortion of minors. This prioritization helps guide training for tactical consumer investigators and directs the strategic projects, such as global analyses of transactions to high-risk areas like the Philippines. It also informs external engagements, ensuring the staff knows who to liaise with and what questions to ask, with information being fed back to Western Union Denver headquarters where analysis occurs.

The second best practice for financial institutions is maintaining proactive, ongoing, and evolving external relationships. This work cannot be done in isolation. While Western Union's extensive case archive allows them to identify patterns and red flags—such as transactions related to live-streaming abuse—offenders may not be caught through traditional detection methods. To address this, Western Union engages closely with law enforcement and, even more crucially, with NGOs and nonprofits like the National Center



for Missing & Exploited Children (NCMEC) and the International Justice Mission. These organizations receive tips and leads that can aid them in identifying offenders.

One example of this is Western Union work with the Child Rescue Coalition. Child Rescue Coalition provides IP addresses and other data from individuals downloading or sharing child sexual abuse material (CSAM). They cross-reference this with Western Union digital consumer data to identify potential offenders and share this information with law enforcement.

Another important best practice is participating in working groups where financial institutions can share and learn about best practices for investigating, identifying, and reporting CSE. In the U.S., for example, there is a regulation allowing financial institutions to share lead information with each other. This helps prevent offenders from jumping from one financial institution to another after being flagged.

The third best practice involves analyzing historical data and patterns. Western Union reviews extensive case archives to identify payment concentrations related to live-streaming abuse. The global network allows Western Union to connect the dots between inquiries from various countries, such as Germany, the Philippines, Australia, and the

U.S., giving Western Union a more complete picture of offenders and their networks. Once Western Union identifies suspicious activity, the priority is to report it to law enforcement and remove the bad actors from the system.

Western Union uses algorithms to flag anomalous behaviors in high-risk corridors and investigate those cases. For instance, live-streaming facilitators in countries like Indonesia or the Philippines often receive payments from a broad international network, and one investigation may result in reports to multiple countries. Western Union often receives names from law enforcement and uses the data to expand the investigation, analyzing transaction networks, dollar amounts, geographies, genders, transaction types, and more. This additional information is then provided back to law enforcement, giving them a broader understanding of the offender's activities. Western Union historic exposure to CSE, particularly online, has been concentrated primarily in the Philippines, though it has smaller but notable concentrations in neighboring countries like Indonesia. Around 75% of this activity involves digital transactions.

There is a specific red flag that has been observed which is back-to-back small digital transactions from an older male in the West to someone who appears to be a facilitator. This often indicates that a live-streaming session has been paused, and the viewer is being asked for additional payments. While rare, it's a telling indicator of exploitation in progress.

PLENARY SESSION II

Exploring the Misuse of Technology, Including Financial Aspects, in the Sexual Exploitation of Children

Presented by John Carr - Secretary of the UK's Children's Charities' Coalition on Internet Safety

The internet began to gain a significant public presence with the emergence of the World Wide Web in the early to mid-1990s. Before the web, child sexual abuse material (CSAM) and other sexual crimes against children were primarily exchanged via dial-up bulletin boards, Usenet Newsgroups, and Internet Relay Chat. These exchanges were not driven by monetary gain; rather, they were a "community activity" among people, predominantly men, with a shared sexual interest in children. However, with the rise of the open web, the dark web, social media, messaging apps, and livestreaming, new methods of distributing CSAM and committing offenses have emerged.

In 1994, the ability to collect payments for goods and services over the internet became possible, followed by Visa and Mastercard facilitating online payments in 1996. PayPal was founded in 1998. The FBI launched the "Innocent Images" initiative in 1995, and Operation Cathedral in 1998 became the first coordinated global police action against individuals exchanging CSAM.

As soon as it became possible to make and collect payments remotely, criminals began exploiting this opportunity to profit from the sexual exploitation of children. In 1999, Operation Avalanche targeted Landslide Inc, a website based in Dallas, Texas. The site collected money using Visa and Mastercard, generating a monthly net income of over US\$1,000,000. U.S. authorities provided UK police with the names and credit card details of more than 7,000 UK residents who had purchased CSAM through the Landslide site. This massive amount of intelligence overwhelmed the UK police, who were unprepared to handle such a large volume of data.

Despite the existence of various banking and finance industry regulations, criminals have still managed to exploit payment systems. Measures like customer identification (Know Your Customer - KYC), customer due diligence, anti-money laundering rules, suspicious activity reporting, enhanced due diligence for high-risk customers, beneficial ownership identification, employee training, use of technology for pattern tracking, and regular



audits and compliance reviews were all in place. Yet, hosting companies that facilitate CSAM distribution still have access to financial services, including bank accounts and credit cards.

In 2020, Pornhub was found to be regularly hosting a large volume of CSAM. Although the company claimed it was unintentional and a result of system weaknesses, Visa and Mastercard threatened to cut off their global payment services unless the issue was resolved. In response, Pornhub removed all CSAM from its servers within 72 hours and implemented new systems to prevent future occurrences. Similarly, OnlyFans acted quickly when faced with a potential loss of fee collection. Live Streaming, particularly involving children from Southeast Asia, remains a significant challenge due to the encryption of streams.

Encryption, a method of disguising message content so only the intended recipient can understand it, has become a critical challenge in combating CSAM. Modern encryption uses complex mathematical algorithms to secure anything digital. While some forms of encryption, like homomorphic encryption, allow partial visibility into content, these solutions are not scalable enough for large social media platforms. Client-Side Scanning

(CSS), however, enables content to be examined for illegal material before it enters or is stored in an encrypted environment. This technology has been used voluntarily since 2009 with no known cases of errors in real-world settings.

Apple, known for its strong commitment to user privacy, has employed large-scale encryption. In 2023, the National Center for Missing and Exploited Children (NCMEC) received 36 million reports of CSAM, covering over 100 million individual items. Google reported 1.4 million cases, Facebook reported 17.8 million, and Instagram reported 11.4 million. Apple, however, reported only 267 cases, as they already use large-scale encryption. Other companies are now following Apple's lead in adopting strong encryption practices. In February 2020, Erich Friedman, Apple's anti-fraud chief, admitted that Apple was among the worst platforms for distributing CSAM.

In August 2021, Apple announced a CSS solution with "multiple levels of auditability." However, due to poor communication and pressure from privacy advocates in the USA, Apple ultimately abandoned the solution. Leading technical experts agree that CSS is a viable option for detecting illegal material without compromising privacy. CSS is already used alongside encrypted messaging systems, such as WhatsApp, to detect spam. Public opinion studies across multiple EU Member States indicate overwhelming support for action against CSAM, with Germany being included in both rounds of studies. People accept security measures like body and bag scans in government buildings and airports because they understand the social purpose behind them. Social media companies, which have access to vast amounts of data, are already subject to legal controls and inspections. Similarly, CSS solutions can be transparently regulated to ensure privacy is maintained. Human oversight must always be involved in decision-making, and a strong transparency regime supervised by a trusted authority should be established to reassure the public and industry that no improper actions are taking place.

The Situation of the Misuse of Financial Service Providers in Child Sexual Exploitation Crime in Indonesia

Presented by Andy Ardian (Program Manager of ECPAT Indonesia)

ECPAT Indonesia is part of the global ECPAT International movement aimed at eliminating child sexual exploitation. Based on the campaign “End Child Prostitution in Asian Tourism,” ECPAT Indonesia works in collaboration with multiple stakeholders, including the government, various industries, practitioners, academics, communities, and survivors. ECPAT Indonesia was established in 2000 when 20 child protection NGOs in Indonesia gathered to discuss the issue of child sexual exploitation. In 2005, ECPAT Indonesia formally collaborated with ECPAT International, and since 2010, known as ECPAT Indonesia. Over the years, ECPAT Indonesia has actively engaged with the government, law enforcement, and other key sectors to raise awareness about the issue.

Child sexual exploitation occurs in every country due to persistent demand and a lack of interventions targeting perpetrators. One of the main challenges we face is the insufficient action taken against these offenders. Additionally, with the rise of technology and the growth of the tourism industry, Indonesia is becoming more vulnerable as it opens the door for perpetrators to exploit children more easily.

A survey conducted by the Ministry of Women’s Empowerment and Child Protection, which is conducted every three years, sheds light on the prevalence of child sexual abuse. Six boys and three girls have experienced offline sexual violence, while seven boys and three girls have been subjected to online abuse, including exposure to pornographic videos, grooming, and exploitation. Perpetrators are divided into two categories: preferential offenders, who seek sexual contact with children exclusively, and situational offenders, who may not initially target children but end up engaging in harmful activities, often unknowingly, such as sharing child sexual abuse material (CSAM) online.

Interpol’s database on child sexual abuse material shows the global extent of this issue. In 2018 and 2019, six countries were linked to 19,000 identified victims. By July 2022, the number of victims increased by 4,000, with around 300 offenders registered. This increasing trend calls for more public attention and action.

PPATK (Financial Transaction Reports and Analysis Center) has released data highlighting the financial aspect of child prostitution in Indonesia, reporting a staggering 127 billion rupiah linked to child exploitation cases. There is also a growing trend of individuals

producing and distributing CSAM for profit. One notable case from 2018 involved a man in Bandung who produced CSAM involving children, with the children's own mother participating in the exploitation for financial gain.

Online platforms, including gaming, have also emerged as avenues for child exploitation. Perpetrators lure children through in-game gifts and rewards, establishing relationships and grooming them over time. There have been numerous cases handled by the Indonesian National Police involving perpetrators purchasing CSAM through social media platforms. For instance, on Facebook, keywords like "Fujiyan" have been used to facilitate the trade of CSAM, with children from Fujiyan, China being exploited.

A concerning trend is the rise of live-streaming platforms where children, often involved in prostitution, perform live for an audience in exchange for money. In some cases, perpetrators don't directly sell materials but solicit donations or funds from others to continue producing and sharing exploitative content.

The increasing demand for CSAM is further monetized through lesser-known platforms. Content creators take advantage of platforms outside the mainstream, where child exploitation content is shared and even monetized. If such content goes viral, victims may be extorted by those managing the platforms to take it down.

Indonesia ranks fourth in terms of incidents related to child sexual exploitation online, according to reports submitted to NCMEC's (National Center for Missing and Exploited Children) Cyber Tipline. Reports from Indonesia have been growing each year between 2018 and 2023, reflecting the deepening problem. In 2022, we received 480 reports through the Internet Watch Foundation (IWF) about CSAM, with 14-23% of these cases confirmed as involving CSAM. Alarming, 11 pieces of content were hosted on Indonesian servers, highlighting a vulnerability that could allow perpetrators to store illegal content domestically.

Through our outreach program in collaboration with Yayasan Bandung Wangi, we have reached out to children and women offering sexual services online. We interacted with 31 girls across 18 platforms. The reality is that far more platforms are being used by perpetrators to exploit children sexually.

Access to child sexual exploitation is often disturbingly inexpensive. In some cases, perpetrators can pay as little as Rp100,000 for access to exploitative materials or services. Payments are often made via bank transfer, phone credit (PULSA), or live-stream gifts, and e-wallets are increasingly used for financial transactions, even if the



amounts are small. Based on our outreach, we anticipate these trends will continue to grow, leading to more widespread exploitation.

ECPAT conducted a survey in collaboration with financial institutions in 2023, involving 180 financial industries. The findings revealed that transactions related to child sexual exploitation, either through pimps or directly to children, are known to occur. However, financial institutions struggle to address these issues, often due to the similarity of these transactions with those linked to terrorism and other crimes. Some banks have identified repeated transactions between the same accounts, raising red flags about potential child exploitation.

The evolving methods of payment, including the use of cryptocurrency, cash, QR codes (QRIS), and e-wallets, present a significant challenge. This is why we emphasize the need for a Child Sexual Offender Registry, which would help institutions like PPATK and the banking sector identify perpetrators and track their transactions.

Additionally, a hotline system for reporting child sexual exploitation material, similar to NCMEC or IWF, could greatly aid efforts in Indonesia. Currently, while the Ministry

of Informatics has an aduancontent.id system, it lacks the comprehensive mechanism of international hotlines, which share data for prevention and tracking of exploitative content.

Tracking money related to child exploitation is a crucial step. Indonesia has specialized units for child protection and cybercrime, but there are still gaps in collaboration between these task forces. In some countries, these tasks are centralized within one unit, which streamlines efforts. We hope that the establishment of the new Directorate for Trafficking and Child and Women Protection will lead to the formation of a special task force dedicated to combating child sexual exploitation in Indonesia.

Examining the Misuse of Financial Service Providers in Child Sexual Exploitation Crimes and Law Enforcement Responses

Presented by Smita Mitra (Criminal Intelligence Officer – Crimes Against Children Unit)

The Crimes Against Children Unit operates within Interpol's Organized and Emerging Crime Directorate. This structure allows the unit to collaborate with various international agencies, including the International Financial Crime and Anti-Corruption Center (IFCAC), a newly established unit. IFCAC's involvement in these dialogues is vital, as their work on criminal analysis helps connect the dots and identify victims.

Interpol supports member countries by building capacity through training upon request. Every year, Interpol hosts the Victim Identification Task Force, an operational event where specialized law enforcement colleagues from regions such as Latin America, Africa, and Asia visit the Global Complex for Innovation for a week-long session. This task force focuses on victim identification, supported by our technological innovations and operational collaborations with partners like UNICEF and ECPAT International.

In the financial sector, we see significant overlap with child sexual exploitation. One of our partners, Thorne, in collaboration with NCMEC (National Center for Missing and Exploited Children), produced a report on financial sextortion, which is a global phenomenon targeting teenage boys. Perpetrators manipulate intimate or sensitive images of victims, isolating and threatening them with exposure. They are also seeing the use of generative artificial intelligence to create or manipulate images, posing new challenges for law enforcement.

Financial transactions in these cases often involve threatening language designed to intimidate victims by suggesting their content will go viral, further marginalizing them. Common platforms used in these crimes include Instagram and Snapchat, both of which are obligated to report to NCMEC. However, platforms like WeChat and Line, which are widely used in Asia, are not reporting, leaving a gap in the data.

Interpol has established working relationships with financial service providers like Western Union and PayPal in cases related to child exploitation material. This leads to the critical role of the Interpol Financial Crime and Anti-Corruption Center, which works closely with financial intelligence units in these areas.

The International Child Sexual Exploitation ICSE Database is the only global database dedicated to child sexual exploitation material. It houses content from around the world, aiding in victim identification through its AI and machine learning capabilities. This database connects 70 countries, allowing real-time intelligence sharing and reducing duplication of work. Last month, the Philippines became the 70th country connected to this system. To date, Interpol has identified 41,800 victims and 18,000 offenders globally. Each of these numbers represents a child, not just a statistic, and Interpol works daily to add to this data.

The ICSE Database also integrates reports from NCMEC's CyberTipline. When NCMEC reports sensitive content, it is uploaded into our database, speeding up investigations for law enforcement agencies connected to the system. However, if a country is not connected, delays occur as notifications must go through the National Central Bureau, losing valuable time in these sensitive cases. It is my strong recommendation for countries in this region to connect to the ICSE Database. Time is of the essence, especially in child exploitation cases, and being connected directly reduces delays.

Interpol is committed to supporting member countries, even those not connected to the database. We offer assistance in uploading material, cross-checking criminal analysis files, and coordinating international operations. The Victim Identification Task Force remains open to all law enforcement agencies, regardless of database connection.

Interpol's General Assembly Resolution 5, which all member countries were part of, is available online and serves as an important tool for advocating within intergovernmental bodies to establish specialized units, connect to Interpol databases, and proactively investigate and report on child exploitation cases.



Good Practices of Detecting and Reporting Suspected Transaction related to Child Sexual Exploitation Crimes by Involving Financial Service Providers (Global Perspective)

Presented by Lance P. Lueck (Director of Strategic Partners-Asia- Operation Underground Railroad)

In combating child sexual exploitation (CSE), close partnerships are critical. This relationship is like a three-legged stool involving law enforcement, financial institutions, and regulators. If these three groups don't work together, red flags will go unnoticed. Often, law enforcement identifies trends and alerts regulators, who then implement guidelines, while financial institutions apply technology to detect red flags through FinTech and other internal mechanisms.

Initially, microtransactions were not recognized as the tip of the spear; it was the financial institutions reporting them. People were paying in increments — \$5 every five minutes — to watch horrific acts. These amounts might seem insignificant, but in regions like rural Philippines or remote areas in Indonesia, \$5 can be a week's wage. Tragically, out of desperation, some parents were selling their children for live streaming, with transactions happening in those five-minute increments. From the perspective of money remitters, this pattern of \$5 every five minutes made no sense. But once I examined the details and understood the context, the picture became clear. This scenario illustrates why microtransactions are a big deal in detecting illicit activities.



In addition to microtransactions, multiple accounts also raise red flags. While we all have personal and business accounts, criminals, pedophiles, and abusers often maintain separate accounts to carry out illicit activities. During financial analysis, it's common to see individuals juggling multiple accounts — personal, business, and private. The complexity of managing these accounts can lead to mistakes, making them vulnerable to pattern analysis.

Facilitators play a key role in these operations, whether they are directly involved in trafficking by transporting victims or laundering money to convert illicit earnings into assets like boats or houses. The more people involved, the easier it becomes to identify patterns and exploit vulnerabilities. Unfortunately, in 31 years of experience, it is rare to catch the most meticulous criminals. We tend to catch those in the middle, who think they're good but slip up, as well as those who are reckless and make obvious mistakes.

Traveling between multiple countries is another red flag. If someone's activities take them to five, six, or seven different countries without a clear explanation, it raises suspicions. Even with the use of VPNs, cross-border transactions can be detected through patterns and brought to light via suspicious transaction reports (STRs).

High-risk services are another area of concern. For example, escort services and personal care appointments — like multiple hair and nail appointments in a short period — can indicate trafficking activities. Taxi services are also an area of interest. While it's normal for someone to take a taxi from the airport to a hotel, if someone is booking several taxis to transport victims to different locations, it becomes suspicious.

SIM cards are also a vulnerability. As we rely more on our phones, criminals using multiple SIMs across various countries become easier to track, especially if all these SIMs are tied to the same credit card. Crypto is another space to watch. While they hold great potential, crypto has also been used to facilitate horrific crimes. Just as investigators had to learn about credit cards in the past, they now need to understand crypto and be fluent in tracing it.

There is the need to build a system that integrates pattern analysis with FinTech to lead to the solutions. Financial transactions are the linchpin in modern slavery and trafficking cases, and a significant portion of these transactions — potentially 40-60% — are not cash-based but electronic. This makes them traceable, which is good news for investigators.

FinTech, transaction monitoring, and due diligence by financial institutions, supported by

effective regulation and law enforcement, can provide a strong foundation for tackling this issue. There's been discussion about creating a separate, dedicated unit to combat online child exploitation, and I believe that focus is essential. This is a complex and challenging area of crime that demands a dedicated approach.

In conclusion, tackling this issue requires a multifaceted approach, including prevention, education, and collaboration between law enforcement, prosecutors, financial institutions, and regulators. The criminals we're up against don't care about race, religion, or creed — they are motivated by money. The motivation, however, is a higher calling — to make a difference in someone's life. Let's all work together, break down silos, and move forward with a common goal.

ASEAN-level cooperation in Various Sectors to Prevent and Counter the Misuse of Financial Service Providers

Presented by Yanti Kusumawardhani (Indonesia's ACWC Representative for Children's Rights)

ASEAN Member States are committed to safeguarding financial services for children. There are three key areas in this endeavor:

1. **Preventing Financial Exploitation:** ASEAN Member States recognize the severe impact that the misuse of financial service providers can have on vulnerable children. This remains a critical focus.
2. **Fostering Financial Inclusion:** ASEAN Member States ensure that children have access to secure and trustworthy financial services. Financial inclusion is a priority, and ASEAN initiatives promote financial literacy, empowering children to make informed decisions about their financial futures.
3. **Addressing Emerging Threats:** The digital age has introduced new challenges, such as online sexual exploitation and other cybercrimes targeting children. ASEAN Member States are committed to staying proactive and adapting strategies to counter these evolving threats.

Additionally, there are four fundamental children's rights as stated in the UNCRC:

1. **The Right to Survival:** ASEAN ensures that children have access to the basic necessities of life, enabling them to thrive.
2. **The Right to Protection:** ASEAN Member States are committed to protecting children from all forms of abuse, neglect, exploitation, and violence, both online and offline.
3. **The Right to Development:** ASEAN provides opportunities for children to grow, learn, and reach their full potential.
4. **The Right to Participation:** Children have the right to participate meaningfully in the development process. ASEAN Member States uphold this right, ensuring children have a voice in decisions that affect their lives. It is crucial to also hear children's voices, thoughts, and opinions on financial misuse for CSE transactions.

Here's the Impact of the Misuse of Financial Services on Children ASEAN bodies identified:

1. **Economic Hardship:** Misuse of financial services can deprive children of essential resources, leading to financial instability, poverty, and limited access to basic needs, ultimately harming their future.
2. **Education and Development:** Financial exploitation can hinder children's education opportunities and their ability to achieve their goals, impacting their overall development.
3. **Psychological Issues:** Misuse of financial services can cause stress, anxiety, and a sense of betrayal, with long-lasting impacts on children's mental health.
4. **Increased Vulnerability:** Misuse increases children's susceptibility to abuse, exploitation, and trafficking, further compromising their safety and well-being.

ASEAN Member States have undertaken numerous collaborations over the years, including:

1. **Information Sharing:** ASEAN Member States regularly exchange information, best practices, and intelligence related to the misuse of financial service providers, fostering coordinated regional responses.
2. **Joint Enforcement:** Enhanced cooperation among law enforcement agencies, regulatory bodies, and financial institutions strengthens border investigations and enforcement efforts against financial crimes targeting children.
3. **Capacity Building:** ASEAN is committed to improving capacities through training and skill development programs, equipping stakeholders with the necessary knowledge and tools to efficiently prevent, detect, and respond to the misuse of financial services.

ASEAN Member States have also developed regulatory frameworks and policies through sectoral bodies like the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC). These frameworks, accessible on the ASEAN website, play a crucial role in promoting regional cooperation and safeguarding children from exploitation through financial services.

ASEAN initiatives further promote financial literacy and responsible financial practices, empowering children to make informed decisions. Collaboration across government agencies, financial institutions, civil society, and stakeholders is vital in protecting children's financial rights.

Examples of ASEAN's commitment to protecting children include:

- The ASEAN Regional Action Plan for the Protection of Children from All Forms of

Online Exploitation and Abuse (RPA-COEA).

- The ASEAN Declaration on the Elimination of Violence Against Women and Children.
- The ASEAN Multisector Work Plan Against Trafficking in Persons (2023-2028).
- The ASEAN Digital Master Plan 2025.

Additionally, ASEAN's cybersecurity and transnational crime frameworks, such as the ASEAN Cybercrime Cooperation Framework and ASEAN Plan of Action on Combating Transnational Crime, are essential tools in addressing the misuse of financial service providers.

Challenges in the ASEAN Region:

1. **Diverse Jurisdictions:** Varying legal frameworks across ASEAN member states pose challenges in harmonizing approaches and coordinating cross-border efforts.
2. **Limited Awareness:** Raising public awareness about the risks of financial service misuse and the importance of protecting children from violence remains a challenge.
3. **Technological Advancement:** ASEAN Member States must continuously adapt to the rapid evolution of financial technology to stay ahead of emerging threats.



ACWC, in coordination with other ASEAN sectoral bodies, has undertaken regional training programs and knowledge exchange platforms, recognizing the importance of building capacities and exchanging best practices. Collaborative research is also crucial to develop data-driven programs addressing financial service misuse.

It is important to develop and coordinate regulatory frameworks, reporting systems, cross-border cooperation, and accountability measures to ensure that no child is left behind in addressing child sexual exploitation involving financial services.

Recommendations:

1. **Strengthen Regional Cooperation:** ASEAN Member States must continue to harmonize policies, share best practices, and enhance collaboration to protect children's rights.
2. **Empower Children and Families:** Investing in financial literacy programs and accessible reporting mechanisms will empower children and families to recognize and report instances of child sexual exploitation involving financial service providers.
3. **Foster Inclusive Financial Systems:** ASEAN should prioritize developing inclusive, secure financial systems for children's safety and well-being.
4. **Adapt and Innovate:** As financial technology and threats continue to evolve, ASEAN member states must remain proactive, adaptable, and innovative in protecting children's rights.

International-level cooperation in Various Sectors to Prevent and Counter the Misuse of Financial Service Providers

Presented by Zoelda Anderton Deputy Head of Office and AML/CFT Adviser United Nations Office on Drugs and Crime (UNODC)

Key considerations surrounding the work of the United Nations Office on Drugs and Crime (UNODC) provide context for the engagement with this particular crime type, as well as the cooperation with the private sector and financial institutions. Established in 1997 and headquartered in Vienna, Austria, UNODC's mission is to contribute to global peace, security, human rights, and development by making the world safer from drugs, crime, corruption, and terrorism.

As part of the UN Secretariat, UNODC is mandated to support member states in building just, inclusive, and resilient societies across the 96 countries in which it operates. With more than 2,600 staff, including specialists and international experts, UNODC has a broad pool of resources to draw from. It also serves as the custodian of various United Nations conventions and instruments ratified by member states—governments represented here today. These instruments guide UNODC works in combating crimes such as child sexual exploitation, and importantly, the proceeds derived from these crimes that benefit organized criminal networks.

A key focus of UNODC's efforts is addressing the proceeds of crime generated by criminal networks, which underpins the "follow the money" approach. This strategy aims to identify, disrupt, and ultimately prevent crime, particularly crimes against children. The international community recognizes the importance of this approach, as outlined in the Kyoto Declaration, released after the 2021 Crime Congress in Japan. The Kyoto Declaration emphasizes the need to develop and implement measures that target the economic dimensions of crime, depriving criminals of their illicit gains. This includes identifying, tracing, seizing, confiscating, recovering, and returning proceeds of crime, as well as establishing robust domestic frameworks for financial investigations. It also calls for strategies to combat money laundering and illicit financial flows—essential elements in tackling crimes like online child sexual exploitation and abuse (OCSEA).

International cooperation is critical to addressing child sexual exploitation globally. By targeting the financial gains generated by these crimes and protecting the victims—



primarily children—across borders and in real time, it can make a significant impact.

One key instrument in this effort is the United Nations Convention on Transnational Organized Crime (UNTOC), for which UNODC serves as custodian. Adopted by 190 parties, this legal treaty includes several commitments directly relevant to combating child sexual exploitation and financial crimes, particularly the laundering of proceeds from these crimes. UNTOC criminalizes participation in organized crime, which includes child sexual exploitation networks, and enhances domestic criminal justice responses, including the protection of victims and witnesses—especially children. It also establishes mechanisms for international cooperation, including extradition, mutual legal assistance, asset confiscation, and law enforcement collaboration. Importantly, UNTOC provides member states with a legal basis for international cooperation, even if they lack existing national legislation. It also emphasizes cooperation with the private sector to prevent the misuse of financial systems in crimes such as OCSEA.

Child sexual exploitation is a growing global issue, exacerbated by the widespread use of information and communication technologies, as we've heard during this conference. UNODC plays a critical role in combating this problem through various initiatives,

encouraging member states to develop crime prevention policies, strategies, and action plans. These initiatives focus on addressing multiple factors that contribute to crime, promoting a human rights and victim-centered approach, and facilitating cooperation between stakeholders.

From a financial crime perspective, UNODC adopts a holistic, multilateral, and multisectoral approach involving both public and private sectors. UNODC conducts extensive research at national, regional, and international levels to understand the dynamics of OCSEA and its financial dimensions. It also assists member states in developing legal frameworks to protect children from sexual exploitation, ensuring compliance with international standards such as those set by the Financial Action Task Force (FATF) on anti-money laundering (AML) and counter-financing of terrorism (CFT). Additionally, UNODC provides technical assistance and capacity-building programs for law enforcement, financial intelligence units, AML/CFT regulators, judicial authorities, and other stakeholders, including the private sector.

In terms of information sharing, UNODC promotes the exchange of best practices and knowledge between countries. We also run awareness campaigns to educate children, parents, and communities about the risks associated with online behavior. UNODC supports international cooperation in investigating and prosecuting child exploitation crimes by facilitating joint investigations between countries. Global partnerships with organizations like Interpol, Europol, and other UN agencies are vital in preventing the cross-border nature of these financial crimes.

Online child sexual exploitation poses significant financial crime risks to the financial services sector. Criminals use financial institutions to launder money from illegal activities, often through complex transactions designed to obscure the origins of the funds. This may include transactions with goods and service providers not instinctively linked to these crimes, such as payments through digital platforms, to pharmacies, or for children's gifts and rent. Geographical markers of transactions in high-risk areas associated with child sexual exploitation victims further complicate the matter.

Other risks include fraud, where criminals use stolen identities or compromised accounts to facilitate cross-border transactions, and cybercrime, which exposes financial institutions to cyberattacks aimed at stealing sensitive information. The use of virtual currencies adds another layer of complexity, as it provides a degree of anonymity to transactions associated with child sexual exploitation.

Failure to detect and report suspicious transactions related to child sexual exploitation can result in regulatory non-compliance and significant financial penalties for institutions. Beyond fines, reputational damage can severely impact customer trust and lead to legal consequences. Most importantly, financial institutions must always keep in mind the young victims at the center of these transactions.

Formulating suspicion around child sexual exploitation-related transactions requires a deep understanding of the crime and effective coordination with law enforcement and child protection agencies. Suspending or freezing transactions without careful consideration can put the child's safety at risk, as offenders may destroy evidence, flee to different jurisdictions, or even harm the child. This underscores the importance of a multi-agency, victim-centered approach.

To mitigate these risks, financial institutions need robust AML frameworks that comply with FATF standards and ensure the integrity of financial service providers. Building partnerships with government and non-government authorities and implementing advanced fraud detection and cybersecurity systems are also essential.

International cooperation in this space faces several challenges. Jurisdictional differences, lack of coordination, sophisticated evasion tactics, data privacy concerns, resource constraints, and complex financial networks all pose significant hurdles. Addressing these challenges requires enhanced cooperation, streamlined regulations, and investment in technology and training.

By leveraging these strategies, UNODC aims to build a cohesive and effective global response to protect children from online sexual exploitation and to prevent organized criminal networks from profiting from these heinous crimes.

PANEL SESSION SUMMARIES

THEME I

Misuse of financial service providers in crimes of child sexual exploitation at the international and ASEAN levels;

Overview: This thematic session focuses on the critical issue of how financial service providers are being misused in crimes of child sexual exploitation across international and ASEAN levels. The discussion focuses on various aspects of financial systems and technologies, and their role in facilitating these heinous activities. The session delve into the regulatory gaps, technological vulnerabilities, and responsibilities of the financial sector in addressing this issue.

THEME II

Good practices for detecting and reporting transactions related to child sexual exploitation crimes, involving financial service providers;

Overview: This thematic session focuses on identifying and sharing good practices for detecting and reporting transactions related to child sexual exploitation, specifically through the involvement of financial service providers. By highlighting successful strategies, models, and compliance measures, this session aims to empower financial institutions and corporations to better prevent, identify, and report transactions linked to these crimes.

THEME II

Strategies and potential for collaboration with financial service providers to combat child sexual exploitation;

Overview: This thematic session focuses on collaboration strategies between financial service providers and various stakeholders to combat child sexual exploitation. The

session aims to identify effective approaches for joint action and partnerships to address and prevent these crimes.

THEME IV

Child sexual exploitation and abuse from a multi-perspective approach.

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.



Theme 1

Misuse of Financial Service Providers in Crimes of Sexual Exploitation of Children at The International and ASEAN Countries Level

7 August 2024, 1 pm – 3 pm

Overview: This thematic session focuses on the critical issue of how financial service providers are being misused in crimes of child sexual exploitation across international and ASEAN levels. The discussion focuses on various aspects of financial systems and technologies, and their role in facilitating these heinous activities. The session delve into the regulatory gaps, technological vulnerabilities, and responsibilities of the financial sector in addressing this issue.

Panel Presentation Summaries – Theme 1 Session 1

The Business of OSEC in the Philippines: The Evolving Finance Industry and the Responsibility of the Finance Sector

Presented by Erin Canino and Raena Pabiona International Justice Mission Manila Program Office

Examines the financial context of the crime of OSEC and the ways financial system actors in the Philippines can work to combat it. It includes a brief overview of the different types of financial institutions and payment providers (new Fintech systems) that are used for OSEC transactions. It also describes the financial regulations and laws in the Philippines.

An aggravating factor contributing to the prevalence of OSEC in the Philippines is the widespread poverty in the country. Some studies note that “financially-motivated OSEC cases mostly occur in communities that are suffering from extreme poverty or destitution. The business of OSEC is also aided by the structure of the Philippines’ financial system itself, due to the population’s reliance on online financial services and new digital payment methods. These systems make sending international money transfers to the



country quick, easy, and cheap and ideal for the large Overseas Filipino Worker (OFW) population, is also convenient for traffickers of OSEC

Since financial transactions related to OSEC occur through both traditional banking and new forms of Fintech, understanding the structures of these institutions and the basic regulatory schemes is important for ultimately determining how these institutions can better combat OSEC payments on their platforms. For money service business, when it comes to OSEC in particular, MSBs are the primary transfer channels for OSEC-related transactions identified through STRs and have been since 2015. In AMLC's 2023 study, it reported that in the period from 2020 – 2022, 90.84% of the total number of suspicious transaction reports involving CSEM-related transactions originated from MSBs

E-money Issuers, EMIs are also increasing in popularity with OSEC perpetrators. The AMLC's 2023 study found that EMIs had the second-highest number of STRs related to OSEC, following MSBs. The usage of EMIs has also increased over time, accounting for 1.35% of the total volume of STRs in 2019 – 2020 and increasing to 7.64% in 2020 – 2022. The total peso amounts sent (as identified by the STRs) using EMIs also nearly doubled between the 2019 – 2020 and 2020 – 2022 periods.

In the Philippines and globally, financial institutions and regulatory agencies monitor for OSEC transactions primarily pursuant to AML requirements. In OSEC transaction, the money used to pay for the CSEM usually starts “clean” and then becomes “dirty” as it is used to purchase the illicit materials. While this may cause confusion, most countries recognize the importance of including payments for CSEM as a “predicate crime” in anti-money laundering statutes. Doing so is also in line with the recommendations of the FATF. The Anti-OSAEC Law of 2022 and the Expanded Anti-Trafficking in Persons Act of 2022 have placed new duties on financial institutions, requiring them to report suspicious transactions and share financial information to aid in OSEC investigations. These laws aim to enhance the collaboration between financial institutions, law enforcement agencies (LEAs), and the Anti-Money Laundering Council (AMLC) to improve OSEC detection and prevention.

Recommendations

Financial Institutions must block transactions with unidentified parties, doing Require further information for transactions that present red flag indicators for OSEC. Also adopt internal processes that would ensure timely and effective detection and reporting of suspicious transactions. This role should involve government actors (e.g., AMLC and LEAs) that are proactive in requesting and sharing financial information to further investigations and prosecutions and also Utilize freeze orders to impede OSEC activities.

Financial Service Provider and Online Sexual Exploitation of Children: A Lacunae in Indonesia Legal Framework?

Presented by Febby Mutiara Nelson and Topo Santoso

Child sexual exploitation become a global issue, research indicates a widespread prevalence of child sexual abuse and exploitation on a global level, with more than 300 million children being affected each year. This estimate encompasses various forms of online sexual abuse and exploitation, including non-consensual sharing and exposure to sexual content, as well as online solicitation involving unwanted sexual communication.

In Indonesia, child violence cases reached 24,158 reported cases throughout 2023. Of that total, the most common type of violence was sexual violence, with 10,932 cases. Children at aged 12-17 years category are very active internet users, with 95 percent accessing the internet at least twice a day. Two percent, or around 500,000 children in Indonesia, reported being victims of sexual exploitation and mistreatment in the online world in the past year; Among all Indonesian children experiencing various forms of sexual exploitation and other unwanted experiences in the online world, between 17 and 56 percent of them do not report the incidents.

The various data previously indicate the increasing seriousness of the issue of child sexual exploitation in Indonesia, specifically online child sexual exploitation. The problem lies in a gap in the Legal Framework to address Child Sexual Exploitation in Indonesia. The issue is becoming more serious because the financial sector also plays a role, as perpetrators use financial means to carry out their actions. This has not been adequately addressed because of the legal framework in Indonesia. Although Indonesia has prohibited and threatened punishment for perpetrators of child sexual exploitation and online sexual exploitation (for example, with the Criminal Code, Child Protection Law, Law on Sexual Violence, Pornography Law, ITE Law), efforts to address the misuse of the financial sector by perpetrators have not been addressed with laws in the financial services sector (such as the OJK Law, Banking Law, OJK Regulations, etc.).

For this case, we also need to take examples from other countries, such as Using a Financial Trend Analysis (FTA) just like the United States, which the analysis can provides threat pattern and trend information on the use of convertible virtual currency (CVC) associated with online child sexual exploitation (OCSE) and human trafficking.

Utilizing Banks' responsibility to facilitate the flow of illicit funds that enable this abuse,



have a responsibility to detect when these crimes are happening and help to stop predators in their tracks. Using a Persona-based typologies as a method of categorising and understanding the different types of people, organisations and their characteristics in the context of specific financial crime types. Through using a persona-based typology methodology, banks can see the list of common payment behaviours known as 'red flags' relating to online CSE.

Online CSE criminals are increasingly utilising payment systems, as evidenced by money flows either between an offender and a victim (in cases of sextortion or self-production) or between an offender and a facilitator (such as CSE livestreaming or travelling to offend). These transactions are at the core of CSE and can be vital in detecting and stopping these crimes. This mitigation can be done, one of which is through a coordinated government approach through the development of profiling and transaction monitoring programs, financial service providers are able to target, identify and stop financial transactions associated with the sexual exploitation of children.

Experience in Indonesia that is related to the financial sector in addressing the exploitation of children is Estimates of the proceeds from human trafficking have increased from USD 32 billion to over USD 150 billion (FATF Report 2011). This writing discusses the intersection of financial regulation and human trafficking, with a focus on Indonesia's

experience and broader international efforts. Human trafficking and migrant smuggling are also highlighted as growing concerns within Indonesia, consistent with global trends. Financial institutions and regulatory bodies can play a pivotal role in identifying and disrupting financial flows associated with human trafficking. It highlights the critical need for the financial sector to be vigilant and proactive in identifying and addressing human trafficking. The increased awareness and understanding provided by international reports are vital, but actionable steps at the national level are necessary to curtail this grievous issue.

The FATF Report suggest that country should do:

- Leveraging financial data to spot illicit activities, emphasizing identifying human trafficking for sexual exploitation, forced labor, and even organ trafficking;
- Assess their risks and share information, facilitating cross-border collaboration to tackle money laundering and trafficking
- Financial institutions need proper training and resources to recognize suspicious activities related to human trafficking.
- The financial sector must continue to enhance its monitoring capabilities, collaborate internationally, and support law enforcement to make a significant impact against human trafficking.
- Regulatory frameworks must be robust and adaptive to evolving methods used by traffickers.

Policy Crisis in Addressing Anonymity in Live Streaming Online Transactions: Sexual Grooming as A Modus of Child Exploitation

Presented by Dandi Ditia Saputra, Ahmad Jamaludin, Ishma Yunisa Nurhasanah, Irpan Maulana and Ahmad Irfan Abdul Mazid

At the beginning of 2023, there were 212.9 million internet users and 167 million social media users, equivalent to 60.4% of the total population in Indonesia. A report reveals that 87% of children in Indonesia have interacted with social media before the age of 13. Among children from low-income households, 92% are familiar with social media at an early age. Interestingly, the average Indonesian child is introduced to social media by the age of 7. Furthermore, of the 92% of children from low-income families, 54% were already using social media before the age of 6.

For this phenomenon, the financial sector can play a big role in the identification and prevention of Online Sexual Exploitation Children (OSEC) crimes as it is required to detect and report any transactions related to terrorism financing, money laundering, fraud, and other crimes under national anti-money laundering laws. Government Regulation No. 43/2015 on the Implementation of Law No. 8/2010 further regulates the procedures for reporting and analyzing suspicious financial transactions. In addition, PPAATK issued various technical regulations governing the implementation of reporting by financial service providers, including the obligation to identify and report suspicious transactions. OJK as a financial sector supervisor also issued regulations governing the obligation of financial institutions to apply the principle of know your customer (KYC) and report suspicious transactions. The financial sector can play a significant role by identifying suspicious transactions related to OSEC, which can help law enforcement to take action against these crimes. Financial institutions, law enforcement agencies, and governments should work together to discourage payment for child sexual exploitation materials, thereby deterring victim abuse. By analyzing Suspicious Activity Reports (SARs) and Suspicious Transaction Reports (STRs), it is possible to gain insight into the networks and activities involved, as well as identify perpetrators through the information contained therein, including personally identifiable information. In addition, it aims to collect financial data from various sources, thus providing law enforcement agencies with the necessary evidence to initiate investigations, seize and confiscate proceeds from criminal acts, and rescue victims.

Conclusion

The internet has become an easy arena for criminals to make contact with children, making platforms that offer live streaming services potential targets for criminal activity. Factors such as anonymity, boredom, ignorance of the law, and the influence of virtual friends create opportunities for inappropriate sexual behavior and online isolation. In Indonesia, with high internet usage among minors, the urgency to protect them is even more crucial. The need for stricter regulations, such as effective age verification and greater involvement of the financial sector in reporting suspicious transactions, are important steps to reduce access to harmful material and protect children from sexual exploitation. Implementation of these protection systems should be prioritized to create a safe digital environment for the younger generation.

E-Wallet Misuse in Online Child Prostitution Transactions; How Does Indonesian Law Respond?

Presented by Rena Yulia and Ahmad Sofian

E-wallet or electronic wallet is one of the innovations that provide convenience and speed in making transactions. However, this technological advancement also brings new challenges, especially in terms of misuse for illegal purposes. One form of abuse that is very troubling is the use of e-wallets in online child prostitution transactions. This phenomenon is not only unlawful, but also has a serious impact on the well-being and safety of children. The Main Focus of this article also shared that Child Prostitution, one of the cases that occurred in Indonesia in the Blitar area, involved minors. This case started when a man named RSAP acted as a pimp who offered children aged 13 and 14 to customers. In this case, the suspect used social media such as Facebook and Whatsapp to offer the minors. In order to be able to date the minors, the suspect set a price of IDR 1,500,000 for one date.

View of the Law in Indonesia, Child as Victim, the involvement of children in online prostitution can be preceded by deception, persuasion and other actions that can trap children in these conditions. Child as Beneficiary, In this transaction, the child can be the recipient of funds through their e-wallet. Legal transaction but illegal purpose, the transaction is legal, does not violate financial technology in organization or management, but the purpose of the transaction is a crime, such as paying for pornography, extortion and other prostitution.

The Lessons from Australia is Where suspicions arise, financial service providers can take steps to mitigate risk and file a suspicious report (SMR) with Austrac. Financial intelligence allows investigators to further identify the victim (child) by looking at payments received. Financial service providers can identify and stop financial transactions related to the sexual exploitation of children.

In conclusion, there are no special regulations that require e-wallets to create policies to monitor suspicious transactions, especially for the purpose of online child prostitution exploitation. Also, there is no policy from the e-wallet application to recognize, identify misuse of e-wallet for exploitation purposes and there is no reporting and mitigation mechanism if there are cases of child sexual exploitation using e-wallets.

Recommendations

- There needs to be cooperation between financial service providers, the private sector, law enforcement and academic organizations in protecting children from online prostitution, which is incorporated in the new Institute.
- There are restrictions on transactions in one e-wallet account. If there is a suspicious transaction, it can be reported to the institution.
- There needs to be an age limit on digital wallet ownership. So that children do not easily have a digital wallet account.
- Specific regulations are needed on the prevention and protection of children from online sexual exploitation, including from the impact of financial services.

Theme 2

Good Practices of Detecting and Reporting Suspected Transaction Related to Child Sexual Exploitation Crimes by Involving Financial Service Providers.

7 August 2024, 1 pm – 3 pm

Overview: This thematic session focuses on identifying and sharing good practices for detecting and reporting transactions related to child sexual exploitation, specifically through the involvement of financial service providers. By highlighting successful strategies, models, and compliance measures, this session aims to empower financial institutions and corporations to better prevent, identify, and report transactions linked to these crimes.

Panel Presentation Summaries – Theme 2 Session 1

Financial Investigation

Presented by David Eaton, Law Enforcement Advisor from ICITAP - American Embassy Jakarta

Financial activities that could be related to illegal activities include fraud, money laundering, and terror financing. Financial activities that raise questions or suspicions include:

- Structured deposits
- Transfers to offshore accounts
- Multiple transfers between several accounts
- Lack of a clear business purpose

Money Laundering is an action that is used from a financial transaction, used from a crime, designed to change the form or to conceal the source from the proceeds. For



this case, financial institution has their own directory to prevent, anti – money laundering (AML) that have Laws, Regulations & Procedures to prevent criminals from disguising illegal money as legitimate income. AML directory was connected also with FATF, FIU, Police and financial institution.

Financial institutions are required to develop and follow programs designed to prevent money laundering and terror financing. These programs include:

1. Customer Due Diligence (KYC) – Know your customer
2. Transaction Monitoring – Identifying suspicious transactions
3. Reporting – Submitting reports to financial regulatory authorities
4. Record Keeping – Maintaining accurate records of all transactions

Actions to follow the money include identifying how funds are spent, such as through deposits to financial accounts, transfers between accounts, gifts/donations/transfers, purchasing assets, buying additional “supplies,” supporting criminal activity, and money laundering schemes.

“Follow the money” can also involve investigating suspicious transactions by taking several actions, such as examining international wire transfers, offshore bank accounts,

casino activity, unexplained cash deposits, unusual travel patterns, irregular business transactions, and the use of front companies and shell companies.

Recommendations

Based on this situation, Financial Institutions should be good partners in investigating Crimes Against Children. Their main responsibilities include, the duty to maintain accurate records; however, they are not required to identify criminal activity, and there are still limitations where they do not have the information to identify criminal activity. Therefore, this can be supported through police investigations. Also on the other side, police must carry out the duty of conducting a thorough Financial Investigation using the Criminal Investigation method. They must also coordinate with Financial Institutions and are responsible for collecting and analyzing financial records to identify criminal activity occurring in the financial sector.

A Model for Preventing the Misuse of Financial Service Providers in Child Sexual Transactions: Good Practices of Detecting and Reporting Suspected Transactions Related to Child Sexual Exploitation Crimes

Presented by Diandra Sabila Nigara and Gresia Astrida

The Indonesian Child Protection Law defines exploitation as acts that benefit from or extort children for gain. Financial service providers are vital in detecting and reporting suspicious transactions related to child sexual exploitation, but gaps exist in legal frameworks. A holistic model is needed to prevent misuse of financial service providers in child sexual transactions, integrating technological advancements, regulatory cooperation, and enhanced training for professionals to prevent, detect, and report exploitation.

Online Information System for the Protection of Women and Children (SIMFONI PPA), from 2020 to 2022 there are 1,581 victims of human trafficking. The data indicates that 96% of the victims of human trafficking are women and children. Human trafficking comes in many forms, but every form violates human rights and involves the exploitation of people. CSE In Indonesia, up to 56% of online CSE and abuse in Indonesia goes undisclosed and unreported. Transaction Related, Indonesian Financial Transaction Reports and Analysis Centre (INTRAC) found 41 transactions related to CSE, Blackmailed through OCSEA, Online Sexual Exploitation and Abuse (OCSEA) is being experienced by children age 12-17.

With the advancement of technology, child sexual exploitation (CSE) has increasingly moved online through various actions. Online grooming is a process in which an individual builds a relationship with a child using the internet or other digital technologies, facilitating potential online or offline sexual contact. Another concerning practice is sexting, defined as the creation, sharing, and transmission of sexually suggestive nude or nearly nude images via mobile phones and the internet; this is often a consensual activity among young people. Sextortion involves extortion where an individual uses self-made images of a person to obtain sexual favors, money, or other benefits, threatening to disseminate the material without consent, such as sharing it on social media. Additionally, there is the alarming trend of live streaming, which involves broadcasting sexual violence against a child. In such cases, the child is coerced into performing for an audience that may have requested or ordered the violence, effectively dictating how the abuse should occur.



In reality, banks are among the institutions responsible for enhancing the standard of living of many people. In this case the authors refer not only to economic aspects but also to the overall well-being of the broader community. The issue of the role of banks as financial institutions was raised because based on interviews conducted by ECPAT Indonesia with several survivors. CSE frequently utilizes financial services to facilitate its activities, including sending money to e-wallets, making direct transfers, and using money changer services in live streaming cases. This demonstrates that robust support from financial service providers is crucial in detecting, reducing, and even preventing CSE.

To effectively combat child sexual exploitation (CSE), it is crucial to establish international collaboration through partnerships with regulatory bodies to share intelligence and best practices, as well as to create harmonized regulations across jurisdictions for consistent detection and prevention of CSE transactions. Strengthening existing laws and introducing new legislation will help address the evolving methods of financial exploitation in CSE. Additionally, leveraging technological advancements, such as AI and machine learning, can enhance monitoring systems to detect suspicious transaction

patterns. Implementing anonymous reporting systems will allow individuals to report suspected CSE transactions without fear, while establishing clear reporting protocols for financial institutions and a feedback mechanism for updates on reported cases will improve future detection and reporting efforts.

Recommendation

As a transnational issue, child sexual exploitation requires strong collaboration between governmental and non-governmental institutions. Indonesia, with a population of 275.5 million, including 70 million children, faces significant challenges in raising awareness. Strategies such as training, awareness campaigns, and community engagement are essential. By implementing these approaches, financial service providers can improve their ability to detect and respond to suspicious transactions related to child sexual exploitation, thus contributing to the broader effort to combat this crisis.

Fintech for Good: Survivor Insights and Actionable Recommendations

Presented by Benjamin Lawrence from International Justice Mission

Half a million Filipino children were trafficked to produce new child sexual exploitation material in 2022. Survivors voices provide access to ground truth, resulting in more effective trauma-informed solutions that respond to the lived experiences of affected communities. The insights shared here are from survivors of various forms of child exploitation, including online sexual abuse and exploitation of children.

Critical insights are shared below for their relevance to the fintech sector: Communities in the Philippines where online sexual exploitation of children occurred have normalized silence instead of speaking up for exploited children. In focus group discussions for the Scale of Harm Study, survivors affirmed that in their own communities, many adults kept silent despite knowing that the crime was taking place, with some even refusing to see the activity as illegal. Financial transactions and motivations lie at the heart of the exploitation on the supply side (the country in which the offender has physical access to vulnerable children), Survivors support further engagement as policies, research and products are developed.

Global Standards for protect was known Under FATF guidelines, Customer Due Diligence (CDD), the process by which a customer's identity is verified and risks of illegal activity assessed, Know Your Customer (KYC), a component process of CDD by which a customer's data is collected and verified, and a strong AML/CFT (Anti-money laundering, combating the financing of terrorism) regime. An AML/CFT regime refers to the local frameworks of laws, rules, and regulations combating money laundering, financing of terrorism and other financial crimes. Countries that are not members of FATF receive their mandate through their respective FATF-style regional bodies[3]. These standards are operationalized through domestic legislation and rules (i.e., Proceeds of Crime Act [UK], AML/CFT Act [Australia], Anti Money Laundering Act [Philippines]).

Recommendations

1. Engage survivor networks effectively to obtain vital context. To facilitate a trauma-informed response to the crime of online sexual exploitation of children, fintech platforms and regulators can directly engage survivors or survivor networks. The Philippine Survivor Network and similar organizations are valuable partners with

rich insights from individuals with lived experience.

2. **Build Safe By Design Platforms and Products.** Fintech platforms should embrace safe by design principles to better comply with legal and regulatory obligations. User safety and community protection should be at the forefront of service and platform design⁸. The principles behind this approach include (1) service provider responsibility, (2) user empowerment and autonomy, and (3) Transparency and accountability. In the context of combatting CSEM production, safety by design includes the inclusion of the proper customer due diligence and know-your-customer tools capable of progressive enhancement (i.e., persons of interest data should be updatable and easy to integrate programmatically). Related training and equipping of staff to assess risks and act with due diligence (i.e., file reports, block transactions, etc.) would likewise be necessary.
3. **Improve detection, reporting, and stoppage of transactions for CSEM production.** Fintech platforms can enhance their data with the use of existing indicators of CSEM production or livestreamed online sexual exploitation of children as supplied by Finance Investigations Units (FIUs) and partners. Transactions with a higher likelihood or risk of connection to CSEM production can be stopped and reported as needed. Friction can be applied at the discretion of frontline staff exercising due diligence.
4. **Demand compliance and comprehensive reporting, thorough investigations, enhance collaborations with law enforcers that lead to actual rescues of victims.** When actionable intelligence is provided to law enforcement, victim rescues are made possible, and facilitators of the crime can be held accountable.
5. **Emphasize the importance of child protection at the level of the institution through appropriate policies, holding the organization accountable through their own impact indicators, including successful interdictions and reports connected to rescue operations.**
6. **Enhance indicators in collaboration with stakeholders, and maximize intelligence sharing between reporting mechanisms – including community-level hotlines.** The quality of existing indicators used to detect CSEM production can be improved by back-testing and validating the effectiveness of reports made, measured against successful cases of rescue or prosecution connected to proactive reporting.
7. **Protect innocent users while maximizing available measures to prevent the abuse of financial service platforms.**

Theme 3

Strategy and Potential for Collaboration in Engaging Financial Service Providers To Eradicate Sexual Exploitation of Children

7 August 2024, 1 pm – 3 pm

Overview: This thematic session focuses on collaboration strategies between financial service providers and various stakeholders to combat child sexual exploitation. The session aims to identify effective approaches for joint action and partnerships to address and prevent these crimes.

Panel Presentation Summaries – Theme 3 Session 1

Children’s Rights and Business Principles and the Role of Businesses to Prevent and Mitigate OCSEA

Presented by Lukita Setiyarso - Partnership Officer/Child Rights and Business
Specialist UNICEF Indonesia

Data from UNICEF, 2022 stated that 80% of children in over 25 countries reported feeling in danger of sexual abuse or exploitation online. While this resource focuses on the challenge of child labor, business activities and relationships have significant impact across the full spectrum of children’s rights. For example, an estimated one-third of internet users are children, yet some 80% of children in over 25 countries reported feeling in danger of sexual abuse or exploitation online, and potential risks include those related to children’s presence on social media platforms. Data on Social Media users in Indonesia on January 2024 shows that there are 139 million or 49.9% population are internet users in Indonesia 93.9% of online activities are using mobile- phones, followed by 60,7% using desktops, 14,3% using tablet.

The Role of Financial and Technology Sector is to prevent and mitigate Online Child Sexual Exploitation and Abuse (OCSEA). In 2022, APJII surveyed 7,568 people and 99.16% of the population aged 13 – 18 use the internet, while the population aged group 5 – 12



years old reached 62,43% with 7 hours and 38 minutes is the average time of screen time per day. This data shows that Business Impact Areas linked to Children Rights that link to Principle 5 of CRBP which is Products and Services are safe for children. OCSEA refers to situations involving digital, internet and communication technologies at some point during the continuum of abuse and exploitation, which can occur fully online or through a mix of online and in-person interaction between offenders and children. In 2023 Wespact published list of ways in which bank could potentially impact children's rights. AI also shows risks in privacy, safety and security biologically, location detection, or harmful content.

Recommendation

A legal framework is the first requirement, even though some relevant frameworks are already available in Indonesia. Others are still in progress, such as the roadmap on Child Online Protection and the Guidance for Business on Child Rights Realization. There are some responsibilities of all business players, to include OCSEA or SEA in the scope of illicit transactions monitored by authorities as part of transaction scope as per law no.8/2010, to include children in any impact assessment, risk assessment, or human rights due diligence, to develop a policy to respect and protect children's rights that

includes the prohibition of all staff performing misconduct with children, to ensure that all gadgets/ ICT asset are provided to staff to support their work, unable to access harmful sites and strong sanction to those who violate.

ICT Sector has specific responsibilities such as perform OCSEA risk and impact assessment of their products and services, improve user agreement terms and conditions, stronger policy to take down OCSEA content and block distribution of OCSEA content, partner with child rights organization to help monitor their content, report, and to take down or suspended an account who upload or promotes OCSEA while Financial Services has responsibilities to perform OCSEA risk and impact assessment of their products and services, generate evidence to understand how the financial services platform connected to OCSEA can inform stronger procedure, include in terms of condition to the customer, that your company supports the prevention of OCSEA to continuous Improvement for a Better World, Fit for Children.

Tech Accountability on Online Child Safety in ASEAN and Beyond: Expectations and Performance

Presented by Dio Herdiawan Tobing - Head of Public Policy World Benchmarking Alliance

Social transformation is also based in digital inclusion which can be measured by access, skills, use and innovation of the digital tools. It describes eystone companies with disproportionate influence on the structure and function of the digital system which are Categorized into three broad categories which are hardware, telecommunication Services and IT Software & Services included internet media and services, semiconductors, e - commerce and other.

There was a survey on Child Safety Indicator assessment for Tech Companies in ASEAN which looked into companies level of commitment to child online safety, a mechanism for reporting online harms to children, cooperate with national and international authorities on reporting children online abuse, partner with third parties on child safety, provide content control for its products, have a child safety website, support educational initiatives for child online safety and Have any other initiatives not mentioned above related to child online safety, which shows findings that the highest point fall to the aspect of content control to products, followed with partnered with third parties on child safety and support educational initiatives for child online safety, having a mechanism for reporting online harms to children, cooperate with national and international authorities on reporting children online abuse, have a child safety website, and the lowest point fall into the high level commitment to child digital safety in business codes, human rights policies or risk assessment frameworks.

Conclusion and Recommendations

Digital in business is like a race to the top for inclusive and trustworthy digital transformation. It evaluates company performance across four interconnected areas: enhancing universal access to digital technologies, improving digital skills at all levels, fostering trustworthy use by mitigating risks and harms, and ensuring open, inclusive, and ethical innovation. This should incorporate social transformation by respecting human rights, providing and promoting decent work, and acting ethically.

The Role of the ICT Sector in Fulfilling Children's Rights and Preventing Financial Misuse for Child Sexual Exploitation

Presented by Keumala Dewi, Executive Director of PKPA Indonesia

The Information and Communication Technology (ICT) sector holds a critical responsibility in safeguarding children's rights and preventing the sexual exploitation of children via financial institutions. Children around the world are regularly exposed to risks and harms online, including sexual abuse, exploitation, and trafficking – ranging from grooming to rape, recorded or streamed by abusers, exposure to misinformation and age-inappropriate content, such as pornography or violence, Apps and games that are designed to encourage unhealthy habits and behaviors, including to be involve in the financial transaction with different methods and platforms, falling victim to illegal or unethical data harvesting and theft and the normalization of gender-based violence through exposure to online abuse materials. To combat these harms and risks requires a coordinated and global to local approach. Unfortunately, the fight against child online abuse and exploitation is neither unified nor pursued in a way that is consistent across all countries. Capabilities, legal frameworks, awareness, lack of allocated and dedicated resources and the will to act all vary widely between agencies and jurisdictions.

However, currently the online games are not only designed for playing and interacting, but also to gambling, and exchanging materials, such as coins, skins, etc. In Indonesia, the rise of online gambling among the public is increasingly concerning. Indonesia is the country with the highest number of online gambling users. There are 4,000,000 online gambling players in Indonesia. Online gambling players, not only come from adults but also children. Based on demographic data, online gambling players under the age of 10 reach 2% of players, with a total of 80,000 people. The distribution of players between the ages of 10 years and 20 years is 11% or approximately 440,000 people, then the age of 21 to 30 years is 13% or 520,000 people. The age of 30 to 50 years is 40% or 1,640,000 people and the age over 50 years is 34% with a total of 1,350,000 people. This is due to access to large wires and network connections, but not accompanied by financial literacy that is instilled from an early age.

On the other side, the applications that have been used by the children and young people in Indonesia, are Tiktok 54 Million, Instagram 52 Million, Facebook 42 Million,

and WhatsApp 37 Million. The high number of online gaming, gambling and applications, that now can easily be accessed by the children in one-link only, have made the children become more vulnerable. And on the other hand, the initiative to respond to this situation seems not balanced with the high number of applications utilizations.

The existence of financial applications and games for children that offer them to do trading, earning, and exchanging services and benefits, is a concerning trend, and mostly have been sadly ignored. After all, children are minors and legally defined as dependents, which means that they must have legal guardians who handle all their matters, especially their financial ones. Children's limited legal, economic, and social rights are based on the presumptively justifiable paternalistic approach that society adopted towards them long ago, although such an approach is morally problematic in connection with adults. The typical explanation for this distinction is that children lack capacities that are pertinent to the justifiability of paternalism.

Developed by UNICEF, the UN Global Compact and Save the Children – the Children's Rights and Business Principles (the Principles) are the first comprehensive set of principles to guide companies on the full range of actions they can take in the workplace, marketplace and community to respect and support children's rights. Based on existing standards, initiatives and best practices related to business and children, these Principles seek to define the scope of corporate responsibility towards children. Covering a wide range of critical issues – from child labor to marketing and advertising practices to the role of business in aiding children affected by emergencies – the Principles call on companies everywhere to respect children's rights through their core business actions, but also through policy commitments, due diligence and remediation measures. First proposed in 2010, development of the Principles was informed by an extensive multi-stakeholder consultation process involving business, civil society, governments, national human rights institutions, academia and children. The hope is that these Principles will serve as inspiration and a guide for all businesses in their interactions with children.

Learning from the principles above, the ICT business sector, has significant roles to ensure child right implementation in their operation, any effort to safeguard children online must have the backing and full commitment of the private sector, if it is to succeed. Private companies must also commit to properly funding both their own and collective efforts to combat child abuse online. In such a competitive environment, the private

sector and other organizations dedicated to combating child abuse online also might face difficulty in attracting the actors and players it needs to stay ahead of increasingly innovative.

Conclusion and Recommendations

By integrating comprehensive corporate policies in line with frameworks such as the Children's Rights and Business Principles (CRBP) and engaging in global coalitions like the Financial Coalition Against Child Sexual Exploitation, the ICT sector can substantially reduce the risks and impacts of child exploitation. This proactive involvement not only ensures the protection of children's rights but also fosters a safer digital environment and reinforces the ethical integrity of the ICT industry.

Private sector can contribute to the effort to eliminate child abuse online in the aspect of Workplace by having internal policy that comply with national and international law, to ensure regular check up in the context of requirements for permits, license, by having internal capacity building to be able to train the team to identify the behavioral pattern that containing risk and to mitigate them, adjusting the system of database in the company to be suitable with the key word of possibility/suspicious child online sexual abuse or exploitation, By establishing the cooperation with child protection actors, such as social workers, and law enforcement to have immediate and proactive responses, including appointed and capacitated "child protection focal point", By working with financial investigator organization to track the flow of transaction which include the frequency of money, the identity and/or animosity of the users, by having impact assessment and analysis of business operations and the mapping of customer age and behavioral patterns to identify possible findings. Marketplace will support by ensuring that their products and services for children are safe by design, which means to make sure the process to develop the product have been through dissemination and proper test to identify and mitigate potential risk for children, by having a robust reporting and referral mechanism/ functions that are link to the government law enforcer that are informed and visible through the platform and product that launched. While Community and Environment can make it by working to educate teachers, parents/ caregivers to help them keep children safe from harm online, as well as to be able to conduct responsible online transaction, and know where to consult if they facing difficulties or problems, to creating children and youth platform for peer to peer support and referral channel for consultation, to create and strengthen the multi stakeholder engagement especially with the related and intersection private sector and establish the responsible and sustainable business

strategy and practices, Design and addressing the corporate social responsibilities to aiming prevention and remediation of the OSAEC issues and cases, in the areas of the highest impact of the business operation, with the approach of advocacy, awareness and participation.

Establishment of A Regional Agreement on Financial Service Providers to Combat Sexual Exploitation of Children

Presented by Joice Soraya and Muhammad Ansy Althafzufar

Child sexual exploitation is a growing issue affecting victims, their families, and society. This research highlights the need for an ASEAN regional agreement to combat this issue, focusing on the role of financial service providers. The agreement should regulate key substances and address challenges in its formation and implementation. The agreement aims to harmonize regulations and customer due diligence standards and strengthen the reporting of suspicious transactions. However, challenges include legal disparities among ASEAN member states, concerns about customer data confidentiality and personal data protection, and limitations in financial service providers' technical capacity. To overcome these, a flexible approach, close cooperation, and capacity-building support are recommended.

Child sexual exploitation perpetrators frequently exploit the financial system to facilitate their actions. Perpetrators involved in cases of child prostitution and trafficking often resort to utilizing bank accounts or electronic money as a means to transfer payments or receive the proceeds of their criminal activities (Shelley, 2018). According to Tom Keatinge, financial services can, unfortunately, be utilized for illicit activities such as the online trade of child pornography and facilitating transactions related to child sex tourism. Advances in financial technology (fintech) and the increasing popularity of cryptocurrencies have, unfortunately, provided criminals with new avenues to conceal their illicit transactions. The absence of proper regulation and oversight of these alternative financial platforms exacerbates the vulnerability to child exploitation crimes.

Financial service providers have a crucial responsibility to implement preventive measures due to their significant role in the child sexual exploitation crime chain. Financial institutions are obligated to adhere to the FATF Recommendation, which mandates the application of a risk-based approach when assessing customers. Additionally, they must conduct enhanced due diligence for high-risk transactions and promptly report any suspicious activity to the financial intelligence unit. Financial service providers have a responsibility to identify and prevent transactions associated with child sexual exploitation. One way they can do this is by utilizing AI-powered transaction monitoring

systems and cross-referencing them with watchlists. Effective collaboration with law enforcement agencies, which involves the exchange of information and evidence, plays a crucial role in capturing criminals and confiscating the profits of illegal activities.

Nevertheless, there remain several obstacles to overcome when it comes to carrying out these obligations. Furthermore, it should be noted that financial service providers face certain limitations when it comes to their technical capacity and resources in detecting child exploitation crimes. This is in addition to the constraints they already have in place to ensure customer data confidentiality and privacy protection. Establishing uniform standards and guidelines at the ASEAN regional level can be instrumental in addressing these challenges.

Regional agreements are a type of international agreement that includes countries within a specific geographical area. An example of this is ASEAN, as Tan mentions. Regional agreements have the advantage of being more tailored to the unique context, needs, and specific interests of countries in the region, unlike international instruments that have a global application.

Regional agreements have the remarkable ability to bridge the differences in legal and political systems among participating countries, all while ensuring the preservation of their respective national sovereignty. Regional agreements often prioritize practical cooperation and capacity building over strict legal obligations. Regional agreements carry significant legal weight as they compel countries to both sign and ratify them, serving as a crucial tool in the realm of international law. According to the Vienna Convention on the Law of International Treaties, participating countries are obligated to faithfully implement the contents of the agreement, as stated in the principle of *pacta sunt servanda*.

The enforceability of regional agreements can differ based on the negotiated clauses, agreed implementation mechanisms, and the political dedication of the participating countries. Legally binding agreements often come with more robust monitoring and dispute-resolution mechanisms compared to agreements that are not legally binding.

Regional agreements, while not legally binding, have a significant impact on establishing shared standards, promoting the alignment of national laws, and fostering collaboration and coordination among the countries involved. When it comes to addressing the issue of child sexual exploitation, regional agreements within ASEAN can play a crucial role in empowering member states to enhance the involvement of financial service providers in

identifying and preventing these heinous crimes.

Regional agreements can serve as a comprehensive structure to enhance collaboration, such as by creating focal points or specialized law enforcement networks to combat child sexual exploitation crimes. Within the ASEAN context, there is potential to bolster initiatives like the ASEAN Chiefs of National Police (ASEANAPOL) and the ASEAN Ministers Meeting on Transnational Crime (AMMTC) in order to improve operational coordination, conduct joint patrols, and facilitate cross-border investigations and prosecutions. Intelligence sharing, whether it comes from financial institutions or law enforcement, is crucial in exposing crime networks involved in child sexual exploitation. An ASEAN regional agreement has the potential to establish standardized protocols and procedures for the sharing of financial intelligence data among member states' financial intelligence units. This must be done while ensuring the protection of personal data and maintaining confidentiality. Furthermore, a regional agreement could encompass provisions for mutual legal assistance in evidence collection, witness examination, asset freezing, and extradition of suspects among ASEAN countries. These mechanisms will enhance the ability of law enforcement to prosecute perpetrators and networks involved in child sexual exploitation, even in cases where the crime spans multiple countries. In order to enhance law enforcement cooperation and facilitate the exchange of information, regional agreements must prioritize capacity building and collaborative training for law enforcement officials. This should encompass a wide range of areas, such as technology-based investigations, financial intelligence analysis, and victim-centered approaches. This capacity-building initiative aims to address the skills and resource gaps that exist among ASEAN countries. Regional agreements should encourage financial service providers to adopt a "zero tolerance" policy towards child sexual exploitation. This means that if customers are found to be involved in such crimes, their business relationships should be terminated immediately. In order to ensure that new accounts cannot be opened at other financial institutions, it is crucial to implement permanent account closure measures and flag the customer's profile as a red flag. Regional agreements may necessitate that financial service providers promptly share information and evidence pertaining to child sexual exploitation with law enforcement officials. This can be done either voluntarily or upon request. The information may consist of customer due diligence data, transaction records, and other relevant documentation for the investigation.

It is essential for the agreement to establish a well-defined and reliable system for financial service providers to share information with law enforcement. According to

Sinha, this system should carefully take into account the significance of confidentiality and data protection. Establishing dedicated communication channels, such as focal points or liaison officers, can enhance coordination between the two parties, leading to increased efficiency. In addition, regional agreements must promote and facilitate the active participation of financial service providers in assisting with the investigation and prosecution of cases related to child sexual exploitation. It is crucial to note that the effectiveness of cooperation between financial service providers and law enforcement officials in combating child sexual exploitation is heavily reliant on a robust and unwavering legal framework in ASEAN countries. Regional agreements should aim to promote the harmonization of laws and regulations regarding reporting obligations, data protection, and information exchange. This will facilitate smoother and more effective cooperation in combating transnational crime.

Conclusion

Considering its pressing nature and significant benefits, it is crucial to expedite the establishment of an ASEAN regional agreement addressing the involvement of financial service providers in combating child sexual exploitation. It is imperative for member states to promptly initiate the negotiation and ratification of the agreement, placing utmost importance on the well-being of the child. The process must be comprehensive and engaging, encompassing all pertinent stakeholders, such as government officials, private sector entities, academic institutions, and civil society organizations with expertise in child protection and financial crime. The insights and suggestions from these esteemed professionals will be of great value in formulating a comprehensive and actionable agreement. In order to gain widespread public and political support, it is crucial to develop a strong communication and advocacy strategy alongside the establishment of a regional agreement. Public awareness campaigns must be carried out to emphasize the pressing nature of child sexual exploitation and the vital role that financial service providers play in preventing it. These efforts will contribute to generating momentum and fostering positive pressure to expedite the formation and ratification of agreements. In order to successfully implement the regional agreement, it is crucial to enhance the capabilities of financial service providers when it comes to identifying and preventing instances of child sexual exploitation. Thus, it is crucial to develop and execute a well-rounded and enduring capacity-building program alongside the formation of the agreement. This program must incorporate comprehensive training for financial service provider staff at every level, ranging from front-line employees to

senior management. The training should focus on risk indicators, customer due diligence procedures, and suspicious transaction reporting mechanisms. The training should be focused on practical scenarios and real-life case studies, ensuring that it stays up-to-date with the ever-changing landscape of crime trends and typologies. Furthermore, it is imperative to promote and support the adoption of advanced technologies and systems by financial service providers to effectively identify and combat child sexual exploitation. This includes leveraging artificial intelligence, machine learning, and data analytics. Effective collaboration and knowledge sharing among financial service providers, along with technology experts and vendors, will play a crucial role in expediting the digital transformation. It is crucial to emphasize the importance of fostering a robust compliance culture and ethical leadership while also enhancing the capabilities of financial services providers. Senior management must exhibit an unwavering dedication to addressing child sexual exploitation and ensuring that sufficient support and resources are available for prevention and reporting initiatives. It is crucial to consistently assess and analyze the efficacy of regional agreements in addressing the issue of child sexual exploitation. It is crucial to include periodic review mechanisms in the agreement along with clearly defined and quantifiable performance indicators. These indicators may encompass various factors such as the quantity of suspicious transaction reports filed, the effectiveness of investigations and prosecutions carried out, and the amount of proceeds from criminal activities that have been seized and confiscated. It is important to utilize the findings of the periodic review to pinpoint any areas for improvement, obstacles, and successful strategies in the execution of the agreement. In addition, it is crucial to ensure that the findings of these regular evaluations are shared openly with the public. This can be achieved through the publication of annual reports or by engaging in dialogue with stakeholders. This communication holds significant importance in fostering public trust and garnering support for endeavors aimed at eliminating child sexual exploitation. It also serves to emphasize the need for accountability and ongoing enhancements in the execution of the treaty.

Strategy for Handling the Crime of Child Sexual Exploitation in the Era of Globalization by the State Police of the Republic of Indonesia (Polri)

Presented by Dwinanda Linchia Levi and Sri Wulandari

Indonesia is a country with a strong commitment to child protection, on par with other nations. This commitment is demonstrated through the ratification of the Convention on the Rights of the Child by Presidential Decree No. 36 of 1990. Indonesian children have the right to protection from both the state and its citizens. As the nation's younger generation, children must be safeguarded from all forms of inhumane acts that violate human rights. The Indonesian government reaffirms this in Law No. 35 of 2014, which amends Law No. 23 of 2002 on Child Protection. One form of inhumane act is sexual crime. Article 69 A states that children have the right to education on reproductive health, religious values, and moral values to protect them from sexual offenders. In 2023, the Indonesian Commission on Child Protection (KPAI) received a total of 3,883 reports concerning violations and fulfillment of children's rights. Out of this number, 2,662 complaints originated from various sources, both directly and indirectly (via letters and electronic communications), while 1,240 cases were reported online and through media channels. The 2023 report highlights various issues, particularly child protection in the digital age, as all aspects are closely linked to issues such as online child exploitation, online prostitution, trafficking of pornographic content, and others.

The main duties of the National Police of the Republic of Indonesia as mandated by law are maintaining security and public order, enforcing the law, and providing protection, guidance and service to the community. To carry out its duties in the field of law enforcement, the National Police is given the authority to carry out inquiries and investigations into all criminal acts, including criminal cases of child sexual exploitation. This article will discuss the issue of the role of the National Police in tackling crimes of child sexual exploitation in Indonesia. The discussion shows that the crime of child sexual exploitation has become a serious challenge in the era of globalization, especially with the development of technology and increasingly widespread internet penetration. The mode used is through social media platforms, such as WhatsApp, Facebook and Facebook Messenger to involve children in sexual acts, taking pictures of a sexual nature and distributing them without the child's permission and forcing children to carry

out sexual acts with the promise of money or gifts. For this reason, in order to overcome the crime of child sexual exploitation in Indonesia, extraordinary law enforcement needs to be carried out, implemented optimally, professionally and modernly.

The community places high expectations on the Indonesian National Police (Polri), one of the law enforcement agencies authorized by law as investigators, to address incidents of child sexual exploitation crimes. Given this reality, the author is keenly interested in discussing the Strategies for Combating Child Sexual Exploitation Crimes in the Globalization Era by the Indonesian National Police (Polri). Despite numerous studies on this topic, this paper presents original insights within the scope of Polri as a law enforcement institution in tackling child sexual exploitation crimes in the era of globalization.

According to Muladi, (Arief & Muladi, 2015) The scope of the police role encompasses two main concepts: authoritative intervention, which involves continuous efforts by the police to maintain order and security in society, and symbolic justice, which emphasizes the importance of the police in upholding a respected legal framework. This role is demonstratively seen when applied to criminal offenders. As law enforcement officers, the police must adhere to legal principles, including: 1) the principle of legality, demanding compliance with the law; 2) the principle of duty, governing the responsibility of the police in addressing issues not covered by the law; 3) the principle of participation, involving coordination with private security to achieve legal compliance in society; 4) the preventive principle, emphasizing preventive actions over enforcement against the community; 5) the subsidiarity principle, directing the police to handle tasks of other agencies without causing larger problems before they are dealt with by more competent authorities.

Based on Law Number 8 of 1981 concerning Criminal Procedure Law, the role of the Police as Investigators in handling cases according to the Criminal Procedure Code (KUHAP) can be explained as follows: 1) Receiving reports or complaints related to criminal acts from certain parties; 2) Conducting initial investigative steps at the scene of the incident; 3) Stopping and identifying suspects; 4) Carrying out actions such as arrest, detention, search, and seizure; 5) Examining and seizing important documents; 6) Taking fingerprints and photos of suspects; 7) Summoning individuals for interrogation as suspects or witnesses; 8) Presenting necessary experts in the investigation process; 9) Making decisions to terminate the investigation; 10) Undertaking other lawful measures as applicable. The duties and responsibilities of investigators also include preparing

official reports and handing over case files to the public prosecutor. This transfer of case files occurs in two stages: first, the investigator submits the case file; second, after the investigation is deemed complete, the investigator hands over the suspect and the evidence to the public prosecutor, carrying out the functions stipulated in Article 14 of Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia, the Police do not merely function as law enforcers within the framework of the criminal justice system. They also have the duty to maintain public order and security, as well as to act as protectors, counselors, and servants of the community. The role of the police in social control is not only repressive but also preemptive and preventive. There are three main categories of police functions: (1) Law Enforcement (Crime eradication); (2) Maintenance of Order (Preserving peace); (3) Community Service (Assisting the community). (Hutahaean & Indarti, 2019)

The role of the Police is crucial in protecting the nation's future generations, as stipulated in Article 13 of Law Number 2 Year 2002 concerning the Indonesian National Police. Polri plays a strategic role as a protector of society, law enforcer, crime prevention agent, and maintainer of public safety and order. The police have implemented several efforts to combat cases of child sexual crimes:

- Pre-emptive Efforts, the police's initial step in preventing crimes involves instilling good values and norms to internalize them within individuals. Despite opportunities for wrongdoing, crimes are less likely to occur without intent. In the current era of globalization, technological advancements, particularly easy internet accessibility, pose challenges for law enforcement in prevention efforts. Therefore, parental supervision and guidance in internet usage are crucial to instill moral values and norms in children.
- Preventive Efforts, following preemptive actions, preventive measures aim to eliminate opportunities for crime, including blocking websites that could potentially facilitate children in committing sexual crimes. However, the rapid evolution of technology presents a significant challenge as new sites continue to emerge daily despite police efforts to block them
- Repressive Efforts: Based on the interview, the police strive to treat child offenders fairly under the law, often employing restorative justice approaches to resolve cases involving children. Police handle child suspects with utmost care to protect them from trauma, ensuring they are not treated like adults during interrogation. Specialized service rooms are designed to be comfortable and child-friendly.

Additionally, collaboration with social services aids in the rehabilitation of children involved in criminal cases.

Recommendations

Strategies to combat child sexual exploitation crimes in the globalization era by the Indonesian national police are pre-emptive Efforts involve initial steps taken by the police to prevent crimes. In combating crime preemptively, efforts are made to instill good values or norms so that they are internalized within individuals. In today's era of globalization, technological advancements pose challenges, particularly with widespread internet access that facilitates potential criminal activities, including sexual offenses by children. Therefore, the role of parents is crucial in supervising and guiding children's internet usage, Preventive Measures focus on eliminating opportunities for committing crimes. Police preventive actions include efforts to block websites that could potentially facilitate sexual offenses by children and Repressive Measures aim to justly address children involved in crimes. Under the relevant laws, particularly in handling cases involving minors, the police tend to use restorative justice approaches to resolve issues. Police should also conduct surveillance in areas deemed vulnerable to crime by deploying officers to monitor these locations, Socialization Campaigns: Police will conduct campaigns to instill moral and ethical values in influential places for child development. For instance, conducting awareness sessions in schools, visiting community groups, and engaging with places of worship such as mosques, Website Blocking: Given the ease of internet access in the globalized era, certain websites, such as those containing pornography or violence, pose risks to children's moral and psychological development. Therefore, police must monitor and block websites deemed harmful to children's moral and ethical upbringing, Mobile Patrols: Police will conduct patrols in vulnerable areas and places where children gather, which are prone to criminal activities. For example, patrolling streets frequently used by children for gathering, Legal Compliance: Police will handle child offenders fairly in accordance with applicable laws. In dealing with cases involving children, law enforcement tends to use restorative justice approaches to resolve issues. Police will treat children with utmost care to protect them from trauma and stress that could adversely affect their future. For instance, children undergoing questioning will not be treated like adults; officers will wear regular clothing instead of police uniforms to create a less intimidating environment. Special service rooms for children will be comfortable and child-friendly. Additionally, police will collaborate with social services to rehabilitate children involved in criminal cases.

Theme 4

Child Sexual Exploitation and Abuse from Multi-Perspective

7 August 2024, 1 pm – 3 pm

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.

Panel Presentation Summaries – Theme 4 Session 1

Efforts to Address Child Exploitation in Asia

Presented by Ms Bushra Zulfiqar, Regional Director Asia TDH

Countries in Asia, on average, are still classified as developing countries. Which is the center of economic growth and technology in the process of developing. On the other hand, we do not close our eyes to the fact that the existence of children in Asia is still neglected. Between one and 20 percent of children experience online sexual exploitation. Based on 2023 data, the National Center for Missing and Exploited Children in the United States received 105.6 million child sexual abuse materials and files and there was a 6-fold increase in online grooming, sexual treatment and blackmail and an increase in child sexual abuse material generated by Artificial Intelligence in Asia, there are 3 countries with high rates of sexual violence, namely Bangladesh, India and the Philippines.

Although child sexual exploitation is a serious violation of children's rights. Yet this is still the case, the sexual exploitation of children in Asia is more children trafficked within and across national and regional borders through the use of threats or violence, including coercion, fraud, abuse or power or taking advantage of children's vulnerabilities. In addition, forms of child marriage that can be carried out by force or other reasons, commercial sexual exploitation in the tourism industry and in emergencies, as well as

informal sex exchange for something that the child wants or needs (e.g. food, clothing, etc.)

Recommendations

Cross-border meetings through the ASEAN forum are crucial for several reasons, including:

- Ensuring the protection of children from all forms of child sexual exploitation,
- Address contextual factors that put children at risk and vulnerability to exploitation (e.g. negative childhood experiences, harmful SOC norms, power imbalances)
- There needs to be stronger institutional and victim support mechanisms including the provision of safe spaces and peer-to-peer support networks Paradigm shifts to put children at the center of the crisis Implementation of adequate policies, national laws & action plans Adequate allocation of budgets & resources Strict legal action against perpetrators to bring justice to victims

Especially for the abuse of financial services for child sexual exploitation, it is necessary to strengthen the financial intelligence system in detecting and preventing such transactions. As well as the importance of cooperation of financial institutions in investigation and prosecution to identify and process the perpetrators. In the realm of the private sector, there is a need for a code of ethics and technological procedures that support the identification of suspicious transactions for child sexual exploitation.

Best Practices for Preventing and Addressing Child Sexual Exploitation

Presented by Winda Winowatan

Yayasan Kasih Yang Utama exists to end slavery. Yayasan Kasih Yang Utama is an NGO engaged in anti-human trafficking issues, which initially worked in 2010 in North Sulawesi, then in 2015 in East Java, and in 2022 in West Java and Bali. Based on the case documentation handled by YKYU in 2022, there were 766 cases recorded, of which 435 were children and 365 were girls. Then in 2023 there were 826 cases recorded, of which 466 were children and 403 were girls. Problems experienced by victims can be in the form of physical violence, psychological impacts and social impacts where physical violence can be in the form of Physical Torture, Sexually Transmitted Diseases, Pregnancy, Drug Abuse and Addiction. The psychological impact is Trauma – Complex Trauma, Post-Traumatic Stress Disorder (PTSD), Destructive Acceptance, Not Good Enough Don't trust anyone. While the social impact is the Lost Opportunity: Education, Shame and Cultural Judgment, Bullying and a Lost Childhood will never return.

The scope of services that have been provided to victims, namely housing shelters for survivors of child sex trafficking, is YKYU's core work. The shelter provides holistic and long-term rehabilitation for survivors aged 13-18 years. These include medical care, education, life and employment skills training, trauma-based counseling, and mentorship programs. From our shelters, we also provide legal advocacy and family support services for survivors. Many of our services are also available for survivors who can return home after rescue as well as those who reintegrate after one season in residential care. This service is available through YKYU's Residential and Community-Based Aftercare Program. YKYU long-term shelters are the first of their kind in Indonesia to offer comprehensive aftercare services. Our goal is to expand the program to many other regions in the hope of helping Indonesia become a leader in aftercare services for trafficking survivors, currently preparations are underway for the opening of a second shelter. Transitional homes are alternative residences before survivors are fully prepared to return to their families.

There are three areas of prevention including Transit Monitoring, Community Development, and Awareness Education. YKYU works closely with the government and law enforcement agencies, as well as schools and other foundations. This is done in

order to provide holistic services according to the needs of each survivor, individual and family. Several areas of cooperation have been established, for example in rescue operations and interventions, resource sharing, training and raising public awareness, sending expert speakers, screening and assessment of potential residents, temporary shelters, referrals.

Corporate Criminal; Responsibility for Human Trafficking and Sexual Exploitation of Children

Presented by Herman, Oheo K Haris, Reflin Budini

Trafficking in persons is generally defined as all acts related to the recruitment, transportation, transfer, sale, or purchase of human beings by force, fraud, fraud, or other coercive tactics aimed at placing them in conditions of forced labor or slavery-like practices, in which labor is drained through physical or non-physical coercive means, including extortion, fraud, fraud, isolation, threats or the use of physical force or coercion Psychological. The history of the development of human trafficking in Indonesia, since its inception, has categorized human trafficking as a form of criminal act regulated by the provisions of Article 297 of the Criminal Code. However, since trafficking in persons is a transnational organized crime, it is necessary to renew the commitment to combat and overcome it as stated in Presidential Decree No. 88 of 2002 concerning the National Action Plan for the Elimination of Trafficking in Women and Children. On April 19, 2007, Law No. 21 of 2007 concerning the Eradication of Trafficking in Persons (hereinafter referred to as the PTPPO Law) was enacted.

Trafficking in persons is largely a mode of labor recruitment. In recruiting workers, employers must make employment agreements with workers. An Employment Agreement is an agreement between two parties, namely the worker and the employer. The employment agreement is based on the principle of freedom of contract, where freedom is not absolute. Employment agreements that do not pay attention to law, decency, and norms of justice and violate the human rights provisions guaranteed by the Constitution that expose workers can qualify as trafficking in persons. However, this evidence cannot be proven by the (formal) employment agreement alone; It must be done with prohibited (material) consequential actions. For trafficking in persons carried out by corporations, those who can be held accountable are corporations and administrators. This statement is regulated in line with the development of criminal law in Indonesia, which places corporations and corporate administrators as legal subjects, just like individuals. Provisions regarding corporate liability for human trafficking are regulated in Article 13 of the PTPPO Law and Perma No. 13 of 2016. These responsibilities can be in the form of imprisonment and fines.

Recommendations

Strengthen laws and regulations to hold companies accountable for human trafficking and child exploitation, with clear enforcement and enforcement mechanisms and the application of business ethics in corporate practices. The existence of Multi-Stakeholder Collaboration to address the complex issue of corporate accountability for human trafficking and child exploitation requires a collaborative effort among all stakeholders – governments, companies, civil society, and communities.

Combating Child Marriage: A Comparative Analysis of Regulations in Indonesia and The Philippines

Presented by Dr. Ika Dewi Sartika Saimima, SH, MH, MM

Based on UNICEF data, the researchers discussed child marriage in Indonesia and the Philippines, which are part of Southeast Asia. Both countries have a high prevalence of child marriage. Common factors driving child marriage in Indonesia and the Philippines are poverty, culture, education, religion, and gender inequality. A significant difference in the handling of child marriage is that the Philippines has its own regulations that prohibit child marriage. Indonesia recently revised its marriage law to raise the minimum age of marriage for women. The purpose of raising the age of marriage is to equalize the age with men, which is 19 years old. (Law No. 16/2019) Philippine Presidential Decree No. 1083, enacted in 1977, is known as the Muslim Personal Law Code (CMPL). It recognizes Sharia (Islamic law) as part of the legal system in the Philippines for matters relating to Muslim personal law, including marriage, divorce, inheritance, and trusteeship. The Philippines has epublic Law No. 11596 (Anti-Child Marriage Act of 2022).

In Marriage Law Number 1 of 1974, which regulates various aspects of marriage, including age requirements, but in Article 7 of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage has provided an opportunity for child marriage to still occur with a dispensation application by the parent (child) to the court for emergency reasons, accompanied by sufficient supporting evidence to marry the child. Although the government has imposed minimum restrictions on marriage, in rural areas, child marriage still occurs. The law became ineffective because of the dispensation for child marriage. Thus, in the Philippines, there is a regulation of Presidential Decree No. 1083 (Muslim Personal Law Code, CMPL) where if a religious court rejects an application for a child marriage dispensation, then parents can carry out the marriage of their child in accordance with their religious beliefs and traditions. The CMPL allows an exemption for Muslims to marry under the age of 18 with parental consent and court consent (Article 36 of the Family Code).

Recommendations

The situation in Indonesia and the Philippines related to the disharmony between national laws and regulations and global agreements on protection is an obstacle in preventing child marriage. Indonesia and the Philippines must continue to adopt a multifaceted approach, addressing social, cultural, and religious factors in addition to legislative reforms in handling child marriage.

Criminal Policy on Command Efforts Crime of Child Sexual Exploitation: Renewal Policy Perspective

Presented by Subaidah Ratna Juita and Wafda Vivid Izziyana

Child Sexual Exploitation Crime has made child victims experience obstacles in children's development and growth, especially from psychological and physical aspects. In addition, the crime of child sexual exploitation destroys the future, causes stress, and will destroy the good name of the child and his family. In the study of criminal policy, it is contained in several laws and regulations, namely: the Criminal Code, the Law on Sexual Violence, the ITE Law, the Pornography Law, the PTPPO Law, the Child Protection Law, and Government Regulation Number 27 of 2024 concerning Coordination and Monitoring of the Implementation of the Prevention and Handling of Victims of Sexual Violence.

Furthermore, criminal policy through criminal efforts to counter the crime of sexual exploitation from the perspective of criminal law reform policies can refer to various articles that have been formulated in Law No. 1 of 2023 concerning the Criminal Code (New Criminal Code) which is valid for 3 years from the date of promulgation, namely in 2026. From the discussion above, it can be concluded that the crime of child sexual exploitation in the study of criminal policy through criminal efforts is contained in several laws and regulations, namely the Criminal Code, the Sexual Violence Crime Law, the ITE Law, the Pornography Law, the PTPPO Law, the Child Protection Law, and Government Regulation No. 27 of 2024. Furthermore, criminal policy through criminal efforts to counter the crime of sexual exploitation from the perspective of criminal law reform policies can refer to various articles that have been formulated in Law No. 1 of 2023 concerning the Criminal Code (New Criminal Code) which is valid for 3 years from the date of promulgation, namely in 2026.

Recommendations

In an effort to prevent child sexual exploitation in Indonesia, the Indonesia government needs to harmonize a series of laws and regulations that have involved many parties to help achieve this goal. The Indonesian Ministry of Institutions also collaborates in this matter, such as the Ministry of Child Empowerment and Protection (KPPPA) in collaboration with several other Indonesia institutions such as KPAI, the Ministry of Communication and Informatics, the Ministry of Health, the Ministry of Tourism, the Ministry of Social Affairs, and the Ministry of Religion. The government also needs

to cooperate with institutions and foundations related to child sexual exploitation to facilitate countermeasures through various means such as dissemination, socialization, and others. Also, providing a place to report and handle acts of sexual violence; Providing legal regulations regarding acts of sexual violence and punishment for perpetrators as protection for victims of sexual violence; Establish international agreements for legal standards against acts of sexual violence; and Conduct anti-sexual violence campaigns. These measures are of course only preventive. However, at least by making the above efforts, it is hoped that the main cases of sexual violence can be prevented as optimally as possible.

Theme 1

Misuse of Financial Service Providers in Crimes of Sexual Exploitation of Children at The International and ASEAN Countries Level

7 August 2024, 3.30 pm – 5.30 pm

Overview: This thematic session focuses on the critical issue of how financial service providers are being misused in crimes of child sexual exploitation across international and ASEAN levels. The discussion focuses on various aspects of financial systems and technologies, and their role in facilitating these heinous activities. The session delve into the regulatory gaps, technological vulnerabilities, and responsibilities of the financial sector in addressing this issue.

Panel Presentation Summaries – Theme 1 Session 2

Cryptocurrency, Crime, And Children: Unveiling the Dark Side Of Financial Technology In Child Sexual Exploitation

Presented by Fatria Harwanto and Nanda Irwantika

Cryptocurrencies provide advanced technology that simplifies transactions, lowers expenses, and strengthens security through the use of blockchain technology and also Cryptocurrencies provide an extent of anonymity and decentralization which makes them appealing for illegal activities. Law enforcement faces significant challenges due to the growing use of digital platforms for child sexual abuse transactions, Some instances of the challenges are high anonymity and decentralization, cryptocurrencies allow for private transactions with no central authority. Transactions on Blockchain, Transactions are logged on a public ledger (blockchain) but identities remain hidden behind cryptographic addresses. Mixers/Tumblers, Services that blend multiple transactions to obscure the origin and destination of funds, increasing anonymity. DeFi Platforms, Decentralized Finance (DeFi) platforms often lack Know Your Customer (KYC) and Anti-Money Laundering (AML) regulations, facilitating anonymous financial activities.

Regulatory frameworks that discuss in this presentation was based on,

- United Nation CRS 1989, The UN Convention on the Rights of the Child (UNCRC) of 1989 emphasizes measures to prevent child exploitation globally.
- Indonesia's Law No. 35/2014, Amendment of Law No. 23/2002 on Child Protection, enhances the legal structure for safeguarding children in Indonesia.
- Regulation No. 13/POJK.02/2018, in Indonesia specifically regulates digital financial innovations, aiming to mitigate risks associated with cryptocurrency use in illegal activities.

There are two main challenges that are mentioned in the presentation, the first is about the rapid pace of technological evolution presents a significant challenge as it often outstrips the development of corresponding regulations and the second challenge is difficult to effectively monitor and control illegal activities.

Conclusion and Recommendation

Combating the misuse of cryptocurrencies for child sexual exploitation requires unified global efforts. Essential elements in this fight include the use of advanced technologies to track and analyze transactions, the implementation of stringent laws and regulatory measures to close legal loopholes, and robust international partnerships to ensure cooperation across borders. Only through a comprehensive and collaborative approach can we effectively address and mitigate the risks posed by the misuse of financial technology. Actionable suggestions that maybe can solve this challenge has been mentioned in four main things. The first thing is about the regulation, specifically through establishing a consistent set of international regulations. The next recommendation is that KYC methods should be established more strongly. Other things are about investment in blockchain analysis tools. The last one is about international cooperation and educational initiatives that focus on strengthening global collaboration and educational programs.

Criminal Responsibility of Child Sexual Exploitation Perpetrators Using Social Engineering Techniques Through Digital Wallets in Indonesia

Presented by Kiki Kristanto and Kautsar Ismail

Ease of Access to Digital Wallets. The convenience of digital financial services has led to increased vulnerability to criminal misuse, especially in the context of child sexual exploitation. Just by a unique technique like social engineering, a child can be manipulated as much as an adult can do.

Exploiting human weaknesses to retrieve confidential data or information through psychological manipulation. For example, a person currently has a close relationship with a child. then the perpetrator begins to actively contact the child using social media. After that, the perpetrator offers to ask for a selfie of the child. when the child is praised, and then enters this social engineering method, the child is lulled. Then, the child begins to be asked for nude/sexy photos in exchange for pocket money that will be transferred to his digital wallet. hence the exploitation of the child.

Legal Rules in Indonesia that related to this case are

- Law Number 21 of 2007 concerning the Eradication of Trafficking in Persons (TPPO Law).
- Law Number 44 of 2008 concerning Pornography.
- Law Number 35 of 2014 Jo. Law Number 23 of 2002 concerning Child Protection.
- Law Number 11 of 2008 concerning Electronic Transaction Information jis Law Number 19 of 2016 jis Law Number 1 of 2024.

Conclusion and Recommendations

Social engineering techniques through digital wallets are a prevalent method used by child sexual exploitation perpetrators in Indonesia, and also for the recommendation is Strengthening regulations, educating the public, and enhancing the role of digital wallet Provider to protect children from exploitation.

Theme 2

Good Practices of Detecting and Reporting Suspected Transaction Related to Child Sexual Exploitation Crimes by Involving Financial Service Providers

7 August 2024, 3.30 pm – 5.30 pm

Overview: This thematic session focuses on identifying and sharing good practices for detecting and reporting transactions related to child sexual exploitation, specifically through the involvement of financial service providers. By highlighting successful strategies, models, and compliance measures, this session aims to empower financial institutions and corporations to better prevent, identify, and report transactions linked to these crimes.

Panel Presentation Summaries – Theme 2 Session 2

Indication of E-Wallet Transaction Misuse – Facilitated Commercial Sexual Exploitation of Children

Presented by Celine Endang Patricia

Supply and demand for commercial sexual services are correlated. The high numbers of children targeted as sexual and commercial objects indicate a response to buyers' perceptions that the child victim also wants to have sex, it also connected that, E-wallet as media of CSEC transaction is a form of crime modification from the actual form due to financial technology.

Overview about Commercial Sexual Exploitation Children, It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity in exchange for something the victim needs or wants, and/or; for the financial advantage or increased status of the perpetrator or facilitator. For financial technology, digital money transactions are started when users top up their e-wallet account. Many transactions can be completed through e-wallets. Some actors use e-wallets in bad faith. As well as using e-wallets to commit CSEC crimes.

Case from Several Countries, Indonesia, The case of SR's 14-year-old. In this case, SR used a virtual dating app that she knew through her friends. On this app, SR had a relationship with MR, an adult. MR requested SR to have an undressed video call with MN. Then, MN transferred 150,000 to SR through a digital wallet.

Filipina, The International Justice Mission (IJM) and the University of Nottingham Rights Lab suggest that half a million children or 1 in 100 children in the Philippines are trafficked for CSEC profits. In this crime, a local trafficker performs the sexual abuse of a child directly, while a buyer (offender or online sex customer) watches the abuse in real-time through a video call. The cost of CSEC content for the sex customer is \$25 USD, which is paid to the trafficker via e-money.

United State, A report from the American Society for the Positive Care of Children (American SPCC) which found more than 12.7 million reports of child sexual exploitation filed to the Cyber Tipline National Center for Missing and Exploited Children from 1998 to June 2016. From these reports, around 70% to 90% of the victims are children who suffer from sexual exploitation and commercialization.

Regulatory frameworks that will be discussed in this presentation were based on, Law Number 11 of 2008 on Electronic Information and Transactions, Law Number 21 of 2007 on Human Trafficking, Law Number 44 of 2008 on Pornography, Law Number 35 of 2014 on Child Protection.

Another related document, 6th UN Congress in Caracas, Venezuela (1980), it was emphasized in document A/CONF.87/L/14 on Crime tend and crime prevention strategies. The crime problem impedes progress towards the attainment of an acceptable quality of life for all people. Crime prevention strategies should be based upon the elimination of causes and conditions giving rise to crime. 7th UN Congress in Milan, Italy (1985), it was emphasized in document A/CONF.121/L/9 on Crime Prevention in the Context of Development, The elimination of the causes and conditions that give rise to crime should be the basic crime prevention strategies. 8th UN Congress in Havana, Cuba (1990) it was emphasized in document A/CONF.144/L/17 on Social aspects of crime prevention and criminal justice in the context of development. Social aspects of development are an important factor in the achievement of the objectives of the strategy for crime prevention and criminal justice in the context of development and should be given higher priority.

Recommendations

To protect children from exploitation and ensure their well-being, a multi-agency

approach that prioritizes the best interests of the child is essential. This includes providing quality and consistent training for frontline staff and first responders, ensuring they are equipped to handle such cases with care and precision. Legal guardianship plays a crucial role, especially for trafficked children, who also benefit from specialist foster care to help them recover from trauma. Stronger protocols are needed to address the issue of missing trafficked children, ensuring swift and effective responses. Additionally, utilizing mass media and the press as a tool for social control can raise awareness and promote vigilance. Finally, parents must remain vigilant when their children use the internet, as this is often where traffickers and predators target vulnerable individuals.

Leveraging Compliance Measures To Prevent Child Sexual Exploitation: The Role Of Corporations And Financial Institutions Under Indonesia's National KUHP

Presented by Yunita and Karin Daniela Hardadi

The issue of child sexual exploitation in Indonesia is alarmingly widespread and often described as an iceberg phenomenon, where much of the problem remains hidden from view. In 2021, the Indonesian Child Protection Commission (KPAI) monitored numerous cases, revealing that 83% were related to prostitution, involving approximately 200 child victims.

Research Problem The legal ambiguity present in Article 48(d) necessitates the proper formulation of implementing regulations to ensure legal certainty. Currently, there are no specific regulations addressing the involvement of financial service providers in preventing crimes committed by corporations, which is particularly concerning in cases of child sexual exploitation. Clarifying the role of financial service providers in this context is essential for establishing effective preventive measures and holding them accountable in the fight against such heinous crimes.

Compliance measures are essential tools for crime prevention, but current OJK Regulations (POJK) are limited in scope and only address specific types of crimes. To effectively prevent crime, these regulations need to be expanded to cover a broader range of offenses. Child Sexual Exploitation must become a priority in SOP/compliance measures implemented for high-risk industries for example in Hotels, Airlines, Karaoke Bars, Spas, etc.

The involvement of the financial services providers is not explicitly stated in the regulations. Financial service providers are corporations and thus must be responsible for prevention efforts. If interpreted a contrario they could be held accountable if they do not undertake the preventive measures as outlined in Article 48(d). Therefore, compliance measures should be implemented, including consideration of the credibility of their clients.

Financial service industry to preventing child sexual exploitation is Know Your Customer (KYC) principle, and also the other things is make internal standards (similar to the existing POJK) it can be done to examine compliance measures in corporations/clients

if they are high risk and also report to relevant institutions (suspicious transactions from high risk companies with incomplete or nonexistent compliance).

As a result, high-risk companies will find it difficult to obtain services and are at risk of being reported further to the relevant authorities. Therefore, this compliance measurement has significant potential as a tool to prevent child sexual exploitation crimes.

Conclusion

Corporations and the Financial Service Providers are required to undertake preventive measures. The Financial Service Providers can use Compliance Measurement as a valuable tool to easily detect and prevent crimes, specifically child sexual exploitation.



Indonesian Legal Framework in Preventing the Misuses of Financial Technology as A Means of Child Sexual Exploitation in Indonesia

Presented by Uni Tsulasi Putri

The rapid advancement of financial technology (fintech) has revolutionized the financial services industry. In Indonesia, as in many other countries, fintech has become an integral part of everyday financial activities, driving economic growth and inclusion. However, alongside these benefits, fintech also introduces significant challenges, particularly concerning its potential misuse for illicit activities. One of the most egregious of these is the commercial sexual exploitation of children (CSEC).

Indonesia's fintech sector operates under a comprehensive regulatory framework designed to ensure the integrity, security, and reliability of financial transactions. The primary regulatory bodies overseeing this sector are Bank Indonesia (BI) and the Financial Services Authority (OJK).

The first regulation governing Fintech is Bank Indonesia Regulation No. 18/40/PBI/2016 concerning Payment Transaction Processing. This regulation is pivotal in governing the operations of payment system operators within Indonesia. It underscores the importance of security and reliability in processing payment transactions, ensuring that all payment system providers adhere to stringent standards. In 2024, Indonesia issued the Act No. 4 Year 2023 concerning the Developing and Strengthening the Financial Sector. The regulation introduces comprehensive measures aimed at protecting consumers, particularly in the realms of e-commerce and digital financial services.

The Financial Services Authority (OJK) plays a pivotal role in implementing and enforcing these regulations. The OJK is responsible for developing policies that protect consumer rights, employing both proactive and reactive approaches. Proactively, the OJK focuses on preventing fraud through consumer education and appropriate regulatory measures, thereby enhancing public trust in financial services.

One of the critical regulatory gaps in Indonesia's fintech landscape is the absence of specific provisions addressing the risks of child sexual exploitation (CSEC). Current fintech regulations focus primarily on ensuring the security and reliability of financial transactions, consumer protection, and anti-money laundering measures. However, they

do not explicitly cover the potential misuse of fintech platforms for illicit activities like CSEC.

Other than that, concerning the development of cryptocurrencies, Indonesia indeed has made strides in regulating cryptocurrencies, however the existing regulatory framework still has significant gaps. Cryptocurrencies offer a high degree of anonymity, which can be exploited by criminals to facilitate illegal transactions, including those related to child exploitation.

The other challenge in the effort to prevent child sexual exploitation is its enforcement. Regulatory bodies and law enforcement agencies in Indonesia often face significant resource constraints that hinder their ability to effectively monitor and enforce fintech regulations. These constraints include limited financial resources, inadequate staffing, and a lack of specialized expertise needed to tackle the complex and evolving nature of fintech-related crimes.

Conclusion and Recommendation

Key regulations, such as Bank Indonesia Regulation No. 18/40/PBI/2016 and Act No. 4 of 2023, ensure the security of financial transactions, robust data protection, and stringent consumer protection standards. Additionally, OJK Regulation No. 3 of 2024 fosters responsible innovation within the fintech industry. Currently, the regulations do not specifically address the potential misuse of fintech for CSEC. While general principles like know-your-customer (KYC) requirements and surveillance of suspicious transactions provide some level of protection, explicit provisions targeting the use of fintech for sexual crimes against children are absent. The Electronic Information and Transaction Law (UU ITE) No. 11 of 2008 and its amendments, along with the Pornography Law (Act No. 44 of 2008) and the Sexual Violence Crimes Act (Act No. 12 of 2022), offer some coverage by targeting the distribution of immoral content and providing severe penalties for sexual exploitation. However, there is an urgent need for targeted regulations that specifically address the misuse of fintech for CSEC. Strengthening the legal framework with explicit provisions, enhancing coordination among regulatory bodies, law enforcement, and fintech companies, and leveraging international cooperation are essential steps towards better protecting children from online sexual exploitation and ensuring a safer digital environment.

To mitigate this issue, there is a need for regulations that require fintech platforms to implement measures that balance anonymity with accountability. This could include

mandatory user verification processes, enhanced transaction monitoring, and the use of advanced analytics to detect and flag suspicious activities. Balancing user privacy with the need to prevent the misuse of fintech platforms is a complex challenge. Overemphasis on privacy can inadvertently facilitate illegal activities by providing perpetrators with the means to operate undetected. Financial technologies are evolving at a rapid pace, presenting new opportunities for detecting and preventing financial crimes, including child sexual exploitation. Emerging technologies in regulatory technology (regtech) offer promising avenues for enhancing supervision and compliance efforts. These technologies can be leveraged to monitor and analyze financial transactions, thereby identifying suspicious activities that may indicate child exploitation.

Theme 3

Strategy and Potential for Collaboration in Engaging Financial Service Providers To Eradicate Sexual Exploitation of Children

7 August 2024, 3.30 pm – 5.30 pm

Overview: This thematic session focuses on collaboration strategies between financial service providers and various stakeholders to combat child sexual exploitation. The session aims to identify effective approaches for joint action and partnerships to address and prevent these crimes.

Panel Presentation Summaries – Theme 3 Session 2

Enhancing Detection Mechanism: Law Enforcement Strategies Identifying Suspected Financial Transaction of Child Sexual Exploitation Crimes

Presented by Dadang Herli Saputra and Aliyth Prakarsa

In Indonesia, various institutions play crucial roles in handling financial transactions related to child sexual exploitation such as Polri, PPATK, KemenPPA, KPAI and also BSSN.

Seeing the roles that have been implemented in Singapore, various institutions have specific roles and responsibilities for handling financial transactions related to child sexual exploitation. Software like SAS Anti-Money Laundering and IBM Financial Crimes Insight play crucial roles in this process. These technologies enable the real-time processing of large volumes of data, allowing for the quick and accurate detection of suspicious transaction patterns; In Singapore, CAD has access to highly structured and comprehensive data, allowing the system to detect even the most covert transactions. The system can identify anomalies such as unusual transaction frequency, large transaction amounts in a short period, and transactions involving parties with a criminal history.

In Indonesia, the Financial Transaction Reports and Analysis Center (PPATK) also uses

analytical software, although its technology is still in the developmental stage. The systems used by PPATK combine basic analytical techniques with big data processing to identify suspicious transaction patterns. In contrast, in Indonesia, PPATK faces challenges in obtaining high-quality data. Many financial institutions are not yet fully integrated with the automatic monitoring system, so the available data is often incomplete or received late.

Conclusion

The conclusion of this research indicates that Indonesia's legal framework for protecting children from sexual exploitation needs to be strengthened. Although Indonesia has various laws covering child protection and the eradication of financial crimes, their implementation is often hindered by complex bureaucracy and corruption. In contrast, Singapore has a more stringent legal framework and strong institutional capacity, allowing for more effective law enforcement. By learning from Singapore's best practices, Indonesia can improve inter-agency coordination and ensure more consistent application of laws to protect children from sexual exploitation.

Regarding technological support for detecting financial transactions related to child sexual exploitation, Singapore excels with its use of advanced technologies such as predictive analytics and artificial intelligence, which enable real-time transaction monitoring with high accuracy. On the other hand, Indonesia is still in the developmental stage of these technologies, with systems that are not fully integrated and data that is not always of high quality. Nevertheless, through collaborative efforts with international institutions and enhanced training, there is a gradual improvement in PPATK's analytical capabilities. By adopting more advanced technologies and improving technological infrastructure, Indonesia can enhance the effectiveness of detecting financial transactions related to child sexual exploitation.

The Role of Financial Service Providers in the Concept of Cyber Child Sexual Violence Protection

Presented by Nur Aripkah and Khairunnisa Noor Asufie

This era of technology development can have negative and positive impacts on society. Technology has become a common tool in the learning process, making education more accessible, efficient, and effective. On the other hand, it can have negative impacts, such as the emergence of various forms of cyber child sexual violence. Start from the cyber child trafficking, cyber child pornography, and other cyber child sexual violence. Protection against various forms of cyber child sexual violence must of course involve all participant, not only family, law enforcement officials and society, but financial service providers must also take part in protecting cyber child sexual violence.

The financial sector, such as financial service providers, actually has a big role in identifying forms of online sexual crimes against children which are part of online sexual violence against children. First, it needs to be understood that it should be the obligation of the financial sector to detect transactions related to other predicate crimes, which are then packaged in the form between consumers and producers as usual. Compiles financial reports data from multiple sources, providing the evidence law enforcement agencies need to launch its investigation, confiscation and confiscation of criminal proceeds, and rescue of victims. Requires all members of the private financial sector, such as banks, MSEs, money transfer platforms, and cryptocurrency exchanges, to file SARs and STRs whenever suspicious financial activity is identified that may be related to sex-based crimes against minors.

Monitoring financial flows in cases involving online sex-based crimes against minors. Financial flows serve as a key opportunity to identify perpetrators and victims in need of protection. This is important because it can lead to double security and much quicker opportunities compared to traditional law enforcement investigations.

Data sharing and disclosure to law enforcement. This data is often not available for law enforcement to share, and financial institutions cannot share either data freely with law enforcement due to privacy laws. Privacy and data sharing laws related to national context, which makes disclosure very difficult.

Conclusion and Recommendation

Based on the discussions, speaker conclude that the role of financial service providers in terms of protecting online sexual violence against children, including crimes of online sexual exploitation of children, is very necessary as a form of preventive and repressive legal protection. The supervision carried out by OJK and PPATK on Financial Services Providers is expected to be one of the steps to help indicate several criminal acts which are not only money laundering crimes, but also several other criminal acts, bearing in mind that some of the criminal acts committed must be various transactions using various Financial Services Provider products. The manifestation of this role needs to be emphasized in the concept of protecting children's online sexual violence by referring to several things, namely early detection of transaction activities that lead to or have the potential to lead to online sexual transactions of children, maximizing monitoring of financial transaction flows, and transparent data disclosure. by collaborating with law enforcement on cases of online sexual transactions of children.

Leveraging Strategic Alliances: Financial Services and NGOs in the Fight Against Child Sexual Exploitation

Presented by Fandy Zulmi, M. Hum,

In high-income countries, the internet and technology have facilitated new forms of exploitation, including online grooming and the live streaming of abuse. Low and middle-income countries often face challenges related to poverty, conflict, and weak legal systems, which exacerbate the risk of CSE. The COVID-19 pandemic has further intensified these issues, with reports indicating a sharp increase in online child exploitation cases due to extended lockdowns and increased internet usage by children. Preventing CSE is critical not only for safeguarding children but also for ensuring the well-being of societies at large. The impact of CSE extends far beyond the immediate harm inflicted on victims. Survivors of CSE often endure long-term psychological trauma, which can lead to a range of mental health issues, including depression, anxiety, and post-traumatic stress disorder (PTSD). These psychological scars can persist into adulthood, affecting the survivor's ability to lead a healthy and productive life. This long-lasting impact highlights the necessity of preventive measures and supportive interventions for survivors.

Furthermore, CSE has profound social and economic implications. Victims often face significant barriers to education and employment, perpetuating cycles of poverty and marginalization. This, in turn, contributes to broader societal issues such as increased healthcare costs, higher crime rates, and lost productivity. Therefore, addressing CSE is not only a moral imperative but also a critical component of promoting social and economic stability. CSE necessitates a multi-faceted approach involving various stakeholders to effectively address and mitigate its impact. A significant area of focus in the fight against CSE is the strategic alliances between financial services and non-governmental organizations (NGOs). These partnerships leverage the complementary strengths and resources of each sector to create a formidable force against CSE. Financial services institutions possess extensive data capabilities and financial expertise, which are crucial in detecting and disrupting illicit financial flows associated with CSE.

For example, financial institutions can monitor and analyze financial transactions to detect anomalies that may indicate the presence of CSE activities. This includes

identifying patterns such as frequent small transactions, unusual travel expenses, and payments to known high-risk locations. These data-driven insights enable financial institutions to flag suspicious activities and collaborate with law enforcement agencies to investigate and prosecute offenders. The role of financial institutions in identifying and disrupting these financial patterns is critical in weakening the economic foundations of trafficking networks. NGOs, on the other hand, bring invaluable on-the-ground insights, victim support, and advocacy to these partnerships. They are often the first responders to instances of CSE, providing direct assistance to victims and advocating for policy changes at local, national, and international levels. NGOs play a critical role in raising awareness about CSE, educating communities, and providing support services to survivors. The synergy created by combining the technological and financial prowess of financial institutions with the grassroots efforts of NGOs enhances the overall efficacy of anti-CSE initiatives. NGOs' ability to offer direct support to survivors and advocate for systemic changes complements the detection and prevention efforts of financial institutions, creating a holistic approach to combating CSE.

The panelists raised the role of strategic alliances between financial services and non-governmental organizations (NGOs) in combating child sexual exploitation (CSE). The findings highlight that financial institutions' advanced data analytics and monitoring systems significantly enhance the detection and reporting of suspicious activities linked to CSE. These institutions use anti-money laundering (AML) systems and artificial intelligence (AI) to identify unusual transaction patterns, which are critical in uncovering exploitation networks. NGOs, on the other hand, provide essential victim support, advocacy, and prevention programs, leveraging their grassroots presence to address the immediate needs of victims and drive systemic change. Case studies demonstrate that joint training programs improve the understanding of each sector's capabilities, while shared databases and information exchange platforms facilitate better coordination and more effective interventions. Coordinated efforts between financial institutions and NGOs have led to the disruption of significant CSE networks and the rescue of numerous victims. However, challenges such as data privacy concerns, regulatory constraints, and resource limitations need to be addressed to maximize the impact of these collaborations. The paper concludes with recommendations for strengthening partnerships through enhanced information sharing, expanded training programs, technological integration, regulatory harmonization, and strategic resource allocation. The exploration of these collaborations aims to provide a comprehensive understanding of how different sectors can work together to create robust strategies for preventing

CSE and supporting survivors.

Conclusion and Recommendations

The prevention of child sexual exploitation (CSE) necessitates innovative collaborations, especially between financial services and non-governmental organizations (NGOs). Strategic alliances between these sectors significantly enhance the detection and disruption of illicit financial flows related to CSE, leveraging the advanced data analytics of financial institutions and the on-the-ground insights and advocacy provided by NGOs. To optimize these partnerships, several recommendations are proposed: strengthening information-sharing platforms for real-time data exchange, expanding joint training programs for continuous capacity-building, enhancing technological integration through investments in AI and machine learning, fostering regulatory harmonization for cross-border cooperation, and strategically allocating resources to support long-term anti-CSE initiatives. These efforts are essential for creating effective partnership models that can be replicated globally to safeguard children from exploitation.

Criminal Liability of Business Actors: An Effort To End Commercial Sexual Exploitation of Children

Presented by Subekti, Joko Jumadi and Lushiana Primasari

The Indonesian Child Protection Commission (KPAI) stated that the disclosure of the practice of commercial sexual exploitation of children in hotels did not just happen once. In cases of commercial sexual exploitation of children carried out in hotels, business actors, in this case hotels, play a role in fostering commercial sexual exploitation of children. So far, the business world has ignored it, never taken responsibility, and always avoided it. There are no criminal sanctions or administrative sanctions for hotels that become places for commercial sexual exploitation of children, the hotel continues to operate and the hotel also receives benefits from these criminal acts. The use of technology in the commercial sexual exploitation of children has also changed the methods of child sexual predators in the transaction process.

ECPAT Indonesia also reported that the perpetrator used bank transfers or e-wallets for transactions with victims, as well as through top ups on shopping platforms. They use financial service providers to transfer money, digital wallets and even bitcoin for transactions. The business world is one of the pillars in child protection through company policies that have a child protection perspective by implementing the Children's Rights of Business Principle (CRBP) and The Code of Conduct for The Protection of Children From Sexual Exploitation in Travel and Tourism. To end the commercial sexual exploitation of children, there is a need for guidelines that can be used by governments, business actors and financial service providers, including digital wallets and digital currency exchanges, to understand and identify signs of sexual exploitation of children and suspicious financial activities. Continuous evaluation and imposition of sanctions on hotels that are indicated to be involved in the commercial sexual exploitation of children also needs to be carried out.

The increasing prevalence of child sexual exploitation in hotels necessitates that hotel operators take responsibility, especially as these establishments often fail to anticipate such criminal acts, including those involving bank transfers or digital wallets. This article examines the business world's accountability in commercial sexual exploitation of children. The tourism sector, which attracts a significant number of domestic and international visitors, not only boosts the economy but also heightens the risk of child

exploitation, with ECPAT Indonesia reporting 227 cases in early 2019, 60% of which occurred offline. Notably, incidents such as the sale of five minors for sexual purposes in Bali exemplify the pervasive nature of this issue, which transcends geographical and social boundaries. Tourism-related facilities can be misused for exploitation, prompting support from UNWTO's guidelines on child protection. ECPAT Indonesia encourages commitment through the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. Furthermore, commercial sexual exploitation of children is often linked to organized crime, which ranks among the fastest-growing criminal activities globally, second only to drug and arms trafficking. Organized crime syndicates generate billions through human trafficking and related activities, often deceiving children and their families with false job promises, leaving them vulnerable to exploitation.

Australia has established a Financial Crime Guide aimed at combating child sexual exploitation for financial gain. This guide assists government agencies and financial service providers, such as money transfer companies and digital currency exchanges, in recognizing and identifying signs of transactions related to child sexual exploitation materials and reporting any suspicious financial activities. Financial service providers are encouraged to incorporate the indicators and behaviors outlined in the guide into their transaction monitoring and profiling programs to detect and prevent such exploitative transactions. However, detecting payments for child sexual exploitation remains challenging, as perpetrators often take measures to conceal their crimes from friends, family, financial institutions, and law enforcement.

Hotel businesses that neglect to prevent child sexual exploitation, especially if it leads to profit, can face legal consequences under Supreme Court Regulation Number 13 of 2016. This regulation allows judges to assess corporate negligence, holding them accountable if they fail to implement necessary measures to prevent such criminal acts or ensure compliance with legal provisions. According to Budi Suhariyanto, the implications of this regulation are concerning for business owners, as corporations can be held criminally responsible even if direct personal gain is not evident, as long as there is evidence of negligence in preventing these crimes. This regulation emphasizes the obligation of corporations to proactively safeguard against exploitation and adhere to legal standards to avoid criminal liability.

Conclusion and Recommendations

To end the commercial sexual exploitation of children, guidelines are needed that can

be used by governments, businesses and financial service providers, including digital wallets and digital currency exchanges, to understand and identify signs of child sexual exploitation transactions and suspicious financial activity. Continuous evaluation and sanctions against hotels suspected of being involved in the commercial sexual exploitation of children are also needed. In this context, the PERMA expands the proof of guilt, namely by applying the corporate culture model theory where corporations can be held criminally responsible for their mistakes in not taking precautions or having a work culture that does not prevent criminal acts. Based on these considerations, this can be a consideration to ensnare hotel business actors who make their hotels a place for child sexual exploitation.

Understanding the Root of the Child Sexual Exploitation in Cyber Space Using Digital Wallet Transactions Historical and Cyber Criminology Approach

Presented by Aliyth Prakarsa, Barda Nawawi Arief, Pujiyono

Prostitution is an ancient social phenomenon with a long history, deeply intertwined with beliefs, political power, and descent. The term originates from the Latin "prostituere," meaning to permit sexual immorality. Historically, prostitution was prevalent among Jews as noted in the Books of Moses around the 18th century BC. In the Babylonian era, sexual activities were often conducted in temples as part of religious rituals and obligations. During the Hindu-Buddhist period, prostitutes likely operated from specific locations, such as brothels, rather than on the streets, making them easier to monitor. These establishments were often situated in areas for loading and unloading, managed by pimps, and were subject to taxation by "juru jalir," who acted as tax collectors rather than traditional pimps. In Bali, for instance, a widow from a low caste might belong to the king, and if not accepted into the palace, she would be sent away to work as a prostitute, with a portion of her earnings required to be given to the king.

From the development of history, internet has also facilitated the live streaming of child sexual abuse via the Internet and the grooming of potential child victims from a distance. Child sex offenders no longer need to have direct contact with a child; the Internet has created new opportunities for offenders to view child sexual exploitation from the offender's home or any other location. Furthermore, laptops, tablets and mobile phones are increasingly used to store child abuse images. Child sex offenders can now upload and/or download child sexual abuse images from their home, office or any other location (Ecpat, 2016). The negative effects of the development of information technology include the shifting of crimes against children in the form of sexual exploitation from the physical world to the more flexible virtual world. With the objective to understand the social construction in the history of the development of prostitution practices that were originally conducted conventionally and then shifting to cyberspace from historical perspective to reflect the role of cyber criminology to the analyzed phenomenon of online child prostitution.

Since criminology has started viewing the emergence of cyberspace as a new locus of criminal activity, a new theory is needed to explain why cyber crime occurs. (Jaishankar

2008). Cyber-crime exists in the electronic and virtual world environment which is difficult to identify with certainty, while the conventional legality principle is based on real actions and legal certainty.

Conclusion and Recommendation

From a criminology perspective, individuals with repressed criminal behavior may be more inclined to commit crimes in cyberspace, which they might avoid in physical spaces due to their social status. Factors such as identity flexibility, dissociative anonymity, and a lack of deterrence in cyberspace encourage these individuals to engage in cybercrime. In Indonesia, the Child Protection Commission (KPAI) reported 35 cases of sexual exploitation, trafficking, and child labor from January to April 2021, with 60% occurring online. The MiChat application was involved in 41% of these cases, followed by WhatsApp at 21%, and Facebook at 17%. Additionally, platforms like RedDoorz have been linked to 4% of such incidents. This highlights the need for regulations that hold online platforms accountable for protecting children from harm.

Theme 4

Child Sexual Exploitation and Abuse from Multi-Perspective

7 August 2024, 3.30 pm – 5.30 pm

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.

Panel Presentation Summaries – Theme 4 Session 2

Child Sexual Violence - 'Decoding Technology-facilitated Gender-based Violence - A Multi-country Study of The Nature of TFGBV and The Effectiveness of Interventions

Presented by Putri Indah Wahyuni - LBH APIK Jakarta, one of YGSI Partners

This research was conducted in 7 countries that are intervention areas of the Gen-G program, namely in Indonesia, Jordan, Lebanon, Morocco, South Africa, Uganda, and Rwanda. To trace and find out that technological developments also present a negative impact called Technology Facilitated Gender-Based Violence (TFGBV), which is any act of violence facilitated by online or offline tools. Children and adolescents are included in a group that is vulnerable to TFGBV. Children and adolescents are particularly at risk of TFGBV, especially online child sexual exploitation and abuse, and cyberbullying. This is because inadequate regulation and protection play a key role, coupled with poverty has increased the vulnerability of children to earn money quickly. Opportunities for performers to actively seek to exploit vulnerabilities while children cannot fully understand the potential harmful consequences. Less reported about laws that go against TFGBV. Exploitation is a term used by Komnas Perempuan to describe sexual exploitation in the digital realm of 114 cases of public space, 2 (two) cases of private space.

Then related to child victims, the number of Sexual Exploitation Cases compiled by



the National Commission for Child Protection shows that there are around 31 Children Victims of Cybercrime and Pornography, and 11 Children Victims of Economic and/or Sexual Exploitation. While the series of cases solved by LBH APIK Jakarta there are several of which are the victims are a 15-year-old girl (in 2019), the victim works as a domestic worker, the victim was prepared by the perpetrator using a fake identity on online social media, the victim was manipulated by the perpetrator to send her nude photos and use it as a threat to force her to provide photos and videos of a 6-year-old boy whose child is from The victim, the victim was charged by the ITE (Electronic Information and Transactions) Law and the Pornography Law, the victim was a girl and the perpetrator was her parents who sold it to strangers.

LBH APIK Jakarta's efforts to carry out good practices are Facilitating the Handling of Sexual Exploitation Cases at LBH APIK Jakarta by Deleting Sexual Exploitation Content, Rehabilitation for Victims and Intersectionality. However, in the process, LBH APIK Jakarta experienced challenges, namely a culture of blaming victims, a reporting stage that requires parents to attend the process because the child is under guardianship, lack of digital literacy, recognition of types of sexual exploitation in the digital area and anonymous perpetrators.

Recommendations

Based on the experience of LBH APIK Jakarta, there are several things that can be recommended, namely the implementation of the Sexual Violence Crime Law (TPKS Law) in handling sexual exploitation involving children; and The application of Article 16A in the Electronic Information and Transactions Law where platforms are obliged to protect children who access electronic systems.



Multi-Stakeholder Approach to Stopping Child Sexual Exploitation and Abuse

Presented by Maria Fe Adul Foroda - National Director of Philippine Children's Ministries Network

Based on OSAEC and CSAEM in the Philippines data collected by the Philippine Children's Ministries Network, nearly half a million Filipino children have been trafficked to produce child sexual exploitation material in 2022 (1 in every 100 Filipino children or 471,416). And nearly a quarter of a million Filipino adults trafficked children to produce new child sexual exploitation material in 2022 (3 out of every 1,000 Filipino adults).

Regarding CSAEM in the Philippines, there are about two million children who have been subjected to serious cases of online sexual exploitation and abuse in just one year. A study on internet use among 12-17-year-olds in the Philippines revealed that almost all (95%) are internet users, with 79% accessing the internet daily despite challenges such as slow connections. Most children primarily use smartphones to get online, sharing devices frequently. Popular activities include social media (94%), schoolwork (94%), and watching videos (88%). Efforts made in intervention efforts for Prevention and Intervention are by working with Local Government Units (cities or municipalities) and barangays, collaborating with the Ministry of Education and advocating with Youth Leaders. In addition, carrying out policy advocacy, namely by Localizing the Legal Framework and Protective Policies. To aim to bridge the gap between a strong policy framework and the reality of "hotspots"; advocacy for policy-making that affects the entire exploitation ecosystem and advocacy for guidance on the implementation of rules and regulations from all applicable policies Localization of national policy frameworks in smaller administrative units.

But keeping an eye on the challenges and future direction that Predators exploit advanced technology to care, coerce, and sacrifice children as internet access evolves around the world.

Recommendations

The importance of working together to combat OSAEC globally and nationally. Combating Online Child Sexual Abuse and Exploitation (OSAEC) is a collective responsibility that requires joint action from governments, law enforcement agencies, technology companies, civil society organizations, educators, stakeholders, and every individual. As

well as advocating for and implementing a strong legislative framework, strengthening international cooperation, and promoting digital literacy and safety education. By committing to raising awareness, reporting suspicious activity, supporting victims, and holding perpetrators accountable, we can foster a safer online environment for children globally. Let us unite in taking decisive steps today to safeguard the well-being of our children and future generations.



Legal Protection for Boy Victims of Sexual Violence Under the Republic of Indonesia Law Number 12 of 2022 Concerning Criminal Acts of Sexual Violence

Presented by Kiki Kristanto, Satriya Nugraha and Sisvia Oktaviani

According to Law Number 12 of 2022 concerning the Crime of Sexual Violence, sexual violence includes various types, including sexual harassment. Sexual harassment is any form of behavior with sexual connotations that is carried out unilaterally and without the consent of the victim. Sexual harassment can occur through both physical and non-physical means. Men can also be victims of sexual harassment. In February 2016, Saipul Jamil was reported by a 17-year-old boy on charges of sexual harassment. Saipul Jamil was sentenced to 3 years in prison. Then in the appeal decision, the Jakarta High Court increased Saipul Jamil's sentence to 5 years in prison. But unfortunately, when Saipul Jamil was released, his arrival was greeted with great fanfare and flowers, this seemed to justify the harassment and was considered to have no empathy for the victim. In April 2021, Indonesia again made news with a case of rape committed by a 28-year-old woman against a 16-year-old boy in Probolinggo, East Java. Sexual violence against boys can also occur in the pesantren environment, a 13-year-old male student who was sexually harassed by a Qur'an teacher at a pesantren in Bener Meriah District, Aceh.

Many cases of sexual abuse involving boys remain undisclosed and do not reach the public eye. Such cases are rare in public discourse and often do not run legally. This is due to the common belief that men are unlikely to experience sexual harassment because they are considered more powerful than women. This belief is associated with toxic masculinity. Just as women are treated unfairly, men are also subject to societal expectations, such as being told that they should not cry or feel sad. Men are forbidden to express their emotions freely; They are only allowed to display masculine traits such as muscles, a deep, strong voice, and courage. The social pressure on men to be strong and suppress emotional expressions, especially sadness, often leads them to believe that anger is the only acceptable emotion. This can result in negative outcomes such as violence. This pressure contributes to boys feeling powerless to report sexual violence, resulting in physical and psychological trauma.

Recommendations

Legal protection for victims of sexual violence is an important effort to ensure that human

rights are maintained and protected. According to Article 1 paragraph (8) of Law No. 31 of 2014 concerning the Protection of Witnesses and Victims, protection includes all efforts to fulfill rights and provide assistance to ensure that witnesses and/or victims feel safe. The victim, as referred to in Article 1 paragraph (3) of this law, is an individual who suffers physical, mental, and/or economic losses as a result of a criminal act. Article 1 paragraph (4) of Law No. 12 of 2022 concerning the Crime of Sexual Violence expands this definition to include physical, mental, economic, and social suffering due to sexual violence. Efforts to protect victims of sexual violence are part of the state's responsibility to respect, protect, and fulfill human rights. This protection involves a legal approach that applies to all victims of crime, including physical and non-physical sexual violence, both in the real world and online.

Legal Framework on Ensuring Protection Towards Children as Victims of Forced Marriage as a Type of Sexual Violence Crimes

Presented by Aria Zurnetti and Farras Audia Raihany

Forced marriage is basically a marriage that is based on the absence of sincerity from one or both candidates but is forced by a guardian or family. The widespread practice of forced marriage in society, which often involves child marriage, is actually a violation of norms, ethics and various national and international laws and regulations. Forced marriage has various negative impacts that, if left unchecked, will be very detrimental not only to the child himself but also to the survival of the nation and state. Through the enactment of Law Number 12 of 2022 concerning Sexual Crimes (UU), the practice of forced marriage is finally categorized as a type of sexual violence crime in which the perpetrator is threatened with sanctions in the form of imprisonment for a maximum of 9 (nine) years and/or a maximum fine of Rp 200,000,000.00 (two hundred million rupiah).

The scope of forced marriage arrangements as regulated in the TPKS Law includes the practice of child marriage, forced marriage in the name of cultural practices, and forced marriage of victims with rapists. In addition, to create a sense of security and peace in the community, it is also necessary to have legal protection facilities for victims and witnesses in cases of sexual violence. Legal protection can be interpreted as various forms of legal action that must be provided by law enforcement officials to provide a sense of security, both mentally and physically from disturbances and various kinds of threats from any possible party. Legal protection consists of preventive legal protection that prevents conflicts and repressive legal protection that resolves conflicts. In addition, the implementation model of legal protection is also classified into procedural rights model and service model.

Forced marriage according to Law of the Republic of Indonesia Number 12 of 2022 concerning the Crime of Sexual Violence (TPKS Law) is classified as a Crime of Sexual Violence. Referring to Article 10 Paragraph (2) of the TPKS Law, this includes forced marriage as follows: 1) Child marriage; 2) Forced marriage in the name of cultural practices; and 3) Forced marriage between the victim and the rapist. The form of liability of the perpetrator of forced marriage, whether child marriage, forced marriage in the name of cultural practices or forced marriage between the victim and the perpetrator

of rape, is a sanction in the form of a fine and/or imprisonment as stated in Article 10 Paragraph (1) of the TPKS Law.

Recommendations

Forms of preventive legal protection for children as victims of forced marriage as a type of sexual violence include: 1) Education for parents, the community and the government about the negative impacts of forced marriage; 2) Tightening the requirements for marriage; and 3) Increasing the Participation and Role of the Regional Technical Implementation Unit for the Protection of Women and Children (PPA UPTD). In particular, the provision of temporary protection and protection for victims is carried out by the Police and LPSK. In addition, the TPKS Law also contains provisions related to procedural law in the trial of sexual violence cases by referring to various provisions in the pre-existing criminal procedure law. This specificity includes regulations regarding the requirements and qualifications of law enforcement officials who have the right to handle cases of sexual violence. Furthermore, legal protection for victims also includes protection against the dissemination of information and the identity of victims and witnesses when reading court decisions by the Panel of Judges.

Legal Protection Against Child Refugees from Exploitation and Violence Based on International Human Rights Law

Presented by Rury Octaviani, Dian Purwaningrum, Yunan Prasetyo Kurniawan and Shafiyah Rahmah

The psychological impact of the conflict will also affect the situation of refugees, especially refugees with vulnerable groups. A child in a refugee camp will certainly experience inner conflict and mental disorders, including disorders of his reproductive organs. This will certainly be an obstacle for them in living their lives and hindering their growth and development. Special protection is provided to children in certain circumstances, the special protection described in the Convention on the Rights of the Child is the protection provided to children in emergency situations, children in conflict with the law, children from minority and isolated groups, children who are economically and/or sexually exploited, trafficked children, children who are victims of drug abuse, alcohol, psychotropic substances and other addictive substances, children who are victims of kidnapping, trafficking, human trafficking, children who are victims of physical and/or mental violence, children who have disabilities, and children who are victims of abuse and neglect. In refugee camps, the elderly, women and children are victims with a higher risk of vulnerability. According to data from the UN High Commissioner for Refugees, many refugee girls are subjected to discrimination, sexual abuse and even forced to marry underage to survive in refugee camps.

A child in an evacuation camp will certainly experience inner conflict and mental disorders, including problems with his reproductive organs. The conditions experienced and felt by Palestinian refugees, especially children, are certainly far from adequate and do not reflect how their rights are guaranteed by the world through the United Nations. The implementation and enforcement of child protection policies with the aim of protecting refugee children in refugee camps is essential to uphold their rights and ensure their safety, security, and well-being. One of the important aspects of this protection is in line with Article 22 of the Convention on the Rights of the Child, which emphasizes the importance of providing special protection and assistance to refugee children, as refugee children are often the earliest and most numerous victims of violence, disease, and malnutrition. often occurs after the movement of the population and the outflow of refugees. The UNCRC recognizes that children have the right to be protected from all forms of exploitation and violence, including sexual exploitation, forced labor, and other

forms of violence. Article 34 of the Convention on the Rights of the Child specifically prohibits the sale, trafficking and abduction of children, as well as the sexual exploitation and exposure of children. Due to the spread of Israel's attacks on refugees, many women and children have been displaced, some pregnant women have even had to give birth to their children amid the rubble of bombed buildings, shelters that are no longer suitable because they are unhygienic and sterile, on roads far from safe. This clearly affects the birth process experienced and increases the risk of infection and complications in the mother giving birth and the condition of the child born. The Convention on the Rights of the Child also provides special protections for refugee children, including Article 77 which prohibits the settlement or use of children in armed conflict, and Article 4 which prohibits the use of children as combatants or in other roles in armed conflict. Indonesia itself has ratified the UNCRC, which means that Indonesia must be committed to upholding these international standards.

Recommendations

To effectively protect refugee children from exploitation and violence, it is important to establish a strong legal framework that provides clear definitions of exploitation and violence, as well as effective mechanisms for reporting and investigating incidents of violence that occur during the refugee period. It is also important to ensure that citizens of countries experiencing conflict and refugees who experience exploitation and violations of the rights of refugee children must be held accountable for these acts of violence and exploitation. In addition, it is critical to provide support and protection to refugee children, including access to education, health services, and social services as well as basic rights to life. The protection of refugee children from exploitation and violence is an important issue that requires a comprehensive approach involving legal and social measures. By ratifying international treaties such as the Convention on the Rights of the Child, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Israel itself must take important steps to uphold its commitment to protect the rights of refugee children. In addition, there are also several provisions in other customary international law that regulate the status of refugees, prisoners of war and the protection of civilians in war that must be complied with by Israel and the rest of the world.

The Role of Customary Criminal Law in Resolving Cases Involving Children

Presented by Riska Andi Fitriono, Supanto, Winarno Budyatmaja, Ismunarno and Tika Andarasni Parwitasari.

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Article 1 stipulates that the juvenile criminal justice system is the entire process of resolving cases of children who are contrary to the law, starting from the investigation stage to the guidance stage after serving a sentence. Apart from these formal provisions, many regions in Indonesia where indigenous peoples also have a legal system that continues to exist and is guided in solving problems in people's lives. Every violation committed by a child is resolved through a customary forum involving all parties, including customary functionaries, child perpetrators and their families, victims and their families, and witnesses who know about the incident, this is done in the Kanayatn Dayak community forum is relatively similar to the settlement of restorative justice. In general, the customary settlement process carried out in criminal cases involving children, whether cases of violence, abuse or delinquent children, is resolved peacefully by customary elders, both victims and perpetrators. After each party gathers, a traditional ceremony is held starting with an introduction. Then discuss the existing problem to find the core of the problem so that it is clear. After the process continues, an agreement is reached where each party is satisfied and comfortable, the consequences of the results of the discussion will be implemented. The process of resolving the problem is not through law or litigation, if the victim can accept, but if the person concerned does not accept, then after the customary process (customary payment) is completed legally, so that the implementation of customary and legal can be contrary along with the process carried out (customary beats positive law). In addition, the suspect's actions can be borne by the other party to take full responsibility for the process and the resolution of the problem.

The settlement of Dayak kanayatn customs also pays attention if the victim is a child. The sanctioning process begins by paying a number of fines to the traditional leader, then the perpetrator's family provides yellow arbor (tumpeng) and a number of animals, such as cows and goats. After everything was finished, the village clean-up procession began and continued with the reading of the sanction decision against the perpetrators. The traditional hamlet cleaning ceremony led by traditional leaders or elders aims to restore balance in the community that is disturbed due to the violation of norms committed by

one of the traditional villagers. The process of sanctioning rape perpetrators in customary areas usually does not only involve the perpetrator's family and the victim's family.

Recommendations

Customary Criminal Law in Resolving Cases Where the Perpetrator is a Child, that is, usually the customary settlement process carried out in criminal cases involving children, whether cases of violence, abuse or delinquent children, is resolved peacefully by customary elders, both from the victim and the perpetrator. After each party gathers, a traditional ceremony is held starting with an introduction. Then discuss the existing problem to find the core of the problem so that it is clear. After the process continues, an agreement is reached where each party is satisfied and comfortable, the consequences of the results of the discussion will be implemented. Meanwhile, the Customary Criminal Code in resolving cases where the victim is a child is that the process of sanctioning begins by paying a certain amount of fines to the customary leader, then the perpetrator's family gives a yellow arbor (tumpeng) and a number of certain animals, such as cows and goats. After everything was finished, the village clean-up procession began and continued with the reading of the sanction verdict against the perpetrators. All stages of customary trials described above are led by traditional leaders.

Theme 4A

Child Sexual Exploitation and Abuse from Multi-Perspective

7 August 2024, 1 PM – 3 PM

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.

Panel Presentation Summaries – Theme 4A Session 3

Integrated Services for Child Trafficking Victims of Commercial Sex Workers: Legal Defense of Victimology Perspective

Presented by Kurnia Dewi Anggraeny and Diah Ayu Ningtias

Human trafficking is always a crime with grave repercussions for the victims, their family, community, and nation. Various national circumstances, such as those in which human trafficking occurs as a source, transit, or destination country—all of which apply to Indonesia. Children are the easiest and most vulnerable victims. In order to prevent juvenile victims of human trafficking crimes and to give them extra protection and support, law enforcement officials and governmental institutions should work together and step up coordinated efforts.

Learn from case, In the Yogyakarta Special Region, case data reveals significant incidents of child abuse and human trafficking over the years. In 2020, there were 150 incidents of child abuse, including 33 cases of child rape, 34 cases of child sexual abuse, and 13 cases of child trafficking, totaling 249 crimes against children. This number decreased to 189 in 2021, with 109 cases of violence against children and 8 cases of child rape. In 2022, crimes against children dropped to 186, but human trafficking cases increased to 14. By 2023, there were 169 crimes against children, with 21 related to human trafficking.



The methods used by offenders to lure minors into commercial sex work vary and include debt traps, threats, coercion, and false promises of employment.

According to the Head of the Trafficking Unit at the Yogyakarta Regional Police, several barriers hinder law enforcement efforts against human trafficking, especially involving minors as commercial sex workers. The international nature of human trafficking complicates evidence gathering, offender identification, and victim safety, often lengthening investigations that require specialized expertise. Victims, particularly children of commercial sex workers, may hesitate to report abuse due to societal stigma, fearing disgrace despite their victim status. Additionally, the public's limited understanding of human trafficking, its methods, and prevention can lead to delayed reports, complicating police investigations. There is also a lack of unique legal counseling programs for the community, as existing services are limited to partnerships and social media, leaving many parts of Yogyakarta without access to essential resources.

Preventive measures against human trafficking in the Yogyakarta region involve integrated services working collaboratively with related agencies through a task force. This includes conducting typical patrols in locations like karaoke bars, salons, and hotels known for prostitution, as well as employing plainclothes police to gather unfiltered information from the community. Repressive measures emphasize the importance of

community involvement in enhancing legal initiatives against human trafficking, aiding in the supervision and support of victims and offenders. The Yogyakarta Regional Police, in partnership with relevant agencies, focus on law enforcement actions against child sex trafficking through coaching, supervision, protection, prevention, assistance, and rehabilitation to prevent future incidents, especially those involving minors.

Conclusion

A number of factors contributed to the occurrence of human trafficking crimes in the Special Region of Yogyakarta that involved child commercial sex workers as victims that are economic, social, education and technology and information factors. Empowering law enforcement officials along with formal and material legal tools are employed to achieve integrated law enforcement against human trafficking. The model of procedural rights highlights the active involvement of victims in the criminal justice system. The protection model, which is implemented by offering compensation in the form of restitution, compensation, and efforts to repair the condition of victims who experience trauma, fear, and stress due to crime, is more in line with the service model for juvenile victims of trafficking crimes. An effective and ongoing monitoring system that encompasses administrative and service stage monitoring is: administrative monitoring delineates the administrative undertakings aimed at aiding in the bodily and psychological recuperation of children who have been subjected to human trafficking, keeping an eye on the service phases in an attempt to improve the victim's condition, regularly visiting victims' homes to assess their status.

Problems of Forced Marriage as Child Sexual Violence: Living Law and Positive Law Perspectives

Presented by Sahran Hadzig

Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS) aims to prevent all forms of sexual violence, including those against children. One form of sexual violence against children regulated in Article 10 of UU TPKS is forced marriage of children under the guise of cultural practices. This provision creates issues in society when viewed through the lens of living law. The issues continue when the National Criminal Code (KUHP Nasional) recognizes the principle of material legality and imposes additional penalties in the form of customary obligations. This study aims to explain the problems related to the regulation of forced marriage as a form of sexual violence against children from the perspective of living law and positive law.

The phenomenon of forced marriage is influenced by several factors, including low levels of education, poor economic conditions, and cultural traditions that have become customary law. Low education can lead to inappropriate parenting practices, where parents prioritize their own happiness over their children's needs, resulting in forced marriages to protect family honor. Economic hardships and debts often compel parents to marry off their children to resolve financial issues. Additionally, traditions that evolve into customary laws provide a justification for forced child marriages within certain communities. When these practices clash with positive law and human rights, they spark debates and rejections, as such actions can be classified as acts of sexual violence against children under the UU TPKS.

The UU TPKS is a part of Indonesia's positive criminal law and serves as the legal basis for regulating forced marriage as an act of sexual violence against children. Article 10 of the UU TPKS states that any person who engages in forced marriage is subject to imprisonment for up to 9 years and/or a fine of up to Rp 200,000,000. The forced marriage referred to in this article is defined as unlawfully compelling, placing someone under one's own or another's authority, or abusing one's power to carry out or allow a marriage with oneself or another person. Article 10, paragraph (2) of the UU TPKS further specifies the forms of forced marriage, which include:

1. Child marriage
2. Forced marriage in the name of cultural practices
3. Forced marriage of the victim to the perpetrator of rape

Forced marriage of children is unequivocally deemed unjustifiable under any circumstances, including cultural practices, as outlined in Article 10 of the UU TPKS. This law defines forced marriage as a crime of sexual violence against children, thereby shifting the issue from private law to public law, which primarily regulates public interests. The enforcement of these regulations falls under the state's jurisdiction, emphasizing the importance of protecting children from such violations.

From a positive law perspective, forced marriage, particularly involving children, is recognized as a crime of sexual violence under Indonesia's Law on Sexual Violence Crimes (UU TPKS), which seeks to safeguard the physical and psychological well-being of children and women in accordance with national and international human rights standards. However, a notable challenge arises from the gap between the legal definition of forced marriage and cultural practices that support it, as the law lacks clear directives on addressing culturally sanctioned forced marriages, resulting in confusion and inconsistent enforcement.

From a living law perspective, customary law in Indonesia reflects cultural values and social norms, evolving with societal changes and deeply connected to religious beliefs. In certain communities, forced marriages are viewed as essential for restoring social or cosmic balance following events like adultery or premarital sex, and such practices are deemed legitimate under customary law, which emphasizes community harmony and restorative justice over strict legal definitions. Additionally, the flexible and context-dependent nature of customary law allows for community-involved reactions and sanctions that aim to restore balance rather than focusing solely on the individuals involved.

Conclusion

The regulation of forced marriage as sexual violence against children faces challenges due to differing views between positive law and living law, particularly regarding the interpretation of "cultural practices" that justify coercive marriages. While Article 10 of the Law on Sexual Violence Crimes (UU TPKS) categorizes forced marriage based on cultural practices as sexual violence, living law lacks a clear definition of these practices, allowing for broader interpretations that may include customary sanctions like forced marriage as protective measures for societal values. Additionally, reforms in the National Criminal Code (KUHP Nasional), particularly Article 66 paragraph (1) letter f, complicate

matters by reinforcing customary obligations, thus legitimizing forced marriages under living law. Given that children are the nation's future, it is crucial for all stakeholders to harmonize positive and living law to effectively protect children from sexual violence and forced marriage, ensuring a comprehensive understanding of cultural practices while affirming children's rights within the evolving societal context.

Victimological Examination of Children as Victims of Child Grooming in the Online Game Hago

Presented by Rini Apriyani

Abuse of internet media and technology is currently carried out by irresponsible people who commit crimes aimed at children to exploit and abuse children for their own profit and to fulfill their sexual desires, one of which is child grooming which occurs in the Hago online game application. Legal protection for children who are victims of child grooming is carried out through preventive and repressive legal protection. Preventive protection for children as victims of child grooming in the Hago online game is contained in statutory regulations to prevent violations and provide limitations in carrying out obligations, such as regulating rights and prohibitions on being protected and involved in acts of sexual violence, while repressive protection, namely by providing sanctions in the form of imprisonment, fines and additional penalties to the perpetrators as well as handling and restoring the condition of child victims, as well as providing restitution or compensation.

The National Society for the Prevention of Cruelty to Children (NSPCC) defines grooming as the process by which an individual builds a relationship, trust, and emotional connection with a child, enabling them to manipulate, exploit, and abuse the child. ECPAT delineates forms of sexual exploitation to include materials depicting sexual violence/sexual exploitation against children, grooming (enticement) with sexual purposes online, sexting (chatting or conversing with the intent to satisfy sexual desires towards children), sextortion (sexual extortion), and live streaming of sexual violence against children, commonly referred to as live online sexual abuse.

The Hago application, developed by Neotasks Inc., is an online game that allows user interaction through phone, chat, and the exchange of photos or videos, among other features. While it requires users to be at least 18 years old, the ability to change age and gender settings creates a risk of interactions between adults and children, potentially facilitating criminal activities. Although features for sharing contacts and voice chat were blocked in 2019 due to a request from the Ministry of Communication and Information Technology (Kominfo), functionalities like phone calls and photo sharing still enable perpetrators to solicit children's phone numbers, leading to more intensive interactions via platforms like WhatsApp and increasing the risk of exploitation.

Chronology of child grooming cases against children in the online game Hago, happened in June 2019 in Surabaya, the perpetrator with the initials AW (aged 22) engaged in child grooming with a minor (aged 15). AW and the victim connected through the online gaming application Hago and exchanged phone numbers. The perpetrator enticed the victim to send sexually explicit photos (half-naked images) until the victim complied with the perpetrator's demands. Subsequently, AW invited the victim to meet and go on a date. When the victim refused, AW threatened to disseminate the sexual photos. The meeting occurred twice. The parents of the victim grew suspicious because their child consistently returned home late at night, and when questioned, the victim admitted to being sexually abused.

Victimology is the study of victims, the causes leading to victimization, and the various consequences of victimization as a social phenomenon. A victim, whether active or passive, plays a role in the occurrence of a crime, either consciously or unconsciously, directly or indirectly. The role of the victim relates to the attitudes and conditions of potential victims that may provoke someone to commit a criminal act. An active role refers to behaviors that actively stimulate the perpetrator, while a passive role refers to situations where the victim does not take any action but, due to physical or psychological conditions, becomes a target of crime.

For the case that has been mentioned before, Child Grooming Case by AW. The role of the child in this case can be observed from the way they provided an opportunity for an adult or a stranger to get acquainted through the Hago application and exchange phone numbers. This situation places the child in a dangerous position because they engaged in intense communication with the perpetrator, eventually succumbing to the perpetrator's coaxing to send sexually explicit photos. These photos were later used as a tool to threaten the child into meeting and dating the perpetrator. Given the child's vulnerable state due to these threats, the child reluctantly took the risk of meeting the perpetrator in person, resulting in acts of sexual abuse against them.

Preventif legal protection by giving some regulation related to the legal protection against child grooming and Represif legal protection by providing sanctions in form of imprisonment, fines and additional penalties.

Conclusion

From a victimological perspective, children are highly vulnerable to becoming victims of crime due to their physical, psychological, and social vulnerabilities. These factors

make them frequent targets for child grooming, particularly on online platforms like Hago. Children may become involved in grooming either actively or passively, and often without full awareness, due to their circumstances and behaviors at the time. Their lack of knowledge and awareness can lead them to engage in risky interactions with offenders, creating opportunities for manipulation and coercion that result in victimization.

Law Number 12 of 2022 on Sexual Violence Crimes is the most relevant and comprehensive legislation currently available to provide protection for children as victims of child grooming in the online game Hago. This law offers legal protection, both preventive and repressive, by regulating all forms of prevention, handling, protection, and recovery, including compensation through restitution or compensation funds.

Parental Participation in Child Protection in Cases of Criminal Sexual Violence by Family Members Judging from the Child Protection Law

Presented by Devi Rakhmatika

Problem of sexual violence against children committed by family members still occurs frequently, reflecting weaknesses in the implementation of child protection that should be strictly implemented. This phenomenon raises deep concerns about the extent of parents' role and participation in effective child protection efforts. Parents have a legal obligation to protect their children from all forms of violence, including sexual violence. Law No. 23/2002 on Child Protection underscores the importance of parents' role in creating a safe and supportive environment for children's development. The articles in this law regulate various aspects of child protection, from prevention to handling cases of violence.

The Indonesian Child Protection Law defines a child as someone who is not yet 18 years old, including children who are still in the womb. This definition emphasizes that legal protection is given to every individual within this age range, both in terms of health, education, and safety from all forms of violence and exploitation (Law No. 23 of 2002 Article 1 paragraph 1; Law No. 35 of 2014).

Protection from Violence and Exploitation, The Child Protection Law stipulates that every child has the right to protection from violence, discrimination, exploitation, neglect, and other mistreatment. This includes protection from physical, psychological, sexual violence, and economic exploitation. This protection aims to ensure optimal child development (Law No. 35/2014 Article 13).

Right to Education and Self-Development, Articles 28 and 29 of the Convention on the Rights of the Child state that every child has the right to education. Education should be geared towards developing children's personalities, talents, mental and physical abilities to their fullest potential. Education should also prepare children for responsible lives in a society that upholds peace, tolerance and gender equality (UNICEF, 1990).

Protection in the Justice System, The Law on Juvenile Justice System (Law No. 11/2012) provides for special treatment for children in conflict with the law. The law emphasizes a restorative approach, which aims to restore the child's well-being and encourages

rehabilitation rather than punishment. Children in conflict with the law must receive special protection and be treated in a manner that respects their dignity and rights (Law No. 11/2012).

The high number of sexual violence cases that occur in school-age adolescents is generally due to the fact that children are one of the groups that are very vulnerable, helpless, and have high dependence on adults. Not a few of the perpetrators are people who have dominance over victims, such as parents and teachers. Based on the literature review on the phenomenon of sexual violence and examining the factors and impacts of sexual violence on children, it shows that sexual violence is still rampant in the community. Sexual violence is perpetrated by adults on minors. Most acts of sexual violence are committed on minors because children do not have enough strength to fight back, they tend to be weak both physically and psychologically.

Challenges and obstacles in the implementation of legal protection for child victims of sexual violence are complex and require serious attention from various related parties. One of the main obstacles is the difficulty in identifying and reporting cases of sexual violence against children. Many cases of sexual violence occur in a hidden environment or in a close relationship with the perpetrator, so victims often feel afraid or embarrassed to report it. In addition, the lack of public awareness and knowledge about the signs of sexual violence is also an obstacle in the process of identifying and reporting cases. Despite the existence of various regulations, the implementation of child protection in Indonesia still faces various challenges. These include a lack of public awareness, limited resources and limited legal infrastructure. Research shows that public awareness and understanding of children's rights still needs to be improved.

Child protection is not solely the responsibility of legal authorities but also of parents, who must ensure children's rights are fulfilled, especially protection against violence and exploitation, as outlined in Article 13 of Law Number 35 of 2014. Cases such as a brother committing sexual violence against a younger sibling, resulting in pregnancy and miscarriages, highlight parents' failures in protecting and supervising their children. Effective child protection must balance the child's needs with environmental impacts, ensuring protection is rational and beneficial. The goal is to help children become independent, able to exercise their rights and fulfill their duties. Positive law does not classify all extramarital sexual relations as adultery, but coerced sexual intercourse is considered rape.

Legal protections for children under Law Number 23 of 2002 and its amendment, Law

Number 35 of 2014, address sexual crimes against children. Incest is condemned universally as immoral and is criminalized in many countries, including Singapore and the UK, where severe penalties exist for sexual violence within families. The home should be a safe and nurturing environment, but when it becomes a place of abuse, such as in cases of incest, it betrays its role as a child's refuge and source of protection.

Recommendations

Addressing violence against children requires stronger law enforcement to ensure perpetrators receive appropriate punishment and improve the socialization of child protection laws. Public education and awareness campaigns, involving community leaders, educational institutions, and media, are essential to highlight the negative impacts of child abuse. Support services, including counseling and rehabilitation, must be provided to victims and their families, and child protection units established at the village level to offer immediate assistance. In the context of child marriage, enhanced access to education, scholarships, and awareness of the importance of education for girls, along with advocacy campaigns involving religious and public figures, are key. Law enforcement should strictly apply laws against child marriage, with village officials monitoring compliance. Combating child abandonment and exploitation requires social welfare programs to alleviate economic pressures, regular inspections of workplaces, and education on children's rights. Bridging digital technology gaps involves teaching digital literacy and internet security to children and parents, strengthening content monitoring, and raising awareness about online crimes with the help of influencers and social media platforms. Finally, addressing poverty and social inequality involves developing economic empowerment programs, improving access to health and education through initiatives like the Smart Indonesia Card and Healthy Indonesia Card, and collaborating with NGOs to provide additional support, education, and health services.

Enforcement of Criminal Law Against Perpetrators of Child Grooming

Presented by Deny Slamet Pribadi, Rini Apriyani, Ivan Zairani Lisi, Agustinawati, K. Wisnu Wardana, Ngasih Siti Sholihah

One of the sexual crimes against children that appears in the public is child grooming, which is an effort made by someone to build a relationship with the victim. Law enforcement is a guide for people to act and behave in accordance with the legal norms that exist in society and the state. Child grooming does not have a specific regulation in Indonesian legislation, so police investigators have difficulty when making decisions so that law enforcement officers exercise discretion to be able to impose penalties on perpetrators where they analyze and approach legislation that is deemed to have similar elements and fulfill the elements of the crime.

Internal factors contributing to sexual crimes include, psychiatric factors, such as disorders like Sadism, Masochism, Voyeurism, Fetishism, Pedophilia, and Incest, can contribute to sexual disorders and increase the likelihood of committing sexual crimes against children. Biological factors also play a role, as unmet or uncontrolled sexual needs may lead to deviant behavior, including sexual harassment or rape, especially after long periods of sexual deprivation. Moral factors, including a lack of moral values and societal norms, can make individuals more susceptible to committing immoral acts such as sexual violence. Additionally, past trauma is a significant factor, as individuals who have experienced abuse may be more likely to commit sexual offenses as a form of revenge or due to psychological damage. Many perpetrators of sexual violence, such as teachers, have often been victims themselves.

External Factor that comes from an outside person or individual. This factor includes, Children's vulnerability to sexual crimes is influenced by several factors. Environmental factors, such as negative influences in their social circles, can shape a child's mindset and behavior toward harmful actions. Economic challenges, particularly poverty, often leave children from struggling families neglected and at higher risk of exploitation as they may seek ways to earn money. Additionally, a lack of collective awareness about child sex education exacerbates the issue, as many Indonesian families still view discussing sex with children as taboo, despite its importance in protecting them from sexual crimes.

Case Study – Child Grooming in Samarinda City

Basically, the process of child grooming is generally carried out by persuading and providing certain lures, so that the child can easily always be under the supervision and control of the perpetrator/groomer. Children sometimes do not realize that they are in the scope of the crime committed by the groomer, due to the lack of knowledge of children and children who are still very innocent.

Based on data on child grooming cases in 2019, there were 7 cases, from the above cases all victims were female and the perpetrators were boyfriends or people closest to the victim, there were even perpetrators who were the victim's family, namely there were stepparents and step-grandparents of the victim where in Article 8 letter a of Law Number 23 of 2004 concerning the Elimination of Domestic Violence prohibits sexual violence that occurs including to children committed by settled people in one household which means in one family.

Dating relationships between adults and minors are not explicitly prohibited by law, but they raise concerns about potential risks such as child grooming, exploitation, and sexual violence. Minors, due to their psychological immaturity, are particularly vulnerable to such abuses. According to Article 76 E of Law Number 35 of 2014, it is illegal to use violence, threats, deceit, or coercion to induce children into obscene acts. Perpetrators often gain victims' trust through gifts, attention, and affection, which can lead to intimate and potentially exploitative relationships. Data child grooming from 2021 reveals 9 child grooming cases, all involving female victims and various perpetrators including fathers, neighbors, and boyfriends. Under Article 293 of the Criminal Code, individuals who induce minors into obscene acts through promises or gifts face up to five years in prison. All parents must also be aware of the surrounding environment where they live, must be more aware of anyone such as dating relationships between minors and adults this is considered normal but actually has many possibilities for sexual harassment and sexual violence.

Crime in the Criminal Code is known as *statbaarfeit* in the criminal law literature often uses the term offense, while the legislator uses the term criminal event or criminal act or criminal offense In Indonesia, the legal protection of children has been regulated through the policy of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, then there is also a new law passed on April 12, 2022,

namely Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, where the latest law is expected to provide protection, handle, and restore sexual violence.

Conclusion

The act of child grooming is a criminal act in the form of sexual crimes against children trying to approach the victim by seducing the victim with the aim that the victim becomes interested in the perpetrator, then the perpetrator manipulates the victim psychologically so that the victim becomes obedient to the perpetrator, so that the perpetrator can achieve his goal, namely to satisfy his sexual desire for the victim. In practice, criminal law enforcement against perpetrators of child grooming is in accordance with the article that should be able to ensnare the perpetrator.

Law enforcement has several factors, namely: the legal factor, with the change in the law is expected to improve the quality of a law and hopefully can give a positive impression, both are expected to be a deterrent effect and can provide protection and the rights of victims, actually child grooming does not yet have a special arrangement so that it creates a slight legal weakness to impose penalties on the perpetrator so that the perpetrator remains accountable for his actions, law enforcers conduct analysis and approach legislation.

Law enforcement factors and facilities that support law enforcement in this section occur obstacles, namely the lack of human resources and funding, community factors, and cultural factors where there must be a change in the mindset and behavior of the community because until now this factor is the most difficult to change because there are still many people who do not think openly.

In an effort to implement criminal law enforcement of child grooming, the three agencies have made efforts to tackle the act of child grooming, namely through preventive action and repressive action. Then the obstacles in the implementation of criminal law enforcement there are several obstacles which certainly have an influence on the process of overcoming and implementing criminal law enforcement both from individual victims, lack of legal awareness of families or parents to be able to report child grooming cases to the police, lack of evidence, related medical or health services, and then the age and mental condition of the victim.

Theme 4B

Child Sexual Exploitation and Abuse from Multi-Perspective

8 August 2024, 1 PM – 3 PM

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.

Panel Presentation Summaries – Theme 4B Session 3

Overcoming the Crime of Bullying With Child Perpetrators Against Children

Presented by K. Wisnu Wardana, Insan Tajali Nur, Aullia Vivi and Deny Slamet Pribadi

The prevalence of bullying behavior in contemporary society largely involves young perpetrators, as most incidents occur in school settings. The National Institute for Children and Human Development (NICHD) in 2001 presented the results of its survey that more than 16% of school students in the United States admitted to being bullied by other students. A study was conducted in Indonesia in 2018 by the Semai Jiwa Amini Foundation. The study involved around 1,233 students from elementary, junior high, and senior high schools in three major cities: Jakarta, Surabaya, and Yogyakarta. The findings showed that incidents of violence among students at the junior high school level occurred in Yogyakarta (77.5%), Jakarta (61.1%), and Surabaya (59.8%), respectively. Incidents of violence at the senior high school level were highest in Jakarta (72.7%), followed by Surabaya (67.2%) and Yogyakarta (63.8%). Based on these statistics, it is evident that bullying behavior by young people in Indonesia is still a significant and worrying problem. Amy Huneck, a bullying intervention specialist, conducted a study which found that between 10% and 60% of students in Indonesia reported experiencing various forms of mistreatment such as teasing, ridicule, ostracism, physical assault,

kicking, or pushing on a weekly basis. This is also evidenced by data from the National Commission for Child Protection throughout 2011 as many as 339 cases of violence occurred in the school environment and 82 of them died.

Bullying behavior as a form of aggression is a worldwide problem, including in Indonesia. Bullying behavior is very vulnerable to occur in children in various places ranging from educational environments or schools, homes, neighborhoods, playgrounds and others. The prevalence of bullying behavior is increasing and has had an impact on victims or perpetrators of bullying. Talking about bullying, Indonesian positive law has regulated the Juvenile Criminal Justice System (SPPA) and its protection.

Children involved in bullying can be classified as criminals when they commit violence in any way against another person. Such violence includes physical violence, psychological violence, sexual violence, and other criminal acts. Children who bully, especially by means of violence as previously described, may be subject to the provisions outlined in this article. Data from the Indonesian Child Protection Commission shows that physical violence is the most common type of crime committed by children. According to the data provided, there were a total of 30 bullying incidents reported in schools during 2023. The number of cases increased from the previous year which reached a total of 21 cases. A total of 80% of bullying incidents in 2023 occurred in schools under the jurisdiction of the Ministry of Education, Culture, Research and Technology (MoECristek), while the remaining 20% occurred in schools under the Ministry of Religious Affairs (MoRA). Of the total 30 bullying cases reported in 2023, 50% occurred at the junior high school (SMP) or equivalent level, 30% at the elementary school (SD) or equivalent level, 10% at the senior high school (SMA) or equivalent level, and the remaining 10% occurred at the vocational high school (SMK) or equivalent level. In 2023, bullying cases were reported in 12 provinces covering 24 districts/cities. Based on the available statistics, it is clear that there has been an increase in bullying incidents. In 2022, bullying cases were reported in 11 provinces, covering 18 districts or cities. However, in 2023, the number of provinces affected by bullying increased to 12 provinces, with 24 districts or cities affected.

As a result, it is evident that the number of child perpetrators involved in bullying incidents continues to increase year after year. However, the nature of criminal liability in situations involving children is different from those involving adults. This is because the state imposes punishment on individuals who are considered to be responsible beings and capable of taking responsibility for their actions. Meanwhile, children are recognized as individuals who do not yet have the capacity to take full responsibility

for their actions. Therefore, in the realm of legal proceedings and punishment (which is almost unavoidable in cases of lawlessness), it is imperative to provide children with different treatment that distinguishes them from adults.

The legal remedies chosen to resolve problems arising in bullying cases should pay attention to the principles contained and embraced in the justice system. These principles will later become shared values for the perpetrators, so that later the perpetrators who are still children do not experience trauma and / or wrongly accept their mistakes as revenge. For this reason, we need to pay attention to the principles contained. In accordance with Article 2 of the Juvenile Justice Law, the criminal justice system is organized on the basis of protection, Fairness, Non-discrimination, The best interests of the child, Respect for the child's opinion, Survival and growth of the child, Development and assistance of the child, Comparability, Independence and guidance as a last resort and, Avoidance of retaliation.

Diversion, depicted in the above scheme, is defined as a system in which a facilitator organizes conflict resolution between the parties to reach a mutually agreed settlement, known as restorative justice. The history and techniques of consensus deliberation are concrete expressions of strengthening long standing community laws. The core of restorative justice lies in the principles of restoration, moral education, community involvement and focus, discussion, forgiveness, accountability, and implementation of necessary reforms. These principles serve as a guide for the restorative justice approach to the recovery process. If the diversion process proves ineffective, the judicial process will continue, and the judge will ultimately render a decision. At this point, the Lembaga Pembinaan Khusus Anak (LPKA) becomes involved in the proceedings, with BAPAS serving as the investigator of the child's activity report. However, if the LPKA has not yet been established, the child will be placed in a juvenile detention center. It should be noted that, according to the provisions of this law, LPKAs must be established nationwide within 3 years.

Therefore, the state has a stance that basically two options are raised, namely: 1) welfare state and 2) night watchman state (Nachtwachterstaat). These two theories have their respective impacts, especially in relation to policy-making on child protection. For the theory of the state as a night watchman (Nachtwachterstaat), the regulations built are only oriented towards repressive, conservative, traditional concepts and an unclear vision and mission. Where this theory, when implemented, has the potential to lack guaranteed growth and development, protection from violence, discrimination, bullying, destruction

of civilization, conflict and policies that are only oriented towards deterrent effects alone and negative community paradigms towards children who behave deviantly, so that the ideals of the law are not realized. When the state chooses a policy option with a welfare state theory orientation, its realization has a collaborative pattern in the policy. The first is a preventive protection pattern where the policy contains: 1) integrative patterns from various fields such as religion, psychology, local wisdom. 2) Formal and non-formal education patterns. 3) Budget provided by the Government/State. 4) Community participation. The second is a repressive protection pattern where the policy is oriented towards overcoming deviations in children's behavior in a measurable manner, such as a child-friendly judicial process, fostering child prisoners through a penology pattern, while they get guidance from the state with sufficient budgeting and community participation. This policy option is expected to realize the welfare state theory which is the responsibility of the state, such as maximizing education, even though the child has problems with the law. The avoidance of violence and patterns of discrimination and the achievement of child development and becoming the best generation in their time. That way the state succeeds in realizing article 28b paragraph 2 of the 1945 Constitution and the ideals of law.

Conclusion

Bullying behavior that occurs in Indonesia cannot be separated from the responsibility of the state. However, currently the policy chosen by the Indonesian State still uses a policy pattern like the *Nachtwachterstaat* theory, which has an impact on children's criminal liability only limited to conservative and traditional attitudes. The punishment system contained in the Criminal Code, the Child Protection Law or the Juvenile Criminal Justice System Law has not been able to overcome bullying by child perpetrators against children.

The reconstruction of Indonesian criminal law policy in overcoming acts of bullying committed by child perpetrators refers to the state's attitude to choose policy options with a welfare state theory orientation so that collaborative patterns in preventive protection patterns and repressive protection patterns will be realized in the form of child-friendly judicial processes, guidance for child prisoners through penology, guidance from the state with sufficient budgeting and community participation. This policy option is expected to be realized and the implementation of article 28b paragraph 2 of the 1945 Constitution of the Republic of Indonesia and the ideals of the Indonesian state law can be successfully carried out with an integrative pattern from various fields including aspects of religion, psychology, local wisdom, formal and non-formal education for both perpetrators and victims of bullying in children.

Emergency Community-based Advocacy for Children Victims of Sexual Violence Revised from Act No. 12 of 2022

Presented by Atqo Darmawan Aji

Sexual violence in Indonesia is increasing every year, especially sexual violence against children. The victims of sexual abuse are not only adults but also adolescents and even children. Sexual abuse cases are many of the perpetrators who come from the nearest neighborhood. Most cases of sexual violence come from family members or close people as in Indonesian Media in 2022. Such conditions make the child victim of sexual violence suffering more, because every time has to meet the perpetrator of sexual abuse. Acts of sexual violence against children are a form of crime that will harm the child's future. With so many perpetrators of sexual violence against children, they need a role as well as a community to be able to provide surveillance over the environment in which they live. A child who is a prospective successor of the nation must be freed from the perpetrators of sexual violence. Under Act No. 11 of 2012, a child is a person who is not 18 (eighteen) years of age. At that age the child is still in the forming of character that later influences the child's mindset. For a nation, children have an important role as successors to a nation.

In providing legal protection for children from becoming victims of crimes of sexual violence, the government has approved Law No. 12 of 2022 on the Punishment of Sexual Violence. The Sexual Violence Criminal Procedure Act is based on articles 20, 21 and 28 G UUD RI 1945 which requires the state to prevent and protect children from the crime of sexual violence. The state is also required to manage, protect and restore the rights of children who are victims of sexual abuse. The Act No. 12 2022 is expected to provide protection for children against criminal acts of sexual assault. It is also expected to be a means of prevention so that people do not commit sexual acts. The child is a part of the society that needs protection, because the child belongs to a vulnerable group. The Act No. 23 of 2002 on the Protection of Children also provides an explanation of the protection of children which includes education on rehabilitation, religious values, and suffering, social rehabilitation, psychosocial support during treatment until recovery, re-establishment of protection and support at every stage of examination from investigation, prosecution, to trial examination. There are times when the public is less aware of the rights of children in general. Related to the rights of children who are victims of a crime of sexual violence as referred to in the Child Protection Act. This lack of knowledge

should be overcome by the society itself. Giving detention to other communities is also a form of advocacy. If advocacy can be done by the people themselves, it will make the people more aware of the law and the rights of children victims of sexual violence.

Seeing the characteristics of the criminal offence of sexual violence against children that often occurs in the home/environment of children playing, raises its own problems in the prevention of criminal offences of sexual abuse. Such conditions require extra supervision from parents and society. With the advocacy carried out in the child's environment will emerge a culture of legal consciousness. A child who is a victim of sexual abuse has characteristic psychological traits that can be seen in the child. However, these characteristics are not noticed by the parents or the community. Such surveillance is not only carried out by the parents but also by the community or community in the neighborhood where they live. Having a community advocate will be important in society because it knows the circumstances in its surroundings every day and every time there is a problem. People across their communities are expected to be able to contribute to cases of sexual violence. They hope that after a culture of consciousness, sexual violence will disappear from the community. There is a process of self-advocacy from within the community that will be more aware of the behavior of the community because the process of advocacy carried out by the community comes from the consciousness of the individual. The process of advocacy pursued by the public must also be in accordance with the law. Don't let the purpose of advocacy of such a society be contrary to the rule of law that exists in Indonesia. In the concept of advocacy, the advocacy process that comes from within the community has an important role. The question is whether the advocacy process carried out by the agreement should also be supported by the government and other institutions. The lack of social control in society is also one of the factors that causes children to become victims of sexual violence. The community feels to play a high role in creating awareness in society. There is a process of advocacy carried out by the community that is expected to have an impact on its social environment. There is an avocation process cared for by the communities to grow the values of concern for the social conditions. The process is also a reflection of gotong royong's values that are still alive in the community.

The community has an important role to play in preventing the process of advocating the crime of sexual violence against children. Human beings with social characteristics cannot be separated from their participation in social groups. These social groups or communities have an important role in providing prevention against the crime of sexual

violence. Public involvement in tackling sexual violence can reduce the barrier to order and create a sense of security for the community and members of the community. In this study the author will investigate how urgent prevention of sexual violence against children is based on the community/society under Act 12 of 2022.

Society as part of social control plays an important role in reducing and protecting its group from criminal acts. Sexual violence itself has long been a subject of study in criminal law because it is a criminal offence. The offense itself is an act prohibited by law and accompanied by the threat of a certain criminal sanction. The criminal behaviour of sexual violence against children reflects the still insufficient concern of the community in efforts to prevent the crime of sexual abuse. Communities that are part of society have an important role to play in advocating for victims of sexual immorality. The community can't be freed from society. It is true that human beings are social beings who always form communities to satisfy their lives. The role of the community can improve access to justice for the victims of sexual violence, which has always been less of a concern in society. The advocacy carried out by the community may raise awareness of the importance of preventing the treatment of sexual abuse of children. The role of the community becomes important because they are always there because these communities are part of society. A community is another name for a society as a social group consisting of various individuals. In a common community, there is a common sense of dialect, of common purpose, of mutual trust, of need, of preference, and of similar circumstances. Community itself comes from the Latin *communitas* which means common.

In the legal system, the community plays an important role as a factor in the development and protection of the law that originates within the society. The system of law will be strong when a culture of law is created. It was described by Lawrence M. Friedman, later known as the theory of legal systems, if the legal system consists of three basic elements: legal structure, legal substance, and legal culture. That in this way the community has an important role as the shapers of the legal culture. The legal culture provides insights into the way of thinking and acting and the habits of the people. The advocacy process carried out by the community will influence the social power to create a legal custom. The rule of law that is repeatedly applied will then form a culture of law. A legal culture cannot be separated from the expression of ideas, values and behavior within the community. The legal culture is more focused on patterns of tendencies and trends in society. Each legal system has its own tradition, history, existence and stability.

A legal culture can't happen instantly. The legal culture must start gradually so as not to lead to social change. The legal culture must be accompanied by the development of legislation. As a result, the advocacy process carried out by the community has been regulated in the Criminal Code of Sexual Violence. The community has a role as part of the social group that can build a legal custom that exists in society.

The advocacy process should not only focus on the victims of sexual assault, but should also be oriented towards preventing sexual violence against children. Sexual violence is generally defined as acts of deliberate harm or harm to a child. End Child Prostitution in Asia Tourism (ECPAT) is a relationship or interaction between a child and an older person or an adult in which a child is used as an object of the sexual needs of the offender. Sexual abuse of this child is usually committed by people closest to the child. Sexual abuse perpetrators and child victims live in the same neighborhood. Given the circumstances, it would be easier to advocate if the person who advocates was in the same territory as the victim and the perpetrator. Sexual violence against a child is not limited to sexual intercourse, but also to other activities related to activity such as touching the child's body sexually, any form of sexual penetration, forcing a child to engage in sexual activity, deliberately engaging in sexual activities in front of a child, making, distributing, and displaying pictures or films containing sexual content.

The advocacy process carried out by the community must have sufficient resources for the development and implementation of advocacy processes aimed at preventing sexual crime. The community has to get special supplies before it takes advocacy. The abduction is also intended to protect members of the community during the advocacy process. Provision of supplies also provides an understanding of the rights and obligations of victims, especially children as victims of sexual violence. In shaping a legal culture, communities must have a collective commitment to prevention of sexual violence. The advocacy carried out by the community has no post-sexual harassment incidents and also includes before the crime. The community must be able to provide protection to members of the community. The community can provide advocacy and protection to its members, especially to groups of children. Children are one of the most vulnerable groups to sexual violence, because children are often positioned as weak and helpless. Besides, children are also considered to be highly dependent on adults so that children are considered unable to do resistance.

The Sexual Criminal Procedure Act also states that, in the best interests of victims, all actions relating to victims by executive, legislative, judicial and public bodies should be

the primary consideration in the law enforcement process in cases of sexual violence. The obligation of the best interests is not only imposed on the organizers of the state, but also given to the public. The legislators have given sufficient room for the public to act in the best interests of the victims of sexual violence. In cases of sexual abuse of child victims related to the best interests of the child, careful attention should be given. The role of community advocacy in this becomes important because the community is more aware of the needs of the victims. The best care for the victim can be given by the members of the community because they are constantly interacting with the victims.

Currently, there are still some major factors that are problematic in advocacy of sexual violence cases. Quoted from the online law web, the victim was unwilling to report because he was afraid his case would be discussed. Furthermore, the obstacle to sexual abuse cases with victims would be still the lack of understanding of police members in dealing with cases of sexual violence against children. If the concept of restorative justice also becomes an obstacle to the handling of cases of violence against children, the investigator can stop the investigation on the grounds that there is peace between the victim and the perpetrator. Sometimes it is difficult for people to distinguish between a complaint hole and a common hole. However, a suspension of the investigation can occur when the victim withdraws the report, often the victims agree to peace but do not withdraw the report. There are obstacles that can be overcome whenever a child of a sexual assault victim or a family gets support and support from a lawyer or someone who understands the law. The role of the community becomes crucial when a society lacks detention to the law, because the community can provide the process of advocacy for the victims. Not everyone can provide support or do advocacy. The provisions on advocacy by the public are found in the Penal Code of Sexual Violence, but regulated in the Law No. 16 of 2011 on Legal Aid. The Law Aid Act is a guarantee for the public to obtain justice.

Implementation of the Social Violence Criminal Act has a positive impact on society. Hopefully the public will have more courage to report sexual assault crimes. The existence of legal protection in the advocacy process can also provide legal protection for the community in the provision of advocacy process in the event of sexual violence against children. Members of the community can apply for training to legal aid organizations so that they can become paralegal. Paralegal is a form of recognition by the government of an individual who carries out a process of advocacy for his community or society. Training for paralegals can consist of intensive training by providing material on advocacy

techniques, understanding of formal and material law, practice of documentation and simulation of advocacy.

Conclusion

In efforts to prevent crime, sexual violence against children, the community plays an important role such a form of prevention can be advocacy to the public by providing an understanding of the dangers of sexual violence against children. The community also serves as an agent of change to prevent the crime of sexual violence against children. With the advocacy of the community will create a culture of law, that is, a society of law consciousness. Community advocacy can also be performed when a child has become a victim of sexual violence. The community can act as a guarantor of security for victims in the victim's neighborhood of residence at the time of victims reporting sexual violence being experienced. The community that can advocate is a member who has received special training on illegal activities. Paralegal this community will work on the basis of volunteerism and fellow-help. The role of this community paralegal is felt to be more optimum because these paralegal are also in the same environment as the child so that forced advocacy can run with maximum and optimal. The advocacy of this community's paralegals will improve access to justice for child victims of sexual violence. Paralegal community in carrying out the function of public participation as mentioned in the Criminal Procedure of Sexual Violence Act. The position of paralegal has also been recognised in the Law Aid Act so that functioning is not a problem in the criminal justice system. Paralegal advocacy in cases of sexual violence with child victims is limited to non-litigation, i.e. at the time of reporting to the prosecution, but community paralegal can maximize its role in the field of advocacy to prevent child sexual violence victims.

Law Enforcement of Incest Sexual Violence Against Biological Children Viewed from Criminology Biological Children in Terms of Criminology

Presented by Rika Erawaty, Rena Fajrriikaiana, Rini Apriyani, Mahendra Putra and Emilda Kuspaningrum

The increasingly complex and rapid development of society has led to more and more deviations in the distribution of one's sexual desires. One form of sexual deviation or disorder is incest. Incest is a sexual relationship committed by 2 (two) people who are still related or related by blood or marriage, where the average victim is a child.

This study aims to answer two things, first, how is the regulation of the crime of incest sexual violence against biological children in terms of criminology? Second, how are the efforts of law enforcement against cases of incest sexual violence on biological children? The research method used is socio legal research because it aims to examine the perceptions and legal behavior of people that occur in the field.

The results showed that cases of incestuous sexual violence against biological children that occurred in the city of Samarinda, East Kalimantan, were caused by the factor that the perpetrator did not have the ability to refrain from these deviant events, this is in accordance with the theory of social control in criminology. The efforts of law enforcers in dealing with the crime of incest sexual violence, especially law enforcers from the police and the prosecutor's office, have sought law enforcement both for the perpetrator and the victim, and carried out prosecution in accordance with applicable laws, both protection for the victim / child and imposition of punishment for the perpetrator. Three cases of incestuous sexual violence against biological children that occurred in Samarinda are subject to criminal sanctions in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

In line with the increasingly complex and rapid development of society, more and more deviations are found in the distribution of one's sexual desires. One form of sexual deviation or disorder is incest. Incest is a sexual relationship committed by 2 (two) people who are still related or related by blood or marriage, the average victim is a child. Incest is a form of sexual crime that can occur at any time and happen to anyone, which is very detrimental and disturbing and is still very taboo in society and is one of the violations of human rights, especially in children.

Perpetrators of incestuous sexual crimes are rarely reported to the authorities for fear that they will bring shame to the family's good name and receive further violence from the perpetrator. This lack of legal protection for victims has left many incest cases untouched by the law. Therefore, the regulation of Incest sexual crimes must be reformed to punish the perpetrators of these crimes with more severe criminal sanctions and this regulation on Incest can provide a deterrent effect to the perpetrators in accordance with the norms that apply in society whether it has achieved justice for victims and can suppress or even eliminate Incest sexual violence in children. Because we can see the scope of Incest sexual crimes is very different from sexual crimes in general because of the special relationship in the family between the perpetrator and the victim.

The crime of sexual violence Incest is regulated in the Criminal Code in Article 294 paragraph (1), "Whoever commits obscene acts with his child, stepchild, foster child, child under his supervision who is not yet an adult, or with a minor whose care, education or custody is entrusted to him, or with his servant or subordinate who is not yet an adult, shall be punished by a maximum imprisonment of seven years". The objective element of Article 294 paragraph (1) is the person who commits acts against decency with his own child, step-child, foster child or adopted child who is not yet an adult, or with a minor whose care, education or custody has been entrusted to the perpetrator, and with a servant or subordinate who is not yet an adult. Incest crime is not only by way of sexual abuse, but also coercion of sexual intercourse (rape), which in Article 294 of the Criminal Code has not been included. The inclusion of the term "intercourse" in the crime of incest can provide guidelines for the crime of incest, which is usually only charged with sexual abuse. Currently, the criminal provisions for perpetrators of sexual violence incest on biological children before the enactment of Law No. 12 of 2022 on Criminal Acts of Sexual Violence are still using the criminal provisions referring to Article 81 of intercourse with children and Article 82 of obscene acts against children in Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on the Protection of Children and the Amendment to Law No. 23 of 2002 on the Protection of Children. Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on Child Protection and lastly amended by Law No. 17 of 2016 on the Stipulation of Government Regulation in Lieu of Law No. 1 of 2016 on the Second Amendment to Law No. 23 of 2002 on Child Protection into Law and the criminal sanction lies in Article 81 paragraph (3), which is increased by 1/3 of the criminal sanction because the perpetrators of the criminal offense are parents. The elements of the perpetrators contained in Article 81 paragraph (3) are parents, guardians, people who have a family relationship, child caregivers, educators, education personnel,

officials who handle child protection, or carried out by more than one person together.”

Regarding this Incest sexual crime, the community plays a very important role in preventing a crime because Incest sexual violence and criminology are closely related. based on social control theory if the community fulfills or obeys the norms that exist in society, especially in blood relations which are closely related to religious norms and this is not allowed. And the community must play an important role in reporting incest crimes, it's just that what happens is that many incest cases are not reported, because they cause family disgrace and are afraid to report to the authorities. In law enforcement efforts in Incest cases cannot be separated from the role of law enforcement officials, namely the police, prosecutors, and other law enforcement officials, because this case really needs special handling considering that this is within the scope of the family between biological fathers and biological children where the child who is the victim is still underage who is taken away by his own father. the need for protection for the child in the process of running the law that applies to the perpetrator of the crime.

Factors influencing incest based on criminology are a) Education and Economic Factors The lack and absence of education in the three perpetrators which causes a lack of understanding of these actions / deeds. As for the economic factors of each perpetrator where poverty greatly affects the thinking that can trigger the incest perpetrator itself, b) Sexual Deviation Factors such as sexual disorder, namely pedophilia, which could be caused by abnormal growth while still in the womb / children and also the dissatisfaction obtained from his wife which caused this to happen, namely Hypersex and c) Due to Intention and Opportunity, the act was carried out anywhere while it was safe. There are also d) factors from the victim side such as not understand and not have the ability to report or have mental retardation due to trauma and the victim also spent more time at home because the victim did not go to school, or often naked in front of the perpetrator which made the perpetrator feel aroused by this, e). Lack of Supervision / Parental Care that makes it unnoticed by parents and even their own mothers and f. Environmental factors as for other factors causing incest sexual crimes in biological children, it can be seen from the environment, family and society. Because based on the three existing cases, that the cause of this Incest sexual violence is the community, even the family that Incest is a disgrace, and sometimes does not accept Incest victims to enter the environment.

In making efforts to enforce the law on criminal acts of sexual violence against biological children, the police also experienced several obstacles, such as cases are not reported

to the authorities because most incest cases are between families, Investigators have difficulty in digging up information from victims because the average victim has experienced severe trauma, perpetrator did not admit to having committed a criminal act of sexual violence against his own child and barriers from factors / culture.

Conclusion

The criminal regulation of Incest sexual violence in Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection involving children in it is regulated in articles 76D, 76E, 81 and 82 of Law Law Number 35 of 2014 concerning Child Protection. As for the relationship between criminology and Incest Perpetrators. Looking for the causes of crime must first look for the factors that cause the perpetrators to commit crimes, then the theory of social control in criminology is closely related to the factors that cause incest in biological children, where the perpetrators do this deviant thing due to intention and opportunity. This intention and opportunity is a form of personal control and social control that exists in the three perpetrators, because the three perpetrators do not have the ability to refrain from these deviant events. Law enforcement efforts carried out by law enforcement officials must uphold the values of justice, legal certainty and social benefits. This law enforcement can be divided into two, namely broad and narrow. In a broad sense, the law enforcement process affects all legal subjects in all legal relationships. As for the narrow sense, law enforcement is defined only as the efforts of certain law enforcement officials to ensure that the rule of law functions properly. Where they have their respective responsibilities and duties. as for the inhibiting factors in the law enforcement process itself, namely first, legal factors, second law enforcement factors, third factors of facilities or facilities, fourth community factors and fifth cultural factors.

Toxic Obedience: The Trap of Power Relation in Cases of Sexual Violence Within Education Environment

Presented by Muhd. Al Hafizh, Fatmariza, Tri Putra Junaidi And Resi Yulia, Se, Mm, Universitas

Education institution is associated with society as an institution of intellectuals, people who are knowledgeable, have good morals and ethics, so it will be counterproductive if sexual violence happens there. This research aims to examine the factors that cause sexual violence in the educational environment in Padang, West Sumatera. This article also uncovers the role of educational institutions should be in overcoming sexual violence. This research is a qualitative descriptive study.

The issue of sexual violence in educational settings, particularly in higher education, is a critical concern that requires attention from all stakeholders. Between 2015 and 2021, Komnas Perempuan documented 67 incidents of sexual violence in educational environments, with 35% of these cases originating from universities. Other significant sources include Islamic boarding schools and senior high schools. Reports also emerged from various educational levels, including junior high schools and elementary schools. According to the National Commission on Violence Against Women, these cases often involve power dynamics, as individuals in educational roles are highly respected and seen as possessing both knowledge and moral integrity. This perception elevates their positions, making them influential figures within society.

Power relations develop across various fields, including economics, technology, identity, and the environment, and can manifest in rules and regulations imposed by those in authority, such as institutional uniform policies. These relations consist of four key elements: legitimacy, traditional authority, rational legal authority, and charismatic authority. Legitimacy has three primary sources: long standing traditions, trust in leaders (charismatic authority), and adherence to legal norms. A legitimate government relies heavily on public perceptions rooted in customs, while charismatic authority stems from rational support for the rule of law. Together, traditional, legal-rational, and charismatic authority comprise the foundational elements of power relations.

Sexual violence on campuses remains a significant issue, often analyzed through a socio-cultural lens that highlights the exploitation of power dynamics between perpetrators and victims. These cases typically arise from a hierarchical relationship where the perpetrator

wields superior power over the victim, who is rendered vulnerable. In educational environments, this power imbalance is exacerbated by the dependency of students on their teachers, leading to a toxic form of obedience that can be manipulated by those with malicious intent. Knowledge plays a crucial role in establishing power; individuals with greater knowledge can exert influence over others, contributing to the hierarchical nature of these relationships. The Indonesian Guidelines for Adjudicating Women's Cases highlight that power relations are characterized by inequality and dependence, where those in lower positions suffer due to their social, cultural, or economic status. This dependency often results in exploitation, with sexual violence being one of its most heinous manifestations.

Traditional authority is grounded in cultural beliefs and norms, providing individuals or groups with a basis for respect and power derived from societal values. In educational settings, teachers and staff traditionally hold authority over students, which can be distorted when this power is exploited within patriarchal and feudal contexts, potentially leading to toxic dynamics that facilitate sexual violence. This exploitation occurs when students' compliance is manipulated, making them vulnerable to abuse. In contrast, legal-rational authority is based on an individual's competence and adherence to established legal frameworks, constrained by procedural rules and time limitations. Charismatic authority, however, stems from an individual's inherent qualities recognized by others, often viewed as extraordinary or divinely inspired. Unlike traditional and legal-rational authority, charismatic authority is not rooted in hierarchical structures or bureaucratic norms; it relies on the followers' belief in the authority's unique capabilities. Together, these forms of authority illustrate the complex power dynamics in educational environments, highlighting how authority can be misused and the critical need for vigilance against potential abuses.

Sexual violence in higher education can manifest in a number of ways, including during teaching and learning activities, research and written work guidance, on-school and off-school events, and other activities. The perpetrators may include teachers, students, and staff. The victims can be any member of the school community, including lecturers, students, and staff. The functions of the education environment can be broadly defined as providing education and teaching, research and development, and community service. The lack of correlation between the values espoused by the education environment is also a significant contributing factor in the occurrence of sexual violence within education environment. Some strategies can be mentioned which are formulating regulation

related to sexual violence, The implementation of education must be based on policies that are applied fairly and evenly. In this case, every educational institution, whether managed by the government or managed by the private sector, must have the same position and the same rights in providing education. The role of educational institutions in providing education is to ensure that various policy instruments are used as the basis for each educational institution to be able to provide education at various levels in a fair and impartial manner. The role of educational institutions as regulators is twofold. First, they are responsible for establishing requirements for educational institutions to obtain operational permits for providing education. Second, they are tasked with compiling policy instruments in the form of education implementation rules that must be adhered to by educational institutions at various levels. The government's role as a regulator is twofold. First, it ensures that educational institutions that have been granted permits are legitimate entities. Second, it ensures that these institutions are able to conduct the educational process in accordance with existing laws and regulations, Educating Students about the Dangers of Sexual Violence as the utmost importance that the issue of the dangers of sexual violence be taught as early as possible. This will ensure that children gain insight into the knowledge of sexuality and learn how to care for their bodies. It is of the utmost importance that schools collaborate with parents to educate children about sexuality. By aligning the messages conveyed at home and at school, children will gain a comprehensive understanding of this important topic. It is of the utmost importance that teachers and parents work together to educate children about the fundamental aspects of sexuality. The most crucial aspect of sexual education is the instruction that individuals should refrain from touching other people's body parts. It is evident that children will undoubtedly exhibit a greater sense of curiosity than adults. Moreover, it is of the utmost importance to educate students on the distinctions between the two sexes, specifically between women and men.

The subsequent introduction of the body parts of these two genders is based on the aforementioned differentiation. The differences between women and men necessitate the instruction of the sexualities of the two sexes, which exhibit differences in each body. For example, the female reproductive organ, the vagina, is connected to the uterus, or womb. This is also occasionally a crucial element in addressing the queries children pose regarding their own or their younger siblings' genesis. There are several reasons why victims of sexual violence are reluctant to report their experiences. The most prevalent reason for non-reporting is the fear experienced by victims (85.6%). This feeling of fear is likely to arise from the victim's perception of helplessness, fear

of being blamed, or other reasons. Another reason for the reluctance of victims to report is the embarrassment they feel (77.3%). Victims often perceive the events they have experienced as a source of shame and disgrace, and therefore believe that they must be kept secret. Those who do not report sexual violence are concerned that their experiences will be shared with others, potentially causing them embarrassment. A noteworthy aspect of the data presented is the 47% of respondents who indicated that they were unsure of the appropriate reporting mechanism. It is evident that this issue can be resolved through the implementation of a more extensive outreach program that effectively disseminates information about the convenient, expedient, and secure mechanism and forum for submitting complaints, Building a Positive Culture of Shame as sexual violence can manifest in a number of forms, including sexual harassment, rape, and trafficking in persons, among others. Sexual violence can affect anyone, regardless of gender or age. Sexual violence can result in a range of adverse consequences for victims, including trauma, depression, and the development of psychiatric disorders. The reluctance to report sexual violence is often shaped by the pervasive culture of shame that exists in society. The term "shame culture" refers to the attitude displayed by an individual when they experience discomfort or embarrassment regarding their actions or behaviors that deviate from the norms that prevail in society. This culture of shame can reinforce the stigma associated with sexual violence, leading many victims to refrain from disclosing their experiences due to concerns about being perceived as impolite or inappropriate. The culture of shame and sexual violence are critical issues in today's society. The concept of shame culture can be defined as an attitude exhibited by an individual when they experience feelings of discomfort or embarrassment regarding their actions or behaviors that deviate from the norms that are commonly accepted within a given society. A culture of shame can also reinforce the stigma associated with sexual violence, leading many victims to refrain from disclosing their experiences due to concerns about being perceived as impolite or inappropriate. This can impede the recovery process for victims of sexual violence, as they are unable to access the support and assistance they require.

Conclusion

The occurrence of cases of sexual violence in the educational environment is naive and counterproductive to the existence of the educational environment as an institution where people who are educated, intellectual, and uphold high moral and ethical values gather. It has been demonstrated that the root cause of sexual violence in educational

settings can be attributed to the unequal distribution of power between management leaders, educators, staff, and students. This imbalance in power relations has been exploited by the parties responsible to result in the exploitation of obedience into toxic obedience, where the weaker party is compelled to obey the more powerful party. This dynamic creates an opportunity for sexual violence to occur. The phenomenon of toxic obedience is further compounded by the coexistence of traditional, rational legal, and democratic forms of legitimacy. To prevent the prevalence of sexual violence from increasing, educational institutions must implement a code of ethics to prevent sexual violence, educate students about the dangers of sexual violence, and cultivate a positive culture of shame and the courage to speak up if sexual violence occurs.

Indecisiveness of Educational Institutions in Providing Legal Protection Against Cases of Bullying in Children in the School Environment

Presented by Yunan Prasetyo, Ella Silvia, Brian Kerta, Bunga Saphira and Sabrina Putri

Bullying in schools has emerged as a significant concern in Indonesia, with data from the Indonesia Child Protection Commission (KPAI) and the Federation of Indonesia Teachers' Unions (FSGI) revealing a dramatic increase in reported cases—from just 53 in 2021 to 1,478 in 2023. Most incidents occur in schools under the Ministry of Education and Culture, Research and Technology, with East Java being the most affected region. The types of bullying are varied, with physical bullying accounting for 55.5%, verbal bullying at 29.3%, and psychological bullying at 15.2%. Bullying predominantly affects male students, especially at the junior high and elementary levels. Given the alarming rise in bullying cases, there is an urgent need for active involvement from teachers and the broader school community to address and prevent such behaviors effectively.

Bullying is a serious issue reflecting the significant disparities present in schools, including economic, social, physical, ethnic, cultural, and technological gaps, which lead to feelings of power among some students over others. UNICEF's 2020 data highlighted that bullying severely impacts children's welfare in Indonesia, with about two-thirds of youth aged 13 to 17 reporting experiences of violence, and 41% of 15-year-olds facing bullying frequently. A survey conducted by UNICEF's U-Report indicated that 45% of young people aged 14 to 24 have experienced cyberbullying. These alarming statistics demonstrate the urgent need for an effective anti-bullying system in educational institutions. Although the government should spearhead initiatives to prevent and address bullying through teachers, current efforts are limited and uneven across schools, with many initiatives arising from non-profit organizations. Therefore, it is crucial for the government to actively implement comprehensive anti-bullying programs to foster a safe and inclusive learning environment for all students.

Bullying that occurs within the scope of educational institutions (schools) shows that there are serious problems in the implementation of moral values of education, thus raising a big question for all circles why perpetrators who are given formal education by their parents, commit acts of bullying against their friends and do not think about

what impact will happen to their friends who are victims of bullying. The prevention of bullying in the school environment until now is still not optimal because it always finds a way of 'peace' without providing a deterrent effect for the perpetrators even though it has cost lives. In the world of education, such as school, teachers have a role to instill student awareness. There are still many children who experience acts of violence, one of which is bullying or bullying. Bullying can occur in various environments, both in the family, school, and community environment. Bullying actions that can be carried out by perpetrators are very diverse, ranging from verbal bullying, physical bullying and to technological developments, namely cyber bullying. Verbal bullying is an act of bullying that is carried out by mocking someone's physique, degrading someone's dignity or insulting someone's family. This is often done without us realizing it in a state of joking or joking, but we also without realizing that it has hurt someone's feelings or psyche. Physical Bullying is an act of violence against weaker people so that it causes pain or disability, while cyber bullying that is rampant in cyberspace is by commenting on someone's posts on social media. Cyberbullying does not need to know or have a relationship with the victim but is only limited to making friends on social media, they can do cyberbullying anywhere and anytime. There have been so many cases of bullying in our country that it is very sad if the act of bullying can take someone's life, both the victim and the perpetrator of bullying. Prevention of bullying must be carried out both from the family environment, school environment, work environment to the friendship environment. Protection of children is very necessary because there are actions that can affect self-development in children. All environments must work together to be able to instill a commendable attitude by mutual respect and respect for fellow humans.

The Witness and Victim Protection Institution, as an institution that is expected to appreciate the legal protection of victims and assist in the recovery of crime victims, has not yet reached all regions in Indonesia, as a result of which legal protection for victims of bullying crimes is still limited to resolving cases peacefully at the Police level, while the psychological recovery/rehabilitation of victims has not been handled properly. The protection of victims of bullying in the legal realm in Indonesia is considered to be lacking. In contrast to physical and verbal bullying, relational bullying is difficult to prove in court because it is in the form of exclusion from association.

In addition, especially in handling the psychological trauma of victims, human resources who have psychological expertise are needed that can help heal the victim's

trauma, for example, the availability of teachers in every school that handles children's problems, namely BK teachers (counseling guidance) so far, not all of them have an educational background as psychologists. Then the factor of facilities greatly affects the protection of bullying victims. Without certain facilities or facilities, it is impossible for law enforcement to run smoothly. These facilities or facilities, among others, include educated and skilled human resources, good organization, adequate equipment, sufficient finances, and so on. If these things are not met, then it is impossible for law enforcement to achieve its goals. This is based on the lack of socialization to the community so that it has an impact on the lack of attention to the victim's condition. This causes bullying to last for a long time.

The Indonesian government's commitment to child protection, exemplified by Child Protection Law Number 35 of 2014, is critical in addressing the persistent issue of bullying, which has evolved to transcend school boundaries and enter cyberspace. To effectively tackle this problem, decisive government action is necessary, including the establishment of clear rules and strict sanctions for perpetrators, as well as psychological support for victims. Clear government policies are essential for guiding schools in handling bullying cases, protecting victims, and deterring future incidents through appropriate sanctions. Furthermore, these policies can foster collaboration among schools, parents, and the government, enhancing communication and supervision. Implementing anti-bullying programs and campaigns will raise awareness and understanding, contributing to prevention efforts. However, clarity in policies must be coupled with commitment and concrete actions from all stakeholders—government, schools, parents, and society—to ensure proper implementation and supervision, ultimately creating a safe and conducive school environment that enhances the overall quality of education for students.

Conclusion

The number of cases of children roaming around and a collection of statistical data that shows a fantastic number of bullying cases that are still happening in Indonesia to this day raises doubts in the public about the firmness of educational institutions in protecting children from bullying cases. In fact, the world's largest child protection organization in 2020 based on a study by the International Student Assessment Program in 2018 stated that 41% of 15-year-old students have experienced bullying at least several times in one month. Nevertheless, educational institutions continue to make efforts in the form of strategies to overcome bullying cases that continue. Thus, the form of firmness of educational institutions in overcoming bullying cases will

only be seen if the statistical numbers in bullying cases decrease. And the quality of children can be seen positively as an effect of reducing bullying cases.

Neglect of children's rights can damage their potential and hinder their development as productive individuals. As the next generation, children not only deserve protection, but also have a responsibility to contribute to the development of the world. Therefore, the collective efforts of families, communities, and governments are essential to ensure that every child can grow up in a supportive environment, with their rights fully protected, so that they can carry out their role as caliph with full responsibility and integrity. So that the role of the state and educational institutions is very necessary for a child in maintaining his rights so that they are fulfilled. The state in carrying out its obligations issues several laws and regulations to maintain the stability of children's rights. The presence of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection is the basis that everyone is prohibited from committing violence or bullying against children. For this reason, the state has issued several other regulations as a form of legal protection that maintains the security of the sustainability of children's growth in the educational environment.

Theme 4C

Child Sexual Exploitation and Abuse from Multi-Perspective

8 August 2024, 1 PM – 3 PM

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.

Panel Presentation Summaries – Theme 4C Session 3

Addressing Child Sexual Abuse and Exploitation: Investing in Prevention and Child-Centered Approach

Presented by Raju Ghimire Deputy Director Voice of Children Nepal

This presentation will provide an in-depth exploration of Voice of Children's work-based and experiential prevention model to address the problem of online child sexual abuse and exploitation in Nepal.

Child sexual abuse and exploitation is a multi-dimensional and complex issue. Research and evidence show an alarming increase in children's vulnerability to online child protection issues. The 2023 Assessment Report by the We Protect Global Alliance emphasizes the importance of streamlining investments in a child-centered approach. The Nepalese government and other stakeholders need to work together to raise awareness, strengthen the legal framework, and provide education to parents and caregivers on how to keep children safe online (Voice of Children and Kindernohtilfe, 2023). Other gaps in the policy include the lack of a centralized structure for registering complaints, slow judicial processes, and a lack of preventive measures for child protection (Voice of Children Nepal and ECPAT Luxemburg, 2017). Older children convey a message to younger children. To promote knowledge about child protection issues among children; To improve children's communication and leadership skills; To practice children's behavior change;

Recommendations

Mobilizing peer educators to promote children's rights is crucial, particularly in reaching underserved children and fostering significant behavioral changes. Peer educators serve as agents of change within their communities, leveraging their status as social pillars to facilitate life skills development and educate parents and families about children's rights. To maximize their effectiveness, peer educators should undergo capacity-building training or workshops that equip them with the necessary skills and knowledge. Implementing peer education sessions in schools, alongside advocacy efforts and street drama media campaigns, can further enhance awareness and engagement, ultimately empowering children and strengthening their rights within the community.

Victim Trust Funds as a Solution to Underpaid Restitution for Child Victims of Sexual Violence

Presented by Lies Sulistiani

Sexual violence does not only target girls, boys are also equally vulnerable to becoming victims. In Indonesia, cases of sexual violence against children increased from 426 cases (2021) to 536 cases (2022). Some of them became victims in the place where they studied (school/education environment). In Southeast Asia, a review of 40 studies showed that about 10% of boys and 15% of girls had experienced at least one form of sexual violence. Worldwide, there are 8% - 31% (girls) and 3% - 17% (boys) experiencing sexual violence. The challenge in the future is about the high amount of restitution and the number of cases, as well as the difference in the value of restitution given. As a central point in the fulfillment of compensation for child victims of sexual violence, the Victim Guardian Fund must be managed and optimized appropriately so that compensation can be paid and victims' losses can be recovered immediately. The funds that have been and will be collected in the Victim Trust Fund must be managed in such a way as to avoid deficits.

Recommendations

The implementation of the fulfillment of the right to restitution has been hampered because when the restitution request is granted, the perpetrator avoids it because he does not have property and various other reasons (even though there are cases where the perpetrator makes it up). Another obstacle in fulfilling the victim's right to restitution is that the perpetrator does not have the financial ability and cannot provide his obligations, namely being responsible for giving/paying restitution to the victim. In such cases, the mechanism of asset seizure and auction to cover restitution costs will also not be applied because no property of the perpetrator can be seized and auctioned. The Victim Trust Fund is new in Indonesia but has long been known internationally. The Victim Trust Fund is a source of compensation funds to pay restitution for the lack of payment to the victim. Funds can be obtained from philanthropy, society, individuals, corporate social and environmental responsibility, legal and other non-binding sources, and the state budget based on the provisions of the law. In the future implementation in Indonesia, there are challenges related to the adequacy of the Victim Trust Fund budget in meeting all underpaid restitution throughout Indonesia.

Based on this conclusion, the author suggests that the provision and facilitation of restitution rights must be intensified because so far there are still many children of victims of sexual violence who suffer and do not receive restitution to be able to recover their material and immaterial losses. In addition, the perpetrator must be encouraged to be willing to take responsibility for the losses caused by the criminal act he committed against the victim. The state must properly manage and optimize the Victim Trust Fund to immediately pay compensation and recover victims' losses. The collection of funds and funds in the Victim Trust Fund must be managed in such a way as to avoid deficits.

Legal Protection for Children from Sexual Exploitation in the Digital Space: A Perspective of Positive Law and Maqāṣid Al-Sharī'ah

Presented by Mahmutarom

The internet has become a friend for children. Globally, the average child accesses the internet at a very young age, under ten years old. In 2023, according to data released by the Child Protection Commission (KPAI), as of August 2023, there were 2335 cases of child violence in Indonesia, with a total of 487 cases of child sexual violence. Based on data from the PPA Symphony of the Ministry of Women's Empowerment and Child Protection, as of December 2023, there were 12,391 cases of sexual violence, 351 cases of exploitation, and 401 cases of human trafficking, with the number of child victims reaching 19,017. These children do not have enough skills to deal with various dangers on the Internet, so they are vulnerable to becoming victims of sexual exploitation in cyberspace. Several forms of online sexual exploitation involving children are developing in Indonesia, such as online grooming, sexting, sextortion, and live streaming. In Islam, the formation of law must refer to the maqasid of sharia as the purpose of law. Maqashid Syariah serves to find the spirit of the meaning of Sharia law so that the Islamic Sharia framework forms the law. Sharia in terminology is al nurses al madrasah (sacred text) of the Qur'an and al-Sunnah, which is not disturbed by human thought, which includes aqidah, Amaliyah, and khuluqiyyah. Al-Ghazali stated that sharia maqashid rejects damage and attempts to create a means of benefit. Based on its level of urgency, Maqosid shariah, according to Al_syathibi, is divided into dharuriyat, hajiyat, and tahsiniyah, including the benefits of dharuriyah; There are 5 (ushul al khamsah), namely: safeguarding religion (ad-din), protecting the soul (an-nafs), safeguarding offspring (an-nasl), safeguarding wealth (al-maal) and safeguarding intellect. (al-AQL). Meanwhile, the maqsid of Abu Zahrah contains three dimensions: tahdib al fardhu (educating individuals) and iqomah al adl (upholding justice) and jalb al maslahah (improving the welfare of the community) as the ultimate goal of the sharia maqasid in Jalb al-maslahah contains ushul al khamsah.

From the explanation above, legal protection against child exploitation in the digital space in general has fulfilled the maqosid of sharia and legal purposes. Although data from the National Commission on Violence Against Women states that religious institutions or educational institutions – which should – are the safest places, they are in second

place with 19% presentation, after sexual violence that occurs in the campus area with 27% presentation. This shows that justice, utility, and legal certainty have not been fully implemented, especially in online-based sexual violence.

Recommendations

The government is obliged to protect its citizens as mandated by the 1945 Constitution. The protection provided by the government is preventive and repressive. Preventive measures are in the form of regulations such as the Child Protection Law, the Sexual Violence Crime Law, the ITE Law, the Pornography Law, the Human Trafficking Law and the Criminal Code as an effort to prevent child exploitation in the digital space. Repressive protection is in the form of law enforcement after the crime of child sexual exploitation. From the point of view of sharia maqasid and its legal purpose, this legal instrument fulfills the elements of sharia maqasid, although not completely. However, in its implementation, justice for victims of sexual exploitation has not been fully achieved. This concerns legal certainty where the law does not regulate sexual exploitation. The definition of sexual exploitation needs to be formulated properly so that the interpretation of sexual exploitation is not equated with sexual violence. Therefore, it is necessary to reconstruct regulations related to child sexual exploitation because without clear rules, law enforcement against CSEC crimes will not be effective. Community participation is needed in creating a safe space for child victims and child perpetrators. Because the law alone will not be able to overcome it without the involvement of the family, the community and the government. The law does not apply in a vacuum. However, law is present in society with all political, economic and cultural interests, including global interests.

Narrative Inquiry: Capturing the Experiences of Cyber Sexual Harassment on Telegram Media

Presented by Paramytha Magdalena

In this study, the researcher shared the participants' experiences in the context of cyber sexual harassment. During the data analysis, the researcher used the participants' narratives as a collective corpus, discussing interrelated themes and sub-themes. These are the results that emerge from cross-case analysis techniques.

Cyber Sexual Harassment Mode has a serious impact on victims. Not only physically, but also mentally and behaviorally in the future. In fact, sexual harassment has entered the world of education CSH perpetrators take advantage of technological advances to approach victims. Social media users should be aware and vigilant in giving personal identity to others we don't know. The perpetrators who already had the victim's information actually took advantage and committed a crime by squeezing the victim. The mode of CSH perpetrators can be used as reference material and education for the prevention of sexual violence so that in the future it is hoped that it can reduce the number of CSH, especially in the campus environment. There are 45 types of sexual violence (88%), namely rape, harassment, sexual harassment, psychological violence, school expulsion (10%), and female victims are more discriminated against when the case involves sexual activity or physical violence. Technologies such as media and smartphones have reshaped the communication landscape for young people, especially those between the ages of 14 and 34. In addition, various technologies that exist today not only make it easier for people to connect with each other, but also raise issues around sexual harassment in cyberspace. Telegram applications can be a technological tool for cyber sexual harassers (CSHs) to hide their identities, such as account names and contacts. This allows them to approach their victims more easily. The anonymous feature or chatbot is one of the features that are often used by perpetrators. The results of the study also show that CSH can occur when the victim chooses to respond to the perpetrator by starting to send identifying information, such as gender, age, origin and daily activities. The perpetrator actually made a brief observation to assess the potential victim. For example, Juju is one of the recipients of educational scholarships. This makes it easier for perpetrators to blackmail participants more. Furthermore, the provision of personal photos and social media accounts can be ammunition for perpetrators in carrying out cyber-sexual harassment against participants. In fact, giving these photos

can have an impact in the future. Online domains, in fact, require digital literacy skills for their users.

Recommendations

Overcoming Strategies to Overcome Cyber Sexual Harassment that occurs in universities is the formation of a PPKS task force at universities. This task force began to emerge with the emergence of the Minister of Education and Culture Regulation No. 30/2021 as one of the centers for reporting cyber sexual harassment incidents experienced and prevention. Then increased knowledge and awareness of vulnerabilities related to CSH mode. And it is important to have a comprehensive intervention to prevent CSH.

Empowering Young Mother Who Engage in Child Marriage: An Information Literacy To Enhance Parenting Self Efficacy

Presented by Alia Rohani

This study involved 52 young mothers who were undergoing child marriage. Based on age, it is divided into two groups, namely the age group of 17-20 years and the age group of 21-23 years. Based on status, respondents were divided into two groups: a group of young married mothers and a group of young mothers of single parents. This study was conducted to explore whether psychological factors including extraversion, social support and information literacy, as well as demographic factors affect the self-efficacy of young mothers, especially those involved in child marriage.

In the Sustainable Development Goals number 5 in target 5.3 aims to eliminate all harmful practices, including child marriage by 2030. Although the prevalence of child marriage in Indonesia is still high, the Government of Indonesia is committed to achieving this target. The phenomenon of child marriage is often associated with sexual exploitation so that child marriage becomes a serious humanitarian problem. Risk Factors for Child Marriage.

Households With Lower Spending Quintessences Girls from households with the lowest spending rates are almost three times more likely to marry before the age of 18 than girls from households with the highest spending rates in Rural Areas Girls in rural areas are twice as likely to marry before the age of 18 compared to girls in urban areas. Women aged 20-24 who marry before age 18 are four times less likely to finish high school compared to those who marry after age 18.

This event had a significant influence between extraversion personality types, literacy information, and social support on parenting self-efficacy in young mothers involved in child marriage. Extraversion of variable type personality, literacy information, and social support in a way that together affects parenting self-efficacy.

Recommendations

Based on the results of this study, it can be concluded that psychological factors have a significant influence on the self-efficacy of raising young mothers who are undergoing child marriage due to economic factors. Information literacy was identified as the most significant factor that affects the self-efficacy of childcare.

For future researchers, it is advisable to pay attention to other variables that have not yet been measured in this study, such as marital satisfaction, resilience, psychological well-being, partner support, and attachment style. In addition, future researchers are also advised to take larger samples from different regions.

Theme 4D

Child Sexual Exploitation and Abuse from Multi-Perspective

8 August 2024, 1 PM – 3 PM

Overview: This thematic session focuses on the multifaceted issue of child sexual exploitation and abuse by exploring diverse perspectives and strategies. The conversation covers a range of critical topics, providing insights into current efforts, best practices, and legal frameworks.

Panel Presentation Summaries – Theme 4D Session 3

Addressing Child Sexual Exploitation and Abuse in Medan: Cultural Norms, Digital Dynamics, and Community Responses Addressing Child Sexual Exploitation and Abuse in Medan

Presented by Said Fahri Assegaf

Child sexual exploitation and abuse (CSEA) is a significant challenge in Medan, Indonesia. This paper explores CSEA from social and cultural perspectives, examining the influence of social media and the internet. By analyzing local cultural norms, societal attitudes, and community dynamics, this study aims to understand how these factors contribute to CSEA and shape victims' experiences. Additionally, it investigates the dual role of social media and the internet in both facilitating and combating CSEA.

Child sexual exploitation and abuse (CSEA) is a critical global issue with alarming statistics and trends. Globally, the prevalence of CSEA is significant, with the International Centre for Missing & Exploited Children (ICMEC, 2021) reporting that millions of children are exploited each year. The UNODC (2020) estimates that approximately 1 in 5 children have experienced sexual violence globally. Furthermore, data from INTERPOL's Child Sexual Exploitation database reveals over 4.9 million images and videos, highlighting the extensive nature of the problem (INTERPOL, 2018). Studies such as those by ECPAT

International (2019) provide evidence of increasing trends in both offline and online abuse, underscoring the need for comprehensive strategies to address these issues.

In Indonesia, and specifically in Medan, cultural and societal factors significantly influence the dynamics of CSEA. Indonesia is a diverse country with a variety of cultural practices and social norms that impact how CSEA is addressed. In Medan, local cultural norms often emphasize the importance of family honor and societal reputation, which can discourage victims from coming forward (Kusuma, 2021). The stigma associated with sexual abuse can lead to victim-blaming, where victims are often seen as bringing shame upon their families (Nugroho, 2020).

The role of traditional beliefs and gender roles is also significant. In many parts of Indonesia, traditional gender roles and patriarchal attitudes can contribute to the marginalization of women and children, making it difficult for them to seek justice (Setiawan, 2019). Gender stereotypes and societal expectations may further exacerbate the challenges faced by victims, as boys and girls might receive different levels of support or face different kinds of stigma (Tanuwidjaja, 2020).

The rise of social media and the internet has transformed the landscape of CSEA, both by facilitating abuse and offering new tools for intervention. The internet provides perpetrators with anonymous platforms to exploit children through social media, chat rooms, and websites dedicated to child sexual abuse material (Wolak et al., 2011). Research by Ringrose et al. (2013) emphasizes how online platforms are used for grooming and exploitation, creating new challenges for detection and prevention.

However, digital tools also hold significant potential for raising awareness and supporting victims. Online campaigns and educational resources can help increase public awareness and provide crucial information on recognizing and reporting abuse (Livingstone & Smith, 2014). Additionally, digital forensic tools and databases, such as those maintained by INTERPOL and the National Center for Missing & Exploited Children (NCMEC), are vital for tracking perpetrators and rescuing victims (NCMEC, 2020). The use of machine learning and artificial intelligence in analyzing online content for signs of exploitation is an emerging area with promising potential for combating CSEA (Hollis, 2019).

Several Key Themes Related to Cultural Stigmas and Societal Attitudes towards CSEA in Medan.

1. **Victim-Blaming and Silence:** A predominant theme was the tendency to blame victims for the abuse they suffered. Many interviewees, including survivors and community

members, indicated that victims are often seen as responsible for bringing shame upon their families. This cultural stigma was particularly strong among older generations.

2. **Importance of Family Honor:** The cultural emphasis on family honor and reputation emerged as a significant barrier to addressing CSEA. Families were often reluctant to report abuse to avoid public disgrace. A community leader explained, “In our culture, protecting family honor is paramount. Admitting that a child has been abused can tarnish the entire family’s reputation.” This cultural norm contributes to the underreporting of CSEA cases and perpetuates the cycle of abuse.
3. **Capacity Building:** Interviews with social workers and community leaders highlighted that many local organizations face limitations in resources and training. Social workers, for instance, often lack specialized training in handling CSEA cases, which affects their effectiveness.
4. **Collaborative Efforts:** Successful interventions in Medan were often characterized by strong partnerships between local NGOs, government agencies, and international organizations. For example, a collaborative initiative that combined local knowledge with international expertise resulted in more effective prevention programs.

Recommendations

Addressing child sexual exploitation and abuse (CSEA) requires a multifaceted approach that includes educational campaigns to combat victim-blaming and cultural stigma by facilitating community dialogues and engaging local leaders. Developing confidential reporting channels is essential to allow victims and their families to report abuse without fear of disgrace, while support services, such as counseling and legal assistance, can help families cope with societal backlash. Strengthening capacity building for local organizations through training programs for social workers, educators, and healthcare professionals will enhance their ability to handle CSEA cases effectively. Collaborative efforts between local NGOs, government agencies, and international organizations can improve prevention and intervention programs, encouraging community involvement. Leveraging social media for awareness campaigns and creating digital support systems can further assist victims. It is vital to adapt strategies to the ethnic and cultural diversity of the region, ensuring that interventions are culturally sensitive and accepted. Lastly, ongoing research and data collection on CSEA dynamics are critical for informing policies and evaluating the effectiveness of prevention programs, allowing for necessary adjustments to improve outcomes.

Children's Participation to Combat Online Child Sexual Exploitation in Indonesia

Presented by Anggriani Mahdianingsih

Violence against children in Indonesia is a never-ending phenomenon. A new form of violence then emerged when they faced the massive use of the Internet by children. This article will discuss the causes and impacts of online child sexual exploitation in the city of Medan from the point of view of children, as well as the resistance efforts of the Hero of Digital Protection (HEDIPRO) Medan children's community in dealing with it.

From the discussion with all members of HEDIPRO, they tried to map all of the issues of cybercrime against children; they chose online child sexual exploitation as the priority issue. After that, they identify the roots of the problem to gain the solution for the problem. The roots of the online child sexual exploitation that they discussed are the unstable economy of the family, lack of assistance from parents because parents are too busy working, lack of communication between parents and children, children consuming excessive pornographic content, the children don't understand about the moral values, child pornography videos that spread massively in society even many people selling and sharing these videos, and the last is because lack of self-protection of the children to against strangers in social media.

In the Medan context, HEDIPRO members found various forms of online child sexual exploitation experienced by children, who are friends at school or in their home environment. These forms of online child sexual exploitation are sexting, and Sextortion carried out by close friends or those who are also in a romantic relationship with the child. Regulations related to violence against children and online gender-based violence have not been regulated in the Criminal Code (KUHP), because it does not define criminal acts in the form of gender violence, especially in online media. Meanwhile, to help with the absence of legal regulations in the Criminal Code, the legal norms that can be used are Law Number 11 of 2008 concerning Information and Electronic Transactions, Law Number 44 of 2008 concerning Pornography, and Law Number 19 of 2022 concerning Criminal Acts of Sexual Violence.

The regulation of legal protection for child victims of online sexual exploitation is contained in Article 34 of the Convention on the Rights of the Child; the Law on the Protection of Witnesses and Victims; the Law on the Child Criminal Justice System; the

Law on Child Protection; and the Law on Sexual Violence.

Meanwhile, the prevention practices carried out by the Women's Empowerment, Child Protection, Population Control, and Family Planning Service are collecting data on cases of child sexual exploitation in Medan City; making efforts to prevent child sexual exploitation. In addition, HEDIPRO Medan through a series of consultation activities, discussions, and dialogues found that one of the other steps to prevent online child sexual exploitation is through parenting patterns. The most common cause of children becoming victims of OCSE is because they do not establish effective and loving communication with their parents, resulting in them seeking attention and being vulnerable to becoming victims of child grooming from strangers. In addition, HEDIPRO Medan through a series of consultation activities, discussions, and dialogues found that one of the other steps to prevent online child sexual exploitation is through parenting patterns. The most common cause of children becoming victims of OCSE is because they do not establish effective and loving communication with their parents, resulting in them seeking attention and being vulnerable to becoming victims of child grooming from strangers.

To prevent the negative impacts of social media use on early childhood, a good understanding is needed from parents regarding the impacts of social media itself. If parents do not know about the impacts of using social media, of course, parents will not supervise their children optimally. Therefore, the role of parents is very important in providing, supervising, and controlling the use of gadgets in children.

Children's participation is about children having the opportunity to express their views, influence decision-making, and achieve change. Children's participation is a human right, clearly articulated in Article 12 of the CRC. Children's participation is the process and means by which they access and secure other rights to survival, protection, and optimal development. So, this was connected with the advocacy activities from HEDIPRO Medan, HEDIPRO Medan continues to carry out all of the stages of the advocacy dialogue cycle. Some of the advocacy activities that they have carried out are advocacy to fellow children by conducting socialization in schools, communities, and orphanages in the city of Medan. It is estimated that almost more than 30 schools and 3000 children have become the targets of their socialization. They also carry out various campaign activities through social media, podcasts, and radio and TV talk shows. In addition, they also hold dialogues with the government at both the city and national levels to convey their concerns and recommendations regarding child online sexual exploitation. Key points from children concerning online sexual exploitation.

Conclusion

The HEDIPRO Children's Community has initiated a mass movement in Medan City to promote children's participation in online child protection through social media, aligning with General Comment 25/2021 on children's rights in the digital world. This movement encourages meaningful participation from all children, including those affected by sexual abuse, and empowers them to become advocates and peer educators in protecting their peers from exploitation. To effectively handle cases of online child sexual exploitation, the government must implement robust media control systems, including content filters and supervision of electronic platforms, while ensuring effective monitoring of conventions on children's rights. Resources should be allocated to programs that enhance children's participation and support services, such as counseling for abuse victims and access to education and digital literacy training. The justice system requires reform to make reporting abuse less intimidating for children, necessitating dedicated units within police stations to handle such cases, along with trained personnel on children's rights. Collaborating with local governments and NGOs will facilitate prompt referrals and support, and establishing digital safety task forces and community hotlines with children's involvement can further enhance protective measures.

Sexual Exploitation of Children in Schools to Selling Children in Lodgings

Presented by Muhammad Bagdad

Exploitation of children in the online realm has become a serious threat that requires considerable attention. Especially the sale of children that occurs in school and accommodation environments. Child exploiters utilize digital technology to manipulate, recruit and sell children. Child trafficking cases often involve organized criminal networks, which use school and accommodation environments as places for theft and exploitation. From this case the importance of collaboration between the government, educational institutions, internet service providers and non-governmental organizations to create effective policies in preventing and tackling child exploitation.

School and accommodation environments are one of the main locations where cases of child exploitation often occur. Schools, which should be safe places for children to learn and develop, have instead become places where they are vulnerable to various forms of violence and exploitation. Perpetrators often exploit weaknesses in school surveillance and protection systems to approach and trap victims. They use a variety of methods, such as building relationships of trust with children, using threats or violence, or exploiting children's reliance on technology and social media to access their personal information. Additionally, school and residential settings often lack resources and training for staff to recognize and address signs of exploitation. Teachers, caregivers, and boarding staff may not be equipped with the knowledge or skills necessary to identify suspicious behavior or provide adequate support to victims.

Internet and social media service providers have a big responsibility in protecting children from exploitation. They need to implement technology and policies that ensure the security of their platforms. Collaboration between various sectors is very important in fighting child exploitation in the online world. Governments, educational institutions, internet service providers, non-governmental organizations and communities must work together to create a safe environment for children. Sharing information and resources and coordinating in responding to cases of exploitation will increase the effectiveness of these efforts.

Another factor influencing the increase in child exploitation in the online world is a lack of awareness and education about online risks. Many children and parents are unaware of

the dangers that lurk in cyberspace. Children often don't understand the consequences of sharing personal information or interacting with strangers online. Parents may also not have the knowledge or tools necessary to effectively monitor their children's online activities. Education and awareness are key in preventing child exploitation. Educational programs should focus on ways to recognize and avoid dangerous situations, as well as the importance of reporting suspicious activity to a trusted adult. This can be done through the integration of digital security materials in school curricula and public awareness campaigns that reach the wider community. Children should be trained to understand the risks they may face on the internet and taught skills to protect themselves.

To understand the consequences of child exploitation in the online world, it is important to evaluate the impact it has both on an individual level and on society as a whole. This exploitation not only damages the physical and mental health of the children who are victims, but also has broader social implications that affect the stability and well-being of communities. In this discussion, we will explore the various impacts that arise as a result of child exploitation in cyberspace, as well as how these impacts affect the lives of children and society more broadly.

Children who are victims of online exploitation endure significant physical and psychological trauma, often manifesting as sleep disorders, anxiety, depression, and post-traumatic stress disorder (PTSD), which severely impact their daily lives and long-term development. These individuals frequently struggle to build healthy relationships with peers and family, leading to disruptions in their social and academic environments. Additionally, exploitation can result in developmental disorders, hindering learning and social interactions while social stigma isolates victims, damaging their self-esteem and hindering access to necessary support. The broader societal implications are equally concerning, as child exploitation jeopardizes the security and well-being of youth, contributing to increased crime rates and fostering an environment of fear and distrust, which further exacerbates social issues like poverty and inequality.

Recommendations

In facing the challenges caused by child exploitation in the online world, it is important to develop a holistic and collaborative approach. Based on the analysis and findings that have been described, the following are several recommendations proposed to address and prevent child exploitation in cyberspace. To effectively combat online risks faced by children, education about internet safety should be integrated into school curricula, tailored to the age and developmental needs of students, while also empowering

parents with the necessary knowledge and tools to monitor and protect their children. Additionally, governments must strengthen laws and law enforcement by implementing robust policies that protect children from online dangers, updating existing laws, and ensuring that penalties for exploiters are sufficiently severe to deter such crimes. Furthermore, collaboration among government agencies, the private sector, and civil society organizations is crucial for creating a safe online environment for children, facilitating coordinated law enforcement efforts, enhancing educational initiatives, and providing additional resources to address cases of exploitation effectively.

Legal Protection for Children Who Experience Sexual Violence and Exploitation

Presented by Gilda Pratiwi

Legal protection exists for children who experience sexual violence and exploitation. The crime of sexual exploitation of children is different from the crime of sexual violence against children, both in the form of the case and its handling. The number of victims of criminal acts of sexual exploitation of children is very large and this criminal act can cause deep feelings of trauma, therefore as a form of protection for child victims, restitution and rehabilitation can be provided.

Legal Protection for Child Victims of Sexual Violence in the Criminal Law System in Indonesia. The criminal law system regulates the protection of children through law. Indonesian law has regulated legal protection for child victims of sexual violence, namely through Law no. 23 of 2002, law No. 35 of 2014 concerning Protection of Witnesses and Victims, Law no. 13 of 2016, Law no. 31 of 2014 concerning Child Protection, as well as law No. 11 of 2012 concerning the Juvenile Criminal Justice System

Appropriate it is known that legal protection for children who are victims of various forms of violence, including sexual violence and sexual harassment, can be seen not only in the Criminal Code, but also in several laws, including law No. 35 of 2014 concerning Amendments to law No. 23 of 2002 concerning Child Protection, and the Convention on Children's Rights (KHA) at the United Nations.

Invite-The 1945 Constitution of the Republic of Indonesia is the main foundation that regulates child protection, as explained in article 28B paragraph (2), and article 34 paragraph (1) which states: "Every child has the right to survival, growth and development and have the right to protection from violent discrimination." Article 34 paragraph (1) "The poor and neglected children are cared for by the state".

Provision Invite-Law number 35 of 2014 is the result of adjustments or changes to law number 23 of 2002. This is based on careful consideration by legislators who in the process certainly take into account several studies about the children themselves. The Human Rights Law (Human Rights) has regulated the rights of children, the implementation and responsibilities of parents, families, communities, as well as the obligations of the government and state to provide protection to children, but legislation is still needed, especially as a legal basis for implementation of the child's rights.

One form of providing legal certainty for child protection is by providing prohibitions and sanctions for perpetrators who exploit children. These prohibitions and sanctions are enshrined in the provisions of Article Number 35 of 2014 concerning child protection. If it is related to the problems raised by the author, the focus of prohibitions and sanctions for perpetrators of child exploitation, especially economic exploitation. The provisions of Article 76l state: "Every person is prohibited from placing, allowing, carrying out, ordering to carry out, or participating in the economic and/or sexual exploitation of children." Regarding sanctions regulated in article 88, it states; "Any person who violates the provisions as intended in article 76l, shall be punished with imprisonment for a maximum of 10 (ten) years and/or a fine of a maximum of IDR 200,000,000.00 (two hundred rupiah)."

The imposition of sanctions occurs because there is a need from society for the crimes or violations that have occurred. These sanctions are needed to create order and security in society. Until now, the sanctions that are considered the most up-to-date for creating fear and overcoming crime in society are criminal sanctions. This phenomenon can be seen in the regulation of criminal provisions in various statutory regulations such as regional laws and regulations, although in the attachment to the Law on the Establishment of Legislative Regulations it is stated that criminal provisions are regulated if necessary.

Conclusion

Law Number 35 of 2014 concerning Child Protection states that economic exploitation of children must be given special protection and attention. Special protection here is a form of legal protection for children. Regarding the obligation to provide protection for children, it is not only the responsibility of the Government but requires community participation. The Child Protection Commission (KPAI) is an independent institution mandated by the Child Protection Law, to increase the effectiveness of monitoring the implementation of the fulfillment of Children's Rights. Apart from that, there are also prohibitions and sanctions for perpetrators who exploit children, especially economic exploitation. The provisions regarding prohibitions are enshrined in Article 76i, while the criminal sanctions are apparently in Article 88.

There are several factors that cause exploitation of children, including: a) economic factors, b) educational factors, c) environmental factors, and d) weak law enforcement and protection factors.

The form of child protection against sexual exploitation contained in Articles 34 to 35 of the

1989 Convention on the Rights of the Child directly requires the state to protect children from all forms of sexual exploitation, including child prostitution, child pornography and child trafficking. These articles are the basis for international legal protection of children from violence and sexual exploitation.

Protection of children from sexual exploitation according to Law Number 17 of 2016 concerning Child Protection is carried out firstly, by disseminating and/or socializing the provisions of laws and regulations relating to the protection of children who are economically and/or sexually exploited. Second, monitoring, reporting and imposing sanctions. Third, the involvement of various government agencies, companies, trade unions, non-governmental organizations and the community in eliminating economic and/or sexual exploitation of children.

Rethinking Restorative Justice for Juvenile in Sexual Violence: Indonesia Experiences on Crimes, Juvenile Cases, and Justice

Presented by Nathalina Naibaho

Restorative justice is an approach that is carried out in the context of restoring the situation in a criminal case with the active participation of both the victim and the perpetrator. In restorative justice, fair recovery is sought so that there is no repetition of criminal acts committed by the juvenile and meeting the needs of victims whose approach has been applied in Indonesia through provisions in the Juvenile Criminal Justice System. In Indonesia, several cases of criminal acts of sexual violence committed by minors use a restorative justice approach with the result that the application of restorative justice itself is not merely peace arrangement or agreement, but children can be subject to criminal acts or crimes with conditions as a form of implementation of restorative justice that prioritizes recovery.

Linked between juvenile sexual offender and Child Sexual Exploitation Indonesia, the background of the juvenile sexual offender: the victim of sexual exploitation. He/she committed the new offence (sexual offender to other children) because they were previously a victim of CSE – end the cycle – restore the offender.

Restorative justice is an approach employed in resolving cases with active participation from both the victim and the offender to achieve a fair agreement that prevents the repetition of criminal acts by the offender and fulfills the needs of the victim. Considering and recognizing the “harm and stigma” for the victim and their families? The best interest for victims.

This approach has been implemented in Indonesia through the Juvenile Justice System, as stated in Article 5, paragraph (1) of Law No. 11 of 2012 concerning the Juvenile Justice System. Not all cases involving children can be subjected to restorative justice; one of the requirements is that the committed crime should not be a serious sexual offense.

Utilizing the restorative justice model of family conferences, mediation between the offender and victim, and circle processes. In Indonesia, many cases of sexual violence committed by children have been addressed using the restorative justice approach. The outcome of implementing restorative justice is not always reconciliation, but rather the

child may face punitive measures or conditional punishment as a form of restorative justice emphasizing restoration.

Recommendations

Accurate and official data of juvenile offenders (with fully respect to their data protection rights/victims profile; ethic and rules), including the profile background of the juvenile offender (the juvenile was a victim of sexual violence, nurture in unfortunate family/ social condition, victim of grooming from pedophilia, etc.)

Official standard and procedure in cases of family sexual violence and sexual violence while using RJ by the competent authorities.

Applying restorative justice to cases involving serious crime must obviously be done with great caution and there must be effective safeguards in place to protect the victims and their rights. While the potential benefits of restorative justice processes in cases of intimate relationship violence, child abuse and gender-based crimes can be considerable, one should perhaps not be overly optimistic in applying that approach and should remain conscious of the sometimes deeply traumatic impact that the crime has had on the victims.

DENPASAR RECOMMENDATIONS

The Prevention and Response to the Misuse of Financial Service Providers in Child Sexual Exploitation (CSE)

The Denpasar recommendations are the result of a recap of all the recommendations presented by the speakers during both the plenary and panel sessions, as well as those shared by the participants. These recommendations also address the issues and challenges related to the misuse of financial service providers in child sexual exploitation (CSE), which were discussed during the conference.

The Issues

1. Financial digitalization offers several positive impacts, including increased financial inclusion, economic growth, enhanced women's participation, and improved community welfare. However, it also poses negative effects, such as heightened cybersecurity risks, particularly for children, a widening digital divide, and disruptive competition.
2. The increasing availability of affordable internet-enabled devices has given perpetrators greater access to children for sexual exploitation, and the opportunity to profit from the production and distribution of Child Sexual Abuse Material (CSAM).
3. Advancements in communication technologies as well as social media have diversified payment methods. These advancements can be misused to facilitate child sexual exploitation and have opened new channels for such activities.
4. New payment methods, including cryptocurrencies, top-up gift cards, tokens, and other digital options, have rapidly grown in use and are being exploited by various groups to facilitate child sexual exploitation.
5. Perpetrators are increasingly using online gaming and crowdfunding platforms as entry points to groom children and youth.
6. A study by ECPAT Indonesia reveals that perpetrators of child sexual exploitation use financial services such as bank transfers, remittance facilities, and e-wallets to conduct transactions. The study also found that children are exposed to promotions and communication through social media, digital messaging apps, and online dating platforms.

The Challenges

1. Financial technology lacks a legal framework to protect children and youth from the risk of child sexual exploitation.
2. There is no legal framework that classifies payment through financial service providers for CSE as a crime.
3. Financial service providers have not yet prioritized child sexual exploitation in their strategies for addressing predicate crimes associated with money laundering.
4. Technology accountability and child rights and business principles (CRBP) have not been integrated into the registration process of new digital financial service platforms.
5. The industry is not required to report the misuse of its services for CSE.
6. Jurisdictional differences where CSE occurs complicate efforts to address the crime.
7. Children have easy access to e-wallets due to the lack of age restrictions or verification systems.
8. Detecting the misuse of financial services is challenging due to the involvement of small fund amounts, the use of cryptocurrency (which obscures sender and recipient identities), and the utilization of remittance facilities.
9. There is a lack of knowledge and awareness among law enforcement officials regarding the use of financial intelligence in CSE cases.
10. The complexity of financial transactions and networks makes it challenging to detect the misuses for CSE.
11. Resource constraints hinder a comprehensive approach to addressing the misuse of financial service providers.
12. There is a weak coordination between institutions that regulate financial service providers.
13. There is a weak coordination across sectors and jurisdictions.
14. There is no system for registering perpetrators.
15. Artificial Intelligence aids investigations but also exacerbates the methods used in CSE cases.

The Recommendations

Recommendations	Specifics	Responsible Parties
Enhance the implementation of the global and regional framework and ensure that the national laws and policies align with these global framework, policies, and standards.	<ul style="list-style-type: none"> Implement stricter regulations by introducing verification protocols for accessing various internet sites. Financial service providers must manage e-wallets and e-payment systems in accordance with government laws and policies. Regulating that payment through financial service providers for CSE is classified as a crime. Harmonize policies and implement rules at the national level to ensure alignment with the UN / ASEAN instruments and mechanisms. 	<ol style="list-style-type: none"> Government CSO at the country Financial Service Providers
Enhance detection and reporting of misuse of financial service provider in CSE.	<ul style="list-style-type: none"> Develop common red flag indicators at the regional level, and tailor them to be contextually relevant for each country. Ensure that parties, including financial service providers, allocate sufficient investment / resources for software development and capacity building to detect red flags. Financial Institutions should implement risk mitigation measures including: a) Active supervision of directors and commissioners, b) Establish policies and procedures, c) Develop a management information system, d). Report Unit any suspicious financial transactions to Financial Intelligence. Provide education for the industry (financial service providers): on the potential risk of being used for laundering money from CSE crimes and extend this education to other stakeholders, including communities, particularly parents and caregivers. Develop guidelines for financial services providers to enable early detection of transaction related CSE. Educate investors on their responsibility to support or invest only in companies that ensure safe environments for children. Ensure that the child safeguarding is embedded into the software design of the financial service providers. 	<ol style="list-style-type: none"> Country Government ASEAN Secretariat ACWC Financial Regulatory and Supervisory Institutions Financial Service Providers
Raise awareness among the industry, stakeholder, investors, and wider duty bearers about the misuse of financial service providers in CSE.	<ul style="list-style-type: none"> Provide education for the industry (financial service providers): on the potential risk of being used for laundering money from CSE crimes and extend this education to other stakeholders, including communities, particularly parents and caregivers. Develop guidelines for financial services providers to enable early detection of transaction related CSE. Educate investors on their responsibility to support or invest only in companies that ensure safe environments for children. Ensure that the child safeguarding is embedded into the software design of the financial service providers. 	<ol style="list-style-type: none"> Government CSOs Financial Service Providers

<p>Strengthen multi sectoral, inter sectional, cross border, and collaborative efforts.</p>	<ul style="list-style-type: none"> • Explore the possibility of law enforcement to share a list of suspects and convicts of CSE with the banks to be used as a watch list. • Collaborate with a broad range of sectors, including financial institutions, law enforcement agencies, financial intelligence units, NGOs, parents, internet service providers, private sectors, community (indigenous/religion/local), and children / youth. • Foster regional partnership to address cross border cases of misuse of financial services for child sexual exploitation. • Strengthen cross-border partnership for experiencing sharing and knowledge management. • Ensure countries to connect and utilize the ICSE (International Child Sexual Exploitation) database. • Establish a national task force / structure to detect and address the misuse of financial service providers for CSE. • Engage stakeholder and duty bearer as watchdogs at the national level. 	<ol style="list-style-type: none"> 1. Law Enforcement Institution 2. CSOs 3. Financial Service Providers 4. Country Government CSOs
<p>Place children at the heart of the design and implementation, recognizing their evolving capacities. Children must be empowered as rights holders, not merely subjects of the services or interventions.</p>	<ul style="list-style-type: none"> • Create platforms for the children to reclaim their spaces and ensure meaningful engagement of children and youth. • Invest in children's empowerment through capacity building, including digital literacy. • Consider the children's evolving capacities in all aspects of program development. 	

The ASEAN Conference Committee





Report of ASEAN Conference on the Prevention and Response to the
Misuse of Financial Service Providers in Child Sexual Exploitation

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