

Live Online Child Sexual Abuse

DEFINITIONS

Live Online Child Sexual Abuse*

Live online child sexual abuse involves coercion of a child to participate in sexual activities, alone or with other persons. The sexual activity is, at the same time, transmitted live or 'streamed' over the Internet and watched by others remotely. Often, the persons watching remotely are the persons who have requested and/or ordered the sexual abuse of the child, dictating how the act should be carried out, and those persons may be paying for the abuse to take place.

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

Criminal Offense

Live online child sexual abuse is not explicitly criminalised in any of the relevant regional or international legal frameworks on sexual exploitation of children.

However, article 21(1)(a-b) of the CoE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse criminalises the act of causing and coercing children to engage in 'child pornographic performances' as well as knowingly attending 'child pornographic performances' (c). Moreover article 24 criminalises the act of aiding or abetting these actions which could be applied to people facilitating or encouraging the offense.

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children (OPSC) article 3(1)(a) criminalises the act of offering, delivering or accepting by whatever means, a child for the purpose of sexual exploitation.

Similarly the ILO Convention 182 article 3(b) criminalises the use, procuring or offering of a child for [...] pornographic performances.





These articles could be interpreted to capture acts related to live online child sexual abuse by both offenders and facilitators.

Since live online child sexual abuse involves the act of live streaming of child sexual activities rather than actually recording a picture or video depicting child sexual abuse, it can be difficult to obtain evidence of the abuse and charge offenders for possession, production or dissemination of child sexual abuse/exploitation material.

Offenders and Modus Operandi

- Offenders watching live sexual abuse of children via e.g. webcam generally gain access through **intermediaries or facilitators**;
- Facilitators are sometimes the child's **family or community members** who force the child to perform in front of a webcam and communicate with and elicit (potential) customers;
- The offender and the facilitator or child **agree** on a **time and date** when the abuse will take place and the offender will log on. These appointments are made via chat, e-mail or phone;
- Additionally the parties involved will **agree** on a **price** the offender will pay, usually through common legitimate payment services. The amounts paid are generally small to prevent raising suspicion related to the transactions;
- Different platforms such as Skype or webcam-supported chat sites are being used to **live stream** the abuse over the Internet. This allows offenders to **view** the abuse in real time and/or to **direct** it through the chat or voice function;
- In some communities, there can be a level of **social tolerance** permitting the crime. This is related to several factors such as poverty and a limited understanding of the Internet, the implications for the child - particularly when there is no physical sexual abuse involved - or the illegality of these acts. Live online child sexual abuse can then seem to offer an easy and quick source of income.

What can you do?

-  Raise awareness and sensitise communities at large about the illegality, impact and risks related to live (streaming of) online child sexual abuse;
-  Advocate for stronger legal frameworks that specifically criminalise live (streaming of) online child sexual abuse or child pornographic performances;
-  Advocate for better resources for law enforcement to tackle this issue;
-  Advocate and cooperate with financial institutions to trace and follow-up on suspicious transactions that could be related to the crime.