DISRUPTING HARM IN
THAILAND

**Evidence on online child
sexual exploitation and abuse**

Warning:
Disrupting Harm addresses the complex and sensitive topic of online child sexual exploitation and abuse. At times in the report, some distressing details are recounted, including using the direct words of survivors themselves. Some readers, especially those with lived experiences of sexual violence, may find parts of the report difficult to read. You are encouraged to monitor your responses and engage with the report in ways that are comfortable. Please seek psychological support for acute distress.

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FOREWORD

Our online lives are advancing constantly. The internet and rapidly evolving digital communication tools are bringing people everywhere closer together. Children are increasingly conversant with and dependent on these technologies, and the COVID-19 pandemic has accelerated the shift online of many aspects of children's lives.

The internet can be a powerful tool for children to connect, explore, learn, and engage in creative and empowering ways. The importance of the digital environment to children's lives and rights has been emphasised by the United Nations' Committee on the Rights of the Child in General Comment No. 25[1] adopted in 2021. The General Comment also stresses the fact that spending time online inevitably brings unacceptable risks and threats of harm, some of which children also encounter in other settings and some of which are unique to the online context.

One of the risks is the misuse of the internet and digital technologies for the purpose of child sexual exploitation and abuse. Online grooming, sharing of child sexual abuse material and live-streaming of child abuse are crimes against children that need an urgent, multi-sectoral and global response. These crimes are usually captured in permanent records in the form of digital images or videos, and are perpetually reshared online, victimising children over and over again. As risks of harm continue to evolve and grow exponentially, prevention and protection have become more difficult for governments, public officials, and providers of public services to children, but also for parents and caregivers trying to keep-up with their children's use of technology.

With progress being made towards universal internet connectivity worldwide, it is ever-more pressing to invest in children's safety and protection online. Governments around the world are increasingly acknowledging the threat of online child sexual exploitation and abuse, and some countries have taken steps to introduce the necessary legislation and put preventive measures in place. At the same time, the pressure is mounting on the technology industry to put the safety of children at the heart of design and development processes, rather than treating it as an afterthought. Such safety by design must be informed by evidence on the occurrence of online child sexual exploitation and abuse; Disrupting Harm makes a significant contribution to that evidence.

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1. UN Committee on the Rights of the Child (2021). General Comment No 25 on children's rights in relation to the digital environment. UN Doc. CRC/G/GC/25

The Global Partnership to End Violence against Children, through its Safe Online initiative, invested US$ seven million in the *Disrupting Harm* project. *Disrupting Harm* uses a holistic and innovative methodology and approach to conducting comprehensive assessments of the context, threats and children's perspectives on online child sexual exploitation and abuse. This unprecedented project draws on the research expertise of ECPAT, INTERPOL, UNICEF Office of Research – Innocenti, and their networks. The three global partners were supported by ECPAT member organisations, the INTERPOL National Central Bureaus and the UNICEF Country and Regional Offices. It is intended that the now developed and tested methodology is applied to additional countries around the world.

Disrupting Harm represents the most comprehensive and large-scale research project ever undertaken on online child sexual exploitation and abuse at a national level and has resulted in 13 country reports and two regional reports. It provides the comprehensive evidence of the risks children face online, how they develop, how they interlink with other forms of violence and what we can do to prevent them.

The findings will serve governments, industry, policy makers, and communities to take the right measures to ensure the internet is safe for children. This includes informing national prevention and response strategies, expanding the reach of *Disrupting Harm* to other countries and regions, and building new data and knowledge partnerships around it.

Disrupting harm to children is everyone's responsibility.

Dr Howard Taylor
Executive Director
End Violence Partnership

NOTE FROM THE THAI GOVERNMENT

The Ministry of Digital Economy and Society (MEDS), Thailand is very pleased that ECPAT, INTERPOL, and UNICEF Office of Research – Innocenti, with the support of the Global Partnership to End Violence Against Children, completed a study on online child sexual exploitation and abuse in Thailand: *Disrupting Harm in Thailand*.

Disrupting Harm in Thailand provides important academic evidence that enhances understanding of the situation of online child sexual exploitation and abuse as a crime against children. It includes recommendations for law enforcement and provides perspectives from children and families on their experiences using the internet.

As a major threat and challenge, the issue of tackling online child sexual exploitation and abuse in Thailand requires knowledge, innovation, tools, and cooperation from all sectors, both domestically and internationally. This report can be used as evidence for increasing awareness, advocacy, policy development and implementation plan at operational levels, digital infrastructure development for online safety as well as promoting increased capacity of law enforcement to counter threats in a borderless digital world.

The Ministry of Digital Economy and Society would like to thank and congratulate the Disrupting Harm partners with this crucial achievement and sincerely hopes that various agencies, including government, private sector, civil society organisations, academic institutions, members of the public will benefit greatly from this study in order to build a safe and secure digital society for children with concrete results in the future.

Mrs Ajarin Pattanapanchai
Permanent Secretary
Ministry of Digital Economy and Society

27 December 2021

EXECUTIVE SUMMARY

Funded by the Global Partnership to End Violence against Children, through its Safe Online initiative, ECPAT, INTERPOL, and UNICEF Office of Research – Innocenti worked in partnership to design and implement *Disrupting Harm* – a research project on online child sexual exploitation and abuse (OCSEA). This unique partnership brings a multidisciplinary approach to a complex issue in order to see all sides of the problem. OCSEA refers to situations that involve digital or communication technologies *at some point* during the continuum of abuse or exploitation; it can occur fully online or through a mix of online and in-person interactions between offenders and children. The *Disrupting Harm* research was conducted in six Southeast Asian countries, including Thailand, and seven Eastern and Southern African countries. Data were synthesised from nine different research activities to generate each national report which tells the story of the threat, and presents clear recommendations for action.

Children's internet use

Internet use is widespread among children and adolescents in Thailand. An estimated 94% of 12–17-year-olds are internet users, meaning they used the internet in the past three months. Almost all internet-using children in Thailand go online at least once per day. Like children in other parts of the world, smartphones are by far the most popular devices used to go online among 12–17-year-olds in Thailand.

Fifty-five percent of children can go online whenever they want or need, without facing any barriers. For the children who do face barriers, adults restricting their internet access is most common, while a smaller group of children experience slow connection or poor signal where they live.

The most popular online activities among 12–17-year-olds in Thailand are entertainment or social activities, primarily watching videos, using social media, and instant messaging. Educational activities, such as using the internet for schoolwork or searching for new information, are also very common.

Perceptions and experiences of risky online activities

A great majority of internet-using children in Thailand and their caregivers are highly concerned about children communicating with someone unknown to the child on the internet. However, in the *Disrupting Harm* household survey of 967 internet users (aged 12–17 years old) and their caregivers, around half of children did engage with unknown people online (e.g., adding someone they didn't know to their contact lists or sharing their personal information with them) in the past year. In the past year, 10% of children met someone in person that they first got to know online. Although many of these encounters did not result in immediate harm and most children said that they felt positively about them, such interactions do represent a risk of harm.

The caregivers were also concerned about their children encountering sexual images or videos online, and many children agreed that this carried a level of risk for people their age. In the past year, 24% of children aged 12–17 actively looked for sexual images or videos online, while 29% said they saw sexual content online by accident (e.g., in a pop-up, advertisement, or social media post). Concerns about children being exposed to sexual images or videos online were also expressed by social support workers surveyed.

Children's experiences of online sexual exploitation and abuse

Children were also asked whether they have been subjected to different forms of online sexual exploitation and abuse (OCSEA) within the past year. OCSEA refers to situations that involve digital or communication technologies at some point during the continuum of abuse or exploitation. Data from the *Disrupting Harm* household survey revealed that in the past year alone, 9% of children internet-using children aged 12–17 in Thailand were victims of grave instances of online sexual exploitation and abuse. This includes being blackmailed to engage in sexual activities, someone else sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts.

Children were subjected to these instances of sexual exploitation and abuse via online channels, but also offline, in-person. The most common mediums where children who experienced OCSEA were targeted were social media platforms, followed by online games *and* in-person interactions; in some cases, the same form of abuse occurred via digital technology and in-person. For children who said their last experiences of sexual exploitation or abuse involved social media, the four most cited platforms were Facebook, Twitter, Instagram, and TikTok.

In Thailand, the people initiating OCSEA were most often *known* to the child, according to the household survey. Someone unknown to the child was involved in about a fifth of instances, although this varied depending on the type of OCSEA in question. The review of OCSEA-related cases investigated by law enforcement in the calendar years 2017 to 2019 supported this finding; offenders tended to be part of victims' networks or in regular close proximity. The survey of 50 social support workers who had managed OCSEA cases in the past year also indicated that it was common for offenders to be individuals in positions of power or authority over children.

These findings have significant implications since many prevention efforts focus primarily on the threat from strangers rather than people known to children. This should also be a consideration for responses to support victims, as it could be much more difficult for children to seek help if they are emotionally and/or economically dependent on offenders.

Disclosure and reporting of online sexual exploitation and abuse

The *Disrupting Harm* household survey revealed that between 8% and 15% of children who had experienced different forms of OCSEA in the past year *did not disclose* the most recent incident to anyone. However, most children subjected to OCSEA *did* disclose what happened to them, most often to a female caregiver or to siblings and friends. Very few children used formal reporting mechanisms like police, social workers, or helplines.

According to children who did not disclose, the main barriers were a lack of awareness around where to go or whom to tell, which suggests that children are not familiar with the formal reporting mechanisms available to them or did not feel comfortable to disclose to their caregivers. In fact, 47% of children in the household survey said they would not know where to get help if they or a friend were sexually assaulted or harassed. Another common barrier for children was the perception that what happened to them was not serious enough to report. In the survey of frontline social support workers, 45 of 50 respondents indicated that stigma from the community is a main factor influencing the lack of reporting of OCSEA crimes, and 82% said that low reporting was due to the caregivers' low level of awareness of the risks of OCSEA.

When caregivers of the 12–17-year-olds who participated in the household survey were asked what they would do if their child was subjected to sexual harassment, abuse or exploitation, the majority of caregivers said they would tell their spouse (67%) or another family member (36%). Only 16% of caregivers said they would report to the police. Among the small group of caregivers who said they would not do anything if their child experienced OCSEA, the main justifications were a belief that nothing would change by reporting and concerns over negative consequences.

Law enforcement data

The *Disrupting Harm* study collected qualitative and quantitative data from law enforcement authorities and a number of partners to assess the number of OCSEA offences recorded in the country, offender and victim behaviour, and crime enablers and vulnerabilities.

> **Data from the *Disrupting Harm* household survey revealed that in the past year alone, 9% of children internet-using children aged 12–17 in Thailand were victims of grave instances of online sexual exploitation and abuse.**

Law enforcement data for OCSEA-related cases were supplied by two units: the Department of Special Investigations (DSI) under the Ministry of Justice of the Royal Thai Government and the Thailand Internet Crimes Against Children task force (TICAC). DSI only recorded 37 cases of child sexual exploitation and abuse between 2017–2019. Seventeen out of those 37 offences involved technology in some way – 46% of cases. TICAC recorded 152 OCSEA-related cases between June 2015 and September 2020. Given that several other police units work on OCSEA cases, the figures above may account for only a fraction of the reported OCSEA-related crimes in the country but do provide a useful indication of the extent to which OCSEA-related cases are being observed.

Reports (known as CyberTips) to the U.S. National Center for Missing and Exploited Children (NCMEC) from U.S.-based technology companies concerning suspected child sexual exploitation in Thailand were analysed. Between 2017 and 2019, there was a 27% increase in CyberTips for Thailand. Analysis of the types of incidents revealed that the possession, manufacture, and distribution of child sexual abuse materials (CSAM) accounted for almost all of Thailand's CyberTips between 2017 and 2019. It should be noted that this is not a fully comprehensive picture because technology companies based outside the United States are not obligated to report to NCMEC.

The legal landscape and justice process

Interviews with thirteen justice professionals and six victims of OCSEA and their caregivers who took cases to the formal justice system revealed that the police and prosecutors have difficulty recognising, investigating, and prosecuting OCSEA-related cases. This reflects both a lack of access to training on these issues as well as some legislative gaps. This might also be influenced by Thailand not having a mandated government agency that coordinates responses to cases with OCSEA related elements.

Based on the in-depth review of OCSEA-related legislation in Thailand, as well as interviews with government and justice representatives, the following issues were found:

- Neither the Thai Penal Code nor any other law explicitly criminalises live-streaming of child sexual abuse, online grooming, or sexual extortion.
- Provisions on extraterritorial jurisdiction included in the Thai Penal Code do not cover offences relating to child sexual abuse material.
- Law enforcement officers struggle to identify and classify OCSEA under the current legislation especially cases with a human trafficking element.

According to the interviews, these legislative gaps make it challenging for justice professionals to properly process OCSEA cases. It also makes it difficult for law enforcement to properly record and monitor the number of cases with OCSEA elements. Some OCSEA is charged as human trafficking because that can lead to more compensation, treatment, and services being accessible for child victims and to harsher sentences for offenders. One promising initiative relating to legislation, according to one public prosecutor interviewed, is a law on OCSEA that has been drafted and will be added to the Penal Code if the National Assembly approves it. This amendment was presented to relevant stakeholders in a public hearing organised by the Department of Children and Youth in February 2020.

> **"** All children said that the offenders were arrested and prosecuted within a short period of time, and the court sentenced the offenders in under a year. **"**

Children and caregivers' experiences of the formal justice system

From interviews with the six children who experienced the formal justice system it is clear that positive justice practices exist in Thailand. For example, all children said that the offenders were arrested and prosecuted within a short period of time, and the court sentenced the offenders in under a year. In most cases, children were informed of the conviction. In addition, all six interviewed children were supported by a social worker and/or a lawyer throughout the entire court process. Children and caregivers said that the support they received from social workers – particularly counselling and information about legal procedures – made it easier to get through the process.

However, the same interviews showed that there is still room for improvement. For example, while some children and caregivers were informed about their rights and told what the justice process would be like, others were not given the same information. Some child victims had to recount their abuse several times or had to confront their abusers in court – both of which are potentially re-traumatising experiences for children. In other cases, the jargon used by lawyers and judges was complex and not child-friendly, and the process of seeking compensation was described by children and caregivers as time-consuming and complicated.

Key insights

The report for Thailand concludes with six key insights from the research:

1. In the past year alone, 9% of internet-users aged 12–17 in Thailand were victims of grave instances of online sexual exploitation and abuse. This includes being blackmailed to engage in sexual activities, someone else sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts. Scaled to the population, this represents an estimated 400,000 children in Thailand who were subjected to any of these harms in the span of just one year.

2. According to the household survey, offenders of OCSEA are most often people already known to the child. These can be friends or acquaintances of the child (both peers and adults) but also romantic partners and family members. Individuals, unknown to the child, accounted for around one-fifth of cases. These crimes can happen while children spend time online or in person but involving technology.

3. Among children who were subjected to OCSEA through social media, the most common platforms were Facebook or Facebook Messenger, Twitter, TikTok, and Instagram.

4. Children who were subjected to OCSEA-related crimes tend to confide in people within their interpersonal networks, particularly their mothers. Caregivers and children are reluctant to turn to formal reporting mechanisms like hotlines, helplines, or the police.

5. The law enforcement, justice, and social support systems lack awareness, capacity, and resources to respond to cases of OCSEA.

6. Implementation of laws pertaining to OCSEA in Thailand need to be strengthened. Awareness generation among stakeholder constituencies on international instruments and standards pertaining to OCSEA must be accelerated.

The report ends with a detailed map for action; to be taken by the government, law enforcement, justice, and social services sectors and by those working within them, by communities, teachers, and caregivers, and by digital platforms and service providers. These are too detailed to be recounted in the Executive Summary but can be found on of this report.

DISRUPTING HARM METHODS

As with all the settings in which children live and grow, the online environment may expose them to risks of sexual exploitation and abuse. Yet, the scarcity of available evidence makes it difficult to grasp the nature of the harm caused or to make constructive recommendations on public policies for prevention and response. Informed by the 2018 WeProtect Global Alliance Global Threat Assessment[2] and a desire to understand and deepen the impact of its existing investments, the Global Partnership to End Violence against Children, through its Safe Online initiative, decided to invest in research to strengthen the evidence base – with a particular focus on 13 countries across Southeast Asia and Eastern and Southern Africa.

The countries of focus in the Southeast Asian region are Cambodia, Indonesia, Malaysia, the Philippines, Thailand, and Vietnam. The countries of focus in the Eastern and Southern Africa region are Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania, and Uganda.

Extensive data collection for nine unique research activities took place in Thailand from early 2020 through to early 2021 and focused on the three-year period of 2017–2019. During an extensive analysis phase, the data from all the research activities were triangulated. Analysis for Thailand was finalised in August 2021.

Using the same methodology in all 13 countries also allows for cross-country comparisons, which will be presented in the two regional reports in the series. Aside from the mere scope and allowing for cross-country comparisons, the project is also unique as it brings together the specific and complementary expertise of three global networks, ECPAT, INTERPOL and UNICEF.

The desired outcome of this report is to provide a baseline and evidence for policy makers in Thailand to tackle and prevent online child sexual exploitation and abuse (OCSEA) and strengthen support to children. In addition, the findings and recommended actions are expected to have relevance for a broader

global audience. The recommendations made in the reports are aligned with the WeProtect Model National Response[3] and contribute to the 2030 Agenda for Sustainable Development.[4]

Summary of methods used by ECPAT in Thailand

Government duty-bearer interviews

Ten semi-structured interviews were conducted between March 2020 and July 2020 with a total of 16 senior national duty-bearers,[5] whose mandates include OCSEA. Due to the COVID-19 pandemic, some interviews were conducted in person, while others took place virtually. More information on the methodology can be found here, while the preliminary report on the data can be found here. Attributions to data from these respondents have ID numbers beginning with RA1 throughout the report.[6]

Analysis of non-law enforcement data and consultations

A range of non-law enforcement stakeholders regularly collect data on the nature and scale of OCSEA. Data for Thailand was obtained from the ThaiHotline for illegal material, International Association of Internet Hotlines (INHOPE), the Internet Watch Foundation, and Child Helpline International. Qualitative insight was provided by several global technology platforms. Where

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2. WeProtect Global Alliance. (2018). Global Threat Assessment 2018: Working together to end the sexual exploitation of children online. London: WeProtect Global Alliance.
3. WeProtect Global Alliance. (2016). Preventing and Tackling Child Sexual Exploitation and Abuse: A model national response. London: WeProtect Global Alliance.
4. United Nations. (n.d.) Sustainable Development Goals. See: Goals 5.2, 8.7 and 16.2.
5. In this instance, duty-bearers are defined as those who hold specific responsibilities for responding to the risks of OCSEA at a national level. Participants represented: the Department of Juvenile Observation and Protection, Thailand Internet Crimes Against Children (TICAC), Department of Special Investigation (DSI), The Attorney General, Anti-Trafficking in Persons Division, Ministry of Social Development and Human Security, Department of Children and Youth, Ministry of Digital Economy and Society, Institute of Child and Adolescent Mental Health and Child Online Protection Action Thailand.
6. The format RA1-TH-01-A is used for IDs. 'RA1' indicates the research activity and 'TH' denotes Thailand. '01' is the participant number and 'A' indicates the participant when interviews included more than one person.

relevant, this information supplements the analysis contributed by INTERPOL (see below).

Frontline social service providers' survey

A non-probability convenience sample of 50 client-facing frontline child protection workers in Thailand – such as outreach youth workers, social workers, case managers, psychologists, and some health and legal professionals directly working with children's cases – participated in a survey administered online between February and June 2020. This research activity aimed to explore the scope and context of OCSEA as it is observed by those working on the social support frontline to prevent and respond to this child rights violation. More information on the methodology can be found here, while the preliminary report on the data can be found here. Attributions to data from these respondents have ID numbers beginning with RA3 throughout the report.

Access to justice interviews with OCSEA victims and their caregivers

Six interviews were conducted between January and September 2020 with children (all girls) aged between 15 and 18 years and three of their caregivers. This research activity aimed to provide a better understanding of how and to what extent victims of OCSEA can access justice and remedies in Thailand. The six girls interviewed came from Bangkok, Ayutthaya, Chiang Mai, and Chiang Rai.

Despite reaching out to 20 organisations, it was very difficult to secure participants for these interviews. This might have been influenced by the fact that OCSEA was only recently captured in Thai law, and many cases were still in the investigative and judicial processes (thus excluded from the research to prevent prejudicing court outcomes). While the research team identified boy victims of OCSEA who had been through the legal system, none were willing to participate in the research. Some feared that participation in the research would lead to stigma, stress, or that their responses would not stay confidential (despite discussions and information about this in the consent processes).

More information on the methodology for this activity can be found here, while the preliminary report of the data can be found here. Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report; 'child' or 'caregiver' is also included in the ID numbers to indicate the interviews with children or caregivers.

Access to justice interviews with justice professionals

Eleven semi-structured interviews with 13 criminal justice professionals (two of the interviews were conducted with two organisation representatives) were conducted between June and August 2020. The sample included government and non-government representatives who had experience with OCSEA criminal cases.[7] More information on the methodology can be found here, while the preliminary report on the data can be found here. Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report. Note that the suffix 'justice' is also included in the ID numbers to indicate the interviews with justice professionals.

Literature review and legal analysis

A literature review was undertaken to inform the research teams prior to primary data collection. A comprehensive analysis of the legislation, policy, and systems addressing OCSEA in Thailand was conducted and finalised in June 2020. More information on the methodology can be found here, while the full report on the legal analysis can be found here.

Conversations with OCSEA survivors

Unstructured, one-on-one conversations led by trauma-informed expert practitioners were arranged with 33 young survivors of OCSEA in five selected Disrupting Harm countries (nine girls in Kenya, five boys and seven girls in Cambodia, seven girls in Namibia, four girls in Malaysia and one boy in South Africa). Although not held in all countries, these conversations are meant to underline common themes and issues in all 13 *Disrupting Harm* countries. A report summarising the project-wide survivor conversations will be released separately in late 2021. More information on the methodology can be found here.

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7. The interviewees represented: Lift International, Foundation of Child Understanding (FOCUS), Investigation Unit 4 – Provincial Police Region 5, the HUG project, Office of the Public Prosecution, SR Law Firm, TLCS Legal Advocate, The Office of Attorney General, Social Equality Promotion Foundation, the Department of the Trafficking in Persons Litigation, Metropolitan Police Division 1- Crime Prevention and Suppression and the Royal Thai Police.

Summary of methods used by INTERPOL in Thailand

Quantitative case data analysis

Data was sought on cases related to OCSEA from law enforcement authorities via the INTERPOL National Central Bureau in each country. Data were also obtained from the mandated reports from U.S.-based technology companies to the National Center for Missing and Exploited Children (NCMEC) and from several other partners, with a view to deepening the understanding of relevant offences committed in the country, offender and victim behaviour, crime enablers and vulnerabilities. Crime data was analysed for the three years from 2017 to 2019. Some data shared by TICAC exceeds these timelines and is noted.

Qualitative capacity assessments

In addition to seeking data on OCSEA-related cases, INTERPOL requested data on national law enforcement authorities to respond to this type of crime and interviewed serving officers. Emphasis was placed on human resources, access to specialist equipment and training, investigative procedures, use of tools for international cooperation, successes, and challenges. Attributions to data from these respondents have ID numbers beginning with RA8 throughout the report.

More information on INTERPOL's methodologies can be found here.

Summary of methods used by UNICEF Office of Research – Innocenti in Thailand

UNICEF conducted a nationally representative household survey with 967 internet-using children in order to understand children's use of the internet, the risks and opportunities they face online, and their specific experiences of OCSEA. The target population for the survey was children aged 12–17 in Thailand who had used the internet in the prior three months. Additionally, one caregiver of each child was interviewed. The interviews were conducted in person.

To achieve a nationally representative sample, the survey used random probability sampling with national coverage. In Thailand, fieldwork coverage was 98%. Three southern border provinces (Narathiwat, Yala, and Patanee) were not covered due to security and safety concerns. Coverage is defined as the proportion of the total population that had a chance of being included in the survey sample – i.e., the fieldwork would cover the area where they live if sampled.

The sampling followed a four-stage random probability clustered sample design. This involved sampling approximately 30% of the provinces in the country as the first selection stage – before primary sampling units were sampled. The reason for including this stage was to yield a sample that was slightly more clustered, given that the fieldwork was based in the selected provinces only. The sample delivered was representative of the population and was therefore comparable to the samples drawn in the other *Disrupting Harm* target countries. At the second stage, 100 primary sampling units were selected. The primary sampling units list was based on Ipsos Thailand's Proprietary National Primary Sampling Units list. At the third stage, interviewers randomly selected addresses in the field using random walk procedures and attempted contact at the selected addresses to screen for members of the survey population using a screening question developed for this purpose. At the last stage, individuals (children and caregivers) were selected within each eligible household using random methods.

In every household visited, *Disrupting Harm* attempted to collect data on the number of 12–17-year-old children in the household, their gender, and whether they had used the internet in the past three months. This allowed for an estimation of the internet penetration rates for all 12–17-year-old children in Thailand. The fieldwork took place between 21 November 2020 and 16 April 2021. Data collection was carried out by Ipsos Thailand and coordinated by Ipsos MORI on behalf of UNICEF Office of Research – Innocenti. A more detailed explanation of the methodological approaches and the specific methods used for the analysis of the household survey data can be found here.

Ethical Approval

In Thailand, there is no formal government process or requirement for social research to be ethically reviewed. Therefore, ECPAT and UNICEF research components were reviewed and approved by a specially convened panel of reviewers from the Institute of Human Rights and Peace Studies at Mahidol University in Thailand. ECPAT and UNICEF's protocols were also reviewed and approved by Health Media Lab (HML) Institutional Review Board.

INTERPOL assessed the threat and the capacity of law enforcement to counter the threat of OCSEA. Both assessments entailed interviews with law enforcement in relevant units dealing with the crime area and relevant police units and national agencies that handle police data. INTERPOL did not have contact with children or victims. Nevertheless, to ensure proper ethical conduct and research standards, the INTERPOL team completed an online course on Responsible Conduct of Research from the Collaborative Institutional training Initiative and followed the INTERPOL Code of Conduct.

National Consultation

In a national consultation that took place on 16 July 2021, representatives of Thailand's government, law enforcement, and civil society reviewed, discussed, and commented on the *Disrupting Harm* findings to ensure that the report and recommended actions were relevant for the Thai context.

Figure 1: *Disrupting Harm* methods in Thailand.

Survivor conversations n = 0

PHASE 2

Household survey data from children and parents n = 967

Government duty-bearer Interviews n = 16

Frontline service providers' survey n = 50

Access to justice interviews with professionals n = 13

Access to justice interviews with children n = 6

Non-law enforcement data

Law enforcement capacity assessment

Country threat assessment

PHASE 1

Desk review of relevant documents

Legal analysis

ABOUT ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

Child sexual abuse **refers to various sexual activities perpetrated against children (persons under 18 years), regardless of whether or not the children are aware that what is happening to them is neither normal nor acceptable. It can be committed by adults or peers and usually involves an individual or group taking advantage of an imbalance of power. It can be committed without explicit force, with offenders frequently using authority, power, manipulation, or deception.[8]**

Child sexual exploitation involves the same abusive actions. However, an additional element of a threat or of exchange for something (e.g., money, shelter, material goods, immaterial things like protection or a relationship), or even the mere promise of such, must also be present.[9]

> *Online child sexual exploitation and abuse (OCSEA)* refers to situations involving *digital, internet and communication technologies* at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

Disrupting Harm focuses on how technology can be mis-used to facilitate child sexual exploitation and abuse. Its use of the term OCSEA does not refer to abuse or exploitation that occurs exclusively online, nor is it the intention of Disrupting Harm to create an artificial divide between online and offline child sexual exploitation and abuse. Children can be abused or exploited while they spend time in the digital environment, but equally, offenders can use digital technology to facilitate their actions, e.g., to document and share images of in -person abuse and exploitation or to groom children to meet them in person.

Disrupting Harm also focuses on how technology *facilitates* child sexual exploitation and abuse and contributes evidence needed to understand the role digital technology plays in perpetrating sexual violence against children.

Any characterisation of OCSEA must recognise that the boundaries between online and offline behaviour and actions are increasingly blurred[10] and that responses need to consider the whole spectrum of activities in which digital technologies may play a part. This characterisation is particularly important to keep in mind as children increasingly see their online and offline worlds as entwined and simultaneous.[11]

For *Disrupting Harm*, OCSEA was defined specifically to include child sexual exploitation and abuse that involves:

- Production, possession, or sharing of **child sexual abuse material (CSAM):** Photos, videos, audios or other recordings, or any other representation of real or digitally generated child sexual abuse or sexual parts of a child for primarily sexual purposes.[12]

- **Live-streaming of child sexual abuse:** Child sexual abuse that is perpetrated and viewed simultaneously in real-time via communication tools, video conferencing tools, and/or chat applications. In most cases, the offender requesting the abuse in exchange for payment or other material benefits is physically in a different location from the child(ren) and the facilitators of the abuse.

- **Online grooming of children for sexual purposes:** Engagement with a child via technology with the intent of sexually abusing or exploiting the child.

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8. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 18.

9. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 24.

10. May-Chahal, C., & Palmer, C. (2018). Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation. Independent Inquiry into Child Sexual Abuse. UK: Lancaster University.

11. Stoilova, M., Livingstone, S., Khazbak, R. (2021). Investigating Risks and Opportunities for Children in a Digital World: A rapid review of the evidence on children's internet use and outcomes. *Innocenti Discussion Papers* no. 2021-01, Florence: UNICEF Office of Research – Innocenti.

12. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 40.

Figure 2: Framing the main forms of online child sexual exploitation and abuse explored by *Disrupting Harm*.

Internet or communication technology involved

Sexual exploitation and abuse (physical contact)

Child sexual abuse material

Live-streaming

Grooming / coercion
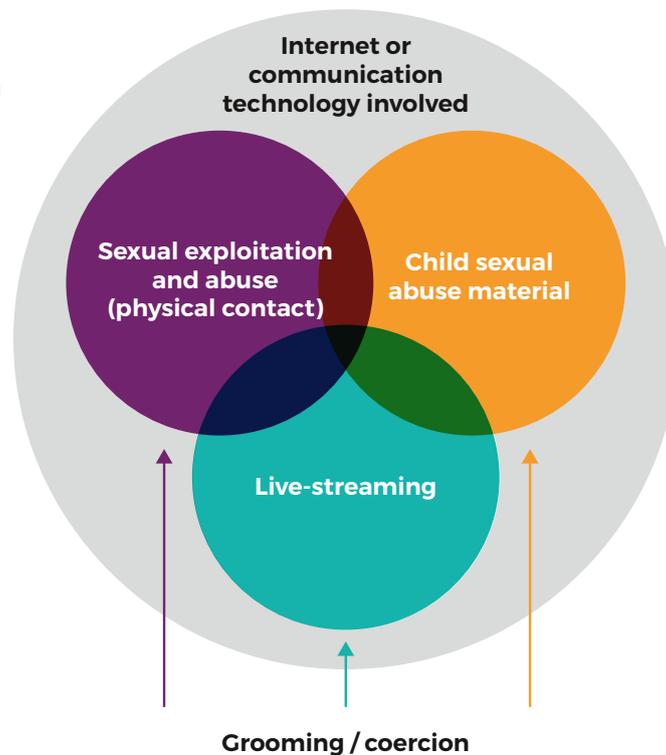
While international legal instruments[13] criminalising grooming indicate that this must take place with intent to meet the child in person, it has become increasingly common for offenders to sexually abuse children by, for example, manipulating them into self-generating and sharing CSAM through digital technologies, without necessarily having the intention of meeting them and abusing them in person.

The Disrupting Harm reports also address other phenomena that contribute to understanding the contexts and socio-cultural environments in which OCSEA occurs.

The sharing of self-generated sexual content involving children[14] can lead to or be part of OCSEA, even if this content is initially produced and shared voluntarily between peers, as it can be passed on without permission or obtained through deception or coercion.

Sexual extortion of children[15] refers to the use of blackmail or threats to extract sexual content or other benefits (e.g., money) from the child, often using sexual content of the child that has previously been obtained as leverage.

Sexual harassment of a child[16] and **unwanted exposure of a child to sexual content**[17] are other phenomena which *can* represent or enable OCSEA. For example, offenders can deliberately expose children to sexual content as part of grooming to desensitise them to sexual acts. However, for the purposes of evidence-based policy and programme development, it is important to acknowledge that there are differences between voluntary viewing of sexual content by children and viewing that is forced or coerced. The former is not included in the definition of OCSEA used in the *Disrupting Harm* study.

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13. The only two legally binding international instruments containing an obligation to criminalise the grooming of children for sexual purposes are: Council of Europe. (2007). Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Council of Europe Treaty Series – No. 201. Article 23; and European Parliament and Council. (2011). Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography and replacing Council Framework Decision 2004/68/JHA. Article 6.
14. Cooper, K., Quayle, E., Jonsson, L. & Svedin, C.G. (2016). Adolescents and Self-Taken Sexual Images: A review of the literature. *Computers in Human Behaviour, 55.* 706-716.
15. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 52.
16. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 21.
17. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 44.

ABOUT THAILAND – DEMOGRAPHICS AND INTERNET USAGE

Despite increasing connectivity around the world, few countries regularly update their formal internet use statistics or disaggregate them for their child populations. This presents a challenge in understanding how young people's lives are impacted by digital technologies, particularly in low- and middle-income countries. The infographic below summarises the latest available data on internet access and social media use in Thailand; some of this data was gathered directly through the *Disrupting Harm* nationally representative household survey of internet-using 12–17-year-olds.

The data presented here provide an important backdrop for understanding the various facets of children's internet use. However, methodological limitations affecting data quality for some secondary sources should be kept in mind. Relying on purposive or other non-probability sampling techniques means that the data cannot be considered representative of the population in question. In other cases, variations in data collection methods and definitions of internet use pose a challenge for cross-country comparisons.

POPULATION TOTAL 2019
Country data:
66,558,935[18]

FEMALE POPULATION 2019
Country data:
33,953,835[19]

MALE POPULATION 2019
Country data:
32,605,100[20]

POPULATION UNDER 18 2018
UN data:
14,537,000[21]

Under 18

21%
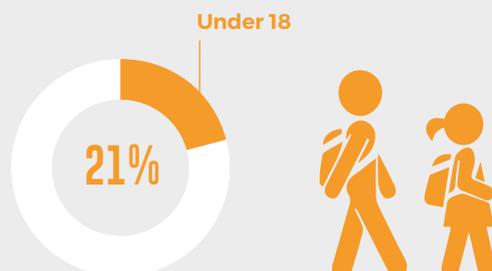
URBAN POPULATION 2018: 49.9%[22]
2030 prospective: 58.4%[23]

Urban

49.9%
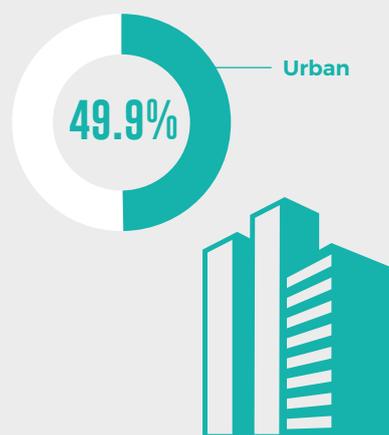
MEDIAN AGE 2020[24]
40.1
Estimate

GDP PER CAPITA 2019 (US$)
$7,806.7[25]

18. Ministry of Digital Economy and Society, National Statistical Office. (2020). Statistical Yearbook Thailand 2020.
19. Ministry of Digital Economy and Society, National Statistical Office. (2020). Statistical Yearbook Thailand 2020.
20. Ministry of Digital Economy and Society, National Statistical Office. (2020). Statistical Yearbook Thailand 2020.
21. UNICEF. (2019). The State of the World's Children 2019. Children, Food and Nutrition: Growing well in a changing world.
22. United Nations Population Division. (2018). World Population Prospects 2019 File 1: Population of Urban and Rural Areas at Mid-Year (thousands) and Percentage Urban, 2018.
23. United Nations Population Division. (2019). World Population Prospects 2019.
24. United Nations Population Division. (2019). World Population Prospects 2019 File POP/5: Median age by region, subregion and country, 1950-2100 (years).
25. The World Bank. (n.d.). GDP per capita (current US$) – Thailand.

ABOUT THAILAND – DEMOGRAPHICS AND INTERNET USAGE

POVERTY RATES
2018: 9.9%[26]

9.9%

LANGUAGE

THAI

THE OFFICIAL LANGUAGE OF THAILAND IS THAI.[27]

INTERNET PENETRATION RATE
2020: 78%[28]

78%

Source: Disrupting Harm data

2020 INTERNET PENETRATION RATES AMONG 12–17-YEAR-OLDS

Total	94%
12–13 Years	88%
14–15 Years	97%
16–17 Years	98%
Girls	95%
Boys	93%
Rural	92%
Urban	96%

n = 1,334 households.

Source: Disrupting Harm data

INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN
93%

n = 967 caregivers of internet-using children.

Source: Disrupting Harm data

MOST POPULAR DEVICE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS*

5% **Tablet**

15% **Computer**

Mobile 96%
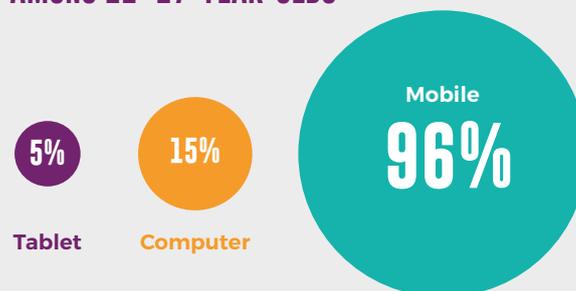
n = 967 internet-using children.

*Multiple choice question

26. World Bank. (n.d.). Poverty & Equity Data Portal.
27. Ministry of Digital Economy and Society, National Statistical Office. (2020). Statistical Yearbook Thailand 2020.
28. International Telecommunications Union. (2020). Country ICT data: Percentage of Individuals Using the Internet.

ABOUT THAILAND – DEMOGRAPHICS AND INTERNET USAGE

MOST POPULAR PLACE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS*

Internet café
58%

Mall
71%

Other
74%

School
85%

Home
100%

n = 967 internet-using children.   *Multiple choice question

FREQUENCY OF INTERNET USE AMONG 12–17-YEAR-OLDS

At least weekly 0.9%
At least monthly 0.3%
Prefer not to say 0.1%

Once a day or more
99%
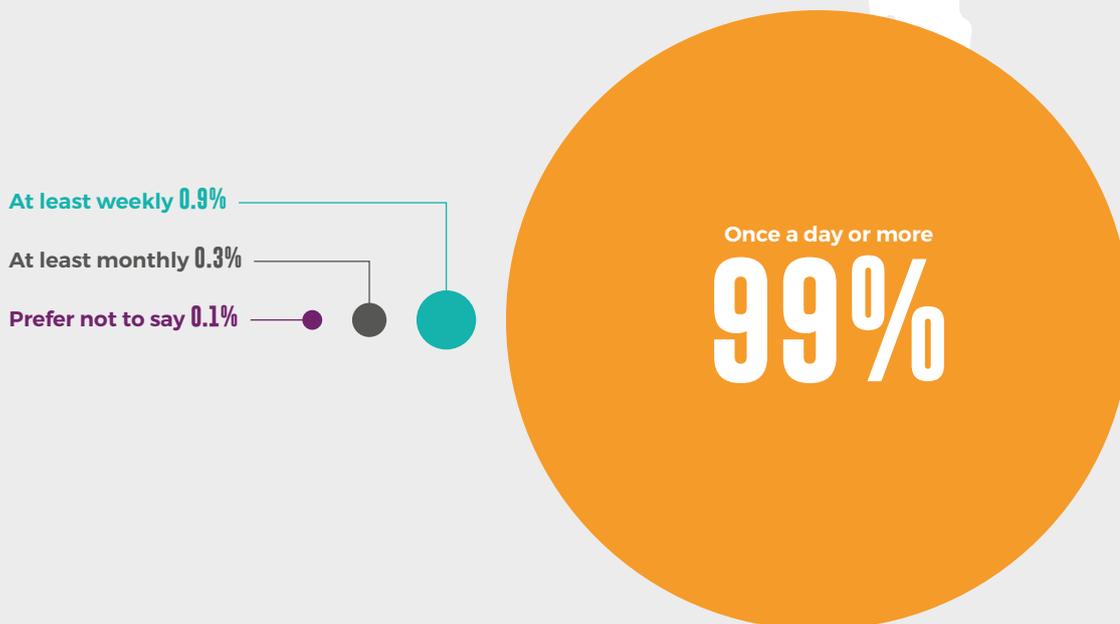
Base: Internet-using children aged 12–17 in Thailand from the Disrupting Harm study. n = 967 internet-using children.

FREQUENCY OF INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

Never
Less than once a month 1%
At least monthly 1%
At least weekly

6%
5%
86% **At least once a day**

n = 967 caregivers of internet-using children.

ABOUT THAILAND – DEMOGRAPHICS AND INTERNET USAGE

MARKET SHARES IN MOBILE SUBSCRIPTIONS (AS OF THE THIRD QUARTER OF 2019)

Advanced Info Service (AIS)
44%

TRUE
31.8%

Norwegian controlled DTAC
21.6%[29]

## CHILDREN WHO USE SOCIAL MEDIA ON A WEEKLY BASIS

Total	12-13	14-15	16-17	Boys	Girls
94%	89%	95%	98%	92%	96%
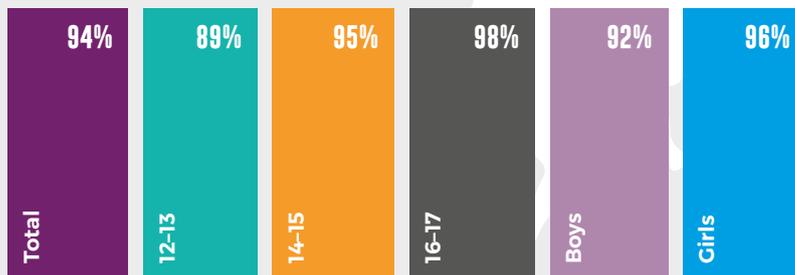
n = 967 internet-using children.

CHILDREN WHO USE INSTANT MESSAGING APPS ON A WEEKLY BASIS

Total	12-13	14-15	16-17	Boys	Girls
94%	87%	96%	98%	90%	97%
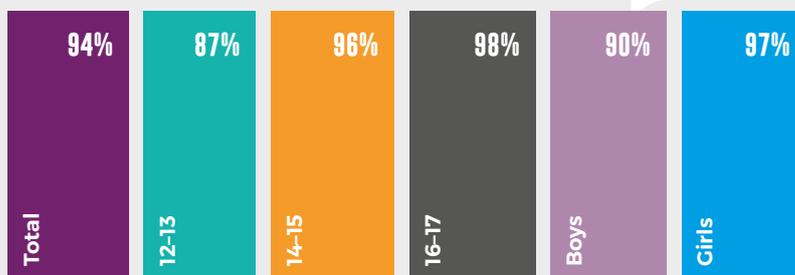
n = 967 internet-using children.

ICT DEVELOPMENT INDEX RANKING (ITU) 2017

Asia-Pacific: 10/34[30]

General ranking: 78/176
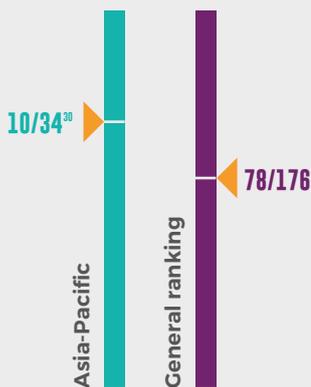
GLOBAL CYBERSECURITY INDEX RANKING 2018[31]

Asia-Pacific: 7/38[32]

World: 35/175
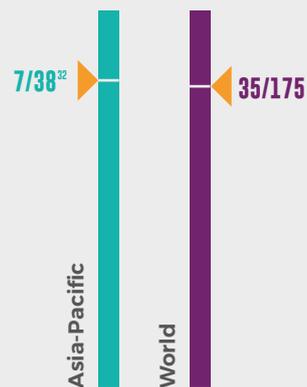
29. Office of the National Broadcasting and Telecommunications Commission. (2019). Report of Telecommunication Market Q4/2019.
30. International Telecommunication Union. (2017). ICT Development Index 2017.
31. The Global Cybersecurity Index measures the commitment of countries to cybersecurity based on the implementation of legal instruments and the level of technical and organisational measures taken to reinforce international cooperation and cybersecurity.
32. International Telecommunication Union. (2019). Global Cybersecurity Index (GCI) 2018.

Overview of legislation and policy

In Thailand, the main legislation addressing offences relating to OCSEA is the Thai Penal Code (1956),[33] although it does so in a limited manner. In addition, a few relevant provisions are included in the Child Protection Act (2003),[34] the Anti-Trafficking in Persons Act (2008),[35] and the Computer-Related Crime Act (2007).[36]

The Thai Penal Code provides a quite comprehensive definition of CSAM,[37] and criminalises certain acts associated with it.[38] It also criminalises obscene material in general;[39] some provisions that are applicable to pornographic material in general may also apply to CSAM.

The Child Protection Act criminalises the acts of forcing, threatening, inducing, instigating, encouraging, or allowing a child to perform or act in a pornographic manner, irrespective of the intention behind these acts.[40] However, the Child Protection Act does not explicitly indicate whether this conduct could refer to "performances" shared online or live-streamed.

Under the Anti-Trafficking in Persons Act, "exploitation" relates to seeking benefits from the production or distribution of pornographic material.[41]

The Computer-Related Crime Act criminalises the download of any data of pornographic nature to a computer system that is publicly accessible[42] but does not define what constitutes data of a pornographic nature.

Presently, neither the Thai Penal Code nor any other law, explicitly criminalise live-streaming of child sexual abuse, online grooming, and sexual extortion. A public prosecutor from Thailand's Attorney General Office said that a *"Substantive law on OCSEA has been drafted and [will be] added to the Penal Code if the legislative assembly approves it. The draft law includes cyberbullying, cyberstalking, grooming, sextortion and cybersexting."* (RA1-TH-05-A) In July 2021 the approval process of the draft bill was at an early stage.

In terms of the applicability of the provisions criminalising conduct related to OCSEA, the current provisions on extraterritorial jurisdiction included in the Thai Penal Code[43] do not cover offences relating to CSAM.

Thailand has a national policy already in effect – The National Strategy on Promotion and Protection of Children and Youth in Using Online Media (2017–2021)[44] – which recognises dangers that children and youth face in using online media and therefore introduces a broad concept of 'Child Online Protection' as part of the strategy. While OCSEA is not explicitly mentioned and defined, measures in the strategy include strengthening helplines and hotlines, improving international cooperation mechanisms (e.g., establishing a national database that can be connected to the database of INTERPOL), and mandates in law the roles and responsibilities of Internet service providers among others.

33. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015).
34. Government of Thailand. (2003). Child Protection Act of 2003.
35. Government of Thailand. (2008). Anti-Trafficking in Persons Act of 2008.
36. Government of Thailand. (2007). Computer-Related Crime Act of 2007.
37. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 1(17).
38. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 287/1 and 2.
39. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 287.
40. Government of Thailand. (2003). Child Protection Act of 2003, Section 26(9).
41. Government of Thailand. (2008). Anti-Trafficking in Persons Act of 2008, Section 4.
42. Government of Thailand. (2007). Computer-Related Crime Act of 2007, Section 14(4).
43. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 8(a) and (b). According to Section 8(3) of the Thai Penal Code, only sexual offences under Sections 276, 286 and 285 of the Thai Penal Code are covered by extraterritoriality provisions.
44. Department of Children and Youth. (2017). The National Strategy on Promotion and Protection of Children and Youth in Using Online Media (2017–2021)

1. CHILDREN ONLINE IN THAILAND

The main focus of the *Disrupting Harm* report series is to present the perspectives of young people and duty-bearers about sexual exploitation and abuse of children that is facilitated or committed through digital technologies. To better understand OCSEA-related offenses in Thailand, it is vital to situate them within the wider context of children's internet use. Therefore, this first chapter presents a brief overview of children's internet access and online activities of 12–17-year-olds and then describes the occurrence of riskier online activities and the ways in which these risks are perceived by children and their caregivers.

1.1 INTERNET ACCESS AND BARRIERS

Almost all children in Thailand aged 12–17 are internet users (94%), which means they have used the internet in the past three months, according to sampling data from the *Disrupting Harm* household survey.[45,46] There were no observable digital divides by gender or by the level of urbanity (see underline internet use in Thailand infographic). Among the internet-using children, almost all go online daily (99%). Internet access and frequency of internet use did not differ greatly by children's age, gender, or urbanity.

The household survey also revealed that among caregivers of internet-using children, only 6% have never gone online. Much like their children, a vast majority of these caregivers go online frequently; 86% said they use the internet at least once a day (see Figure 3). However, there is a clear digital divide between younger and older caregivers; caregivers younger than 29 years were twice as likely as those aged 50 and above to go online once a day or more.

Figure 3: Frequency of caregivers' internet use (%).

Legend:
- Never (grey)
- Less than once a month (light purple)
- At least monthly (orange)
- At least weekly (dark purple)
- Once a day or more (teal)

Category	Never	Less than once a month	At least monthly	At least weekly	Once a day or more
Total	6	11		5	86
<29					100
30–39	2			3	92
40–49	3			4	92
50+	26	5	3	13	53
Men	3	1	2	3	91
Women	7	11		5	85
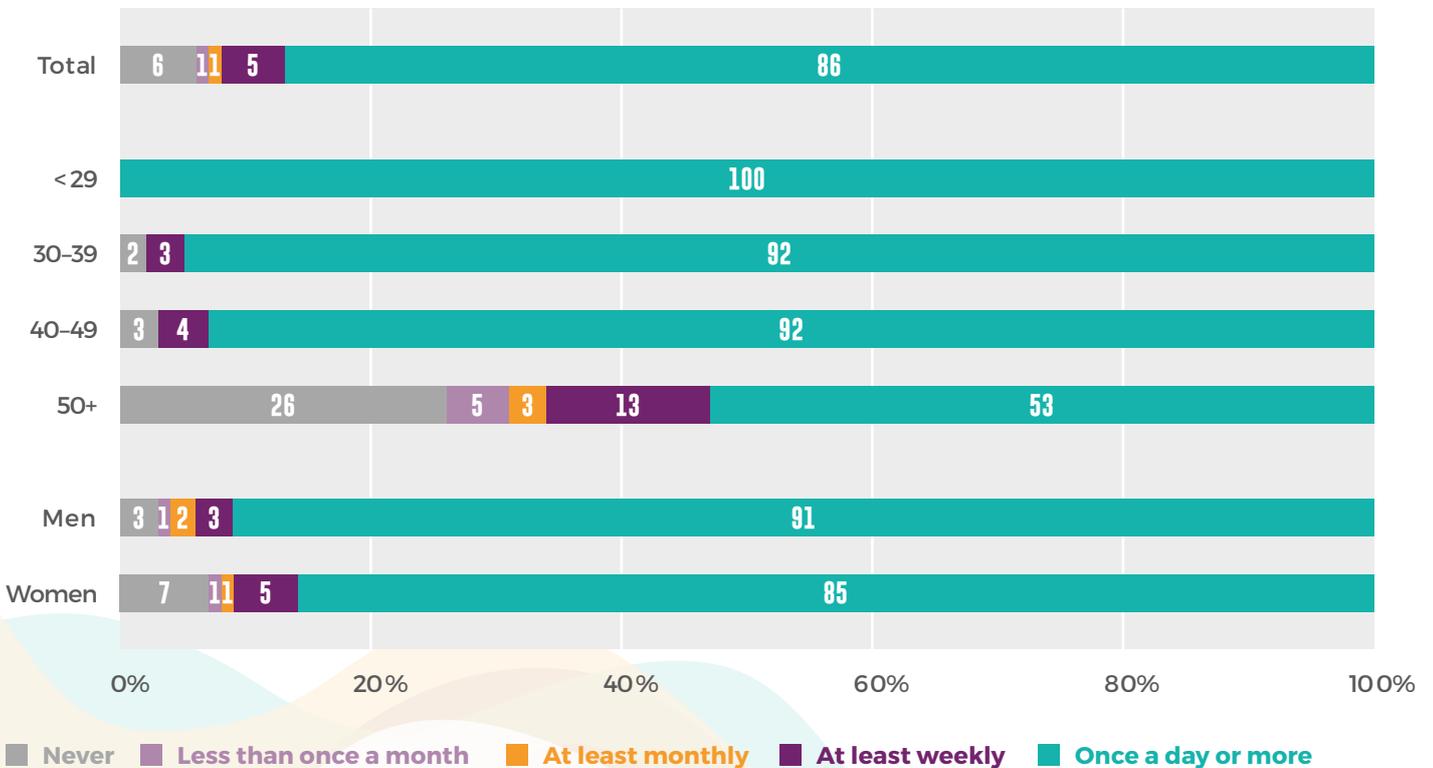
Base: Caregivers of internet-using children aged 12–17 in Thailand. n = 967.

45. While conducting the random walk to identify eligible children to partake in the main survey, we also collected data from every household visited about the number of 12–17-year-old children living there, their gender, age, and whether they had used the internet in the past three months. This allowed for an estimation of internet penetration rates for all 12–17-year-old children in Thailand. n = 1,334 households.
46. The question used to determine whether a child was an internet user: Has [PERSON] used the internet in the last three months? This could include using a mobile phone, tablet or computer to send or receive messages, use apps like Facebook, WhatsApp, or Instagram, send emails, browse, chat with friends and family, upload or download files, or anything else that you usually do on the internet.

Figure 4: Barriers to access for internet-using children by age.

Legend:
- 12–13
- 14–15
- 16–17
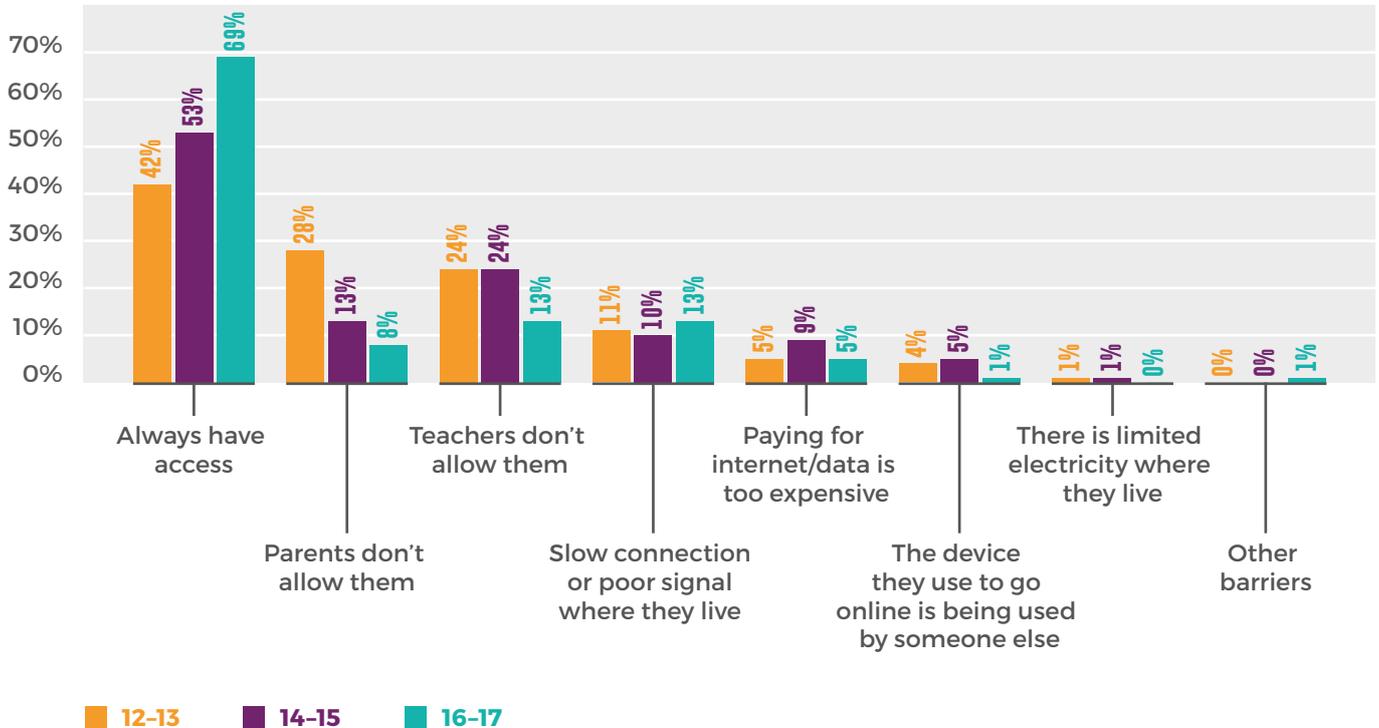
Base: Internet-using children aged 12–17 in Thailand. n = 967.

Among internet-using children, smartphones are by far the most popular devices used to go online (96%), without any differences by age or gender. Fifteen percent of children use a computer to go online, and 5% use tablets. Device sharing was not common among the 928 children in Thailand who use a smartphone to go online. For children who use smartphones to go online, the vast majority owned their own device (92%). Older children, aged 16–17, were more likely to use their own smartphones (98%) compared to younger respondents (14–15: 94%; 12–13: 83%). Fifteen percent of 12–13-year-olds share their smartphone with a caregivers compared to 3% of 14–15-year-olds and 1% of children ages 16 and 17. Boys and girls were equally likely to have their own smartphone.

A majority of internet-using children in Thailand (55%) said they can always access the internet when they want or need to use it, with older children much more likely than the youngest respondents to have unhindered access (see Figure 4).

The most common barriers to internet access among the sample of internet-using children were interpersonal in nature; for example, caregivers or teachers not allowing children to go online (16% and 20%, respectively).

1.2 CHILDREN'S ACTIVITIES ONLINE

The most popular activities among internet-using children in Thailand were entertainment or social activities. Nearly all children surveyed watched videos online and used social media or instant messaging apps on a weekly basis. Children also engaged in a range of educational and information-seeking activities, as shown in Figure 5, such as going online for schoolwork or using the internet to learn something new. It is worth considering that these categories are not intended to be mutually exclusive – for example, a child could go online to watch a video as part of their schoolwork. Nonetheless, Figure 5 below provides a greater understanding of how 12–17-year-olds in Thailand use the internet and the activities they enjoy.

In most cases, older children were more likely to engage in any given online activity than younger respondents, with the exception of online gaming, which was somewhat more popular among the 12–15-year-olds. There were no notable age differences when it came to the following online activities: using social media, doing schoolwork, and looking up information about community events.

As shown in Figure 5, girls were as likely as boys to engage in most online activities on a weekly basis. The most notable exceptions were: following celebrities on social media, seeking emotional support, and looking up information on new work or study opportunities. For these activities girls were more likely to engage on a weekly basis compared to boys. Online gaming was the only activity that boys were more likely to participate in on a weekly basis compared to girls.

Figure 5: Activities children engage in online at least once a week.

Children's online activities	Total	12–13	14–15	16–17	Boy	Girl
Watched videos	96%	94%	97%	98%	96%	97%
Used social media	94%	89%	95%	98%	92%	96%
Used instant messaging	94%	87%	96%	98%	90%	97%
School work	89%	89%	93%	87%	88%	90%
Watched a live-stream	87%	81%	87%	91%	82%	91%
Talked to family or friends who live further away	84%	76%	84%	91%	80%	87%
Searched for new information	84%	78%	89%	84%	80%	87%
Played online games	81%	84%	84%	75%	89%	75%
Looked for news	77%	65%	83%	81%	73%	79%
Followed celebrities and public figures on social media	73%	68%	80%	70%	62%	81%
Sought emotional support	58%	52%	66%	54%	50%	63%
Looked for information about work or study opportunities	57%	48%	60%	60%	50%	61%
Looked for health information	54%	43%	59%	58%	47%	58%
Participated in a site where people share their interests	45%	40%	52%	43%	39%	49%
Created their own video or music	44%	39%	51%	42%	38%	49%
Looked for information or events in local neighbourhood	42%	41%	45%	40%	36%	47%
Discussed political or social problems	37%	32%	42%	38%	34%	40%
Created a blog or website	30%	26%	35%	29%	25%	34%

Base: Internet-using children aged 12–17 in Thailand. n = 967.

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Discussion of online risks for children often hinges upon adult-centric perceptions. To ensure children's perceptions are understood, they and their caregivers were asked about their engagement in, and perceptions of, various online risky activities.

1.3.1 Contact with strangers online and in-person

Perception of risk

There was a high level of agreement between children and their caregivers' perceived risk in several types of online behaviours. For example, a vast majority of children (84%) and their caregivers (92%) said that talking to people on the internet whom they had never met face-to-face was either 'somewhat risky' or 'very risky' for children. There were no notable gender differences for children or caregivers and there were only small age differences. The youngest respondents were slightly less likely to say that talking to someone on the internet who they have not met face-to-face before is 'very risky' than the older children (ages 12–13: 57%; 14–15: 65%; 16–17: 66%). Older caregivers aged over 50 were more likely to rate this activity as a little risky or very risky (90%) compared to younger caregivers aged 29 and younger (82%).

Despite the strong consensus among caregivers and children in the household survey that talking to people they do not know online is risky, more than half of the surveyed children said that in the past year, they added people they had never met face-to-face to their contacts list.

Sharing personal information

A majority of respondents – 86% of internet-using children aged 12–17-years old and 93% of caregivers – said that children sharing their personal information (i.e., name, address, or phone number) with someone they had never met face-to-face is either a 'little risky' or 'very risky'. While there was no substantial gender difference, older children were more likely than younger respondents to say that this activity was very risky for children (ages 12–13: 51%; 14–15: 57%; 16–17: 65%). With caregivers, there were no notable differences by age.

Although a majority of children said that sharing their personal information with someone, they have never met face-to-face (referred to here as an online stranger) was risky, data also indicates that nearly half of internet-using children in Thailand had done so in the past year. Thirty-eight percent of children said they sometimes shared their personal information online with someone they had never met face-to-face, and 9% said they do this often. Older children were more likely than younger children to share their personal information online with someone they never met face-to-face (ages 12–13: 36%; 14–15: 51%; 16–17: 53%). There were no notable gender differences.

Figure 6: Children's risk assessment of speaking online to an online stranger versus children who have added strangers to their friends' list in the past year.

Talking to someone on the internet who they have not met face-to-face before

63% % of children who say this is 'very risky' for children their age

I added people who I have never met face-to-face to my friends or contacts list

54% % of children who have done this in the past year
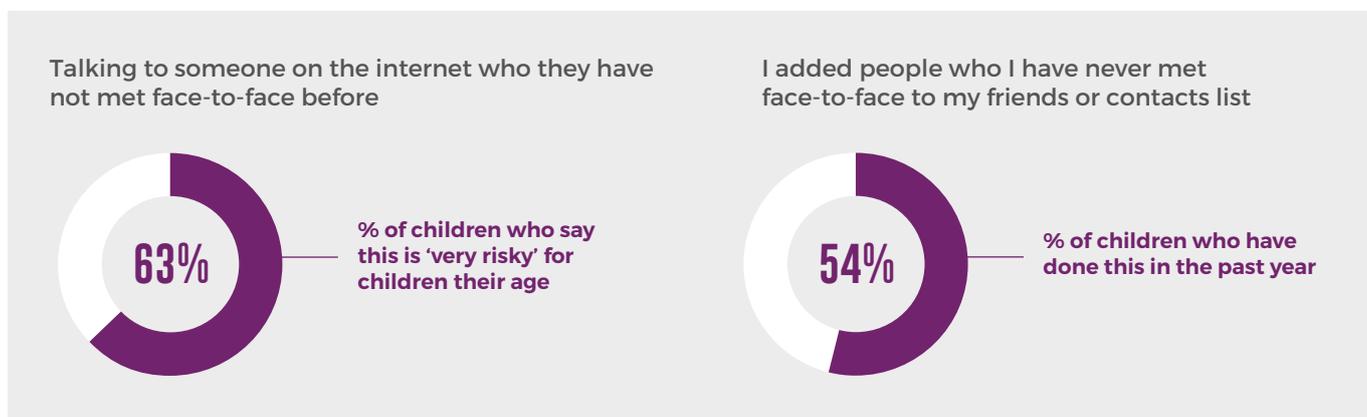
Base: Internet-using children aged 12–17 in Thailand. n = 967.

Figure 7: Children's risk assessment of sharing their personal information with online strangers versus children who have engaged in this behaviour in the past year.

Sending personal information (e.g., their full name, address or phone number) to someone they have never met face-to-face

58% — % of children who say this is 'very risky' for children their age

I sent my personal information (e.g., my full name, address or phone number) to someone I have never met face-to-face

47% — % of children who have done this in the past year

Base: Internet-using children aged 12–17 in Thailand. n = 967.

Meeting someone in-person following an online interaction

A similar proportion of children (87%) and caregivers (93%) said that meeting 'online strangers'[47] in-person was risky for children. Older children were more likely to say that such meetings were 'very risky' compared to the youngest respondents (12–13: 60%; 14–15: 69%; 16–17: 75%). Caregivers across all age groups were equally likely to classify meeting people in-person who they first met online as very risky.

Given the high perception of risk around meeting online strangers face-to-face, it is perhaps not surprising that a minority of children (10%) had engaged in this kind of activity during the past year. There were no gender disparities but a higher proportion of older children met online strangers in person compared to younger age groups (ages 12–13: 7%; 14–15: 8%; 16–17: 15%).

Figure 8: Children's risk assessment of meeting online strangers in person versus children who have engaged in this behaviour in the past year.

Going to meet someone face-to-face that they first got to know online

68% — % of children who say this is 'very risky' for children their age

In the past year, have you ever met anyone face-to-face that you first got to know on the internet?

10% — % of children who have done this in the past year
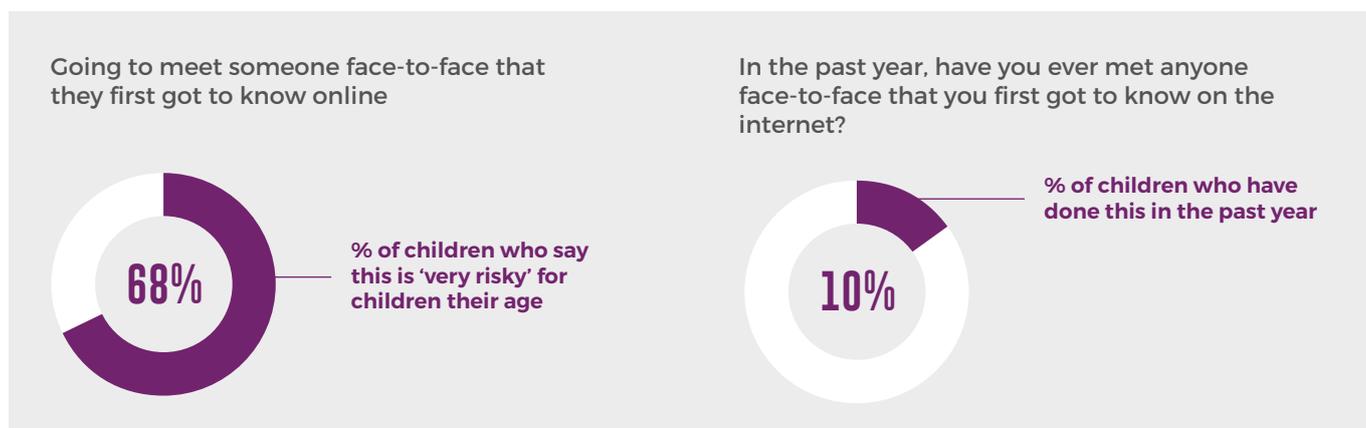
Base: Internet-using children aged 12–17 in Thailand. n = 967.

47. Children were asked: "In the past year, have you ever met anyone face-to-face that you first got to know on the internet?"

Figure 9: How children felt the last time they met someone face-to-face who they had first got to know on the internet.
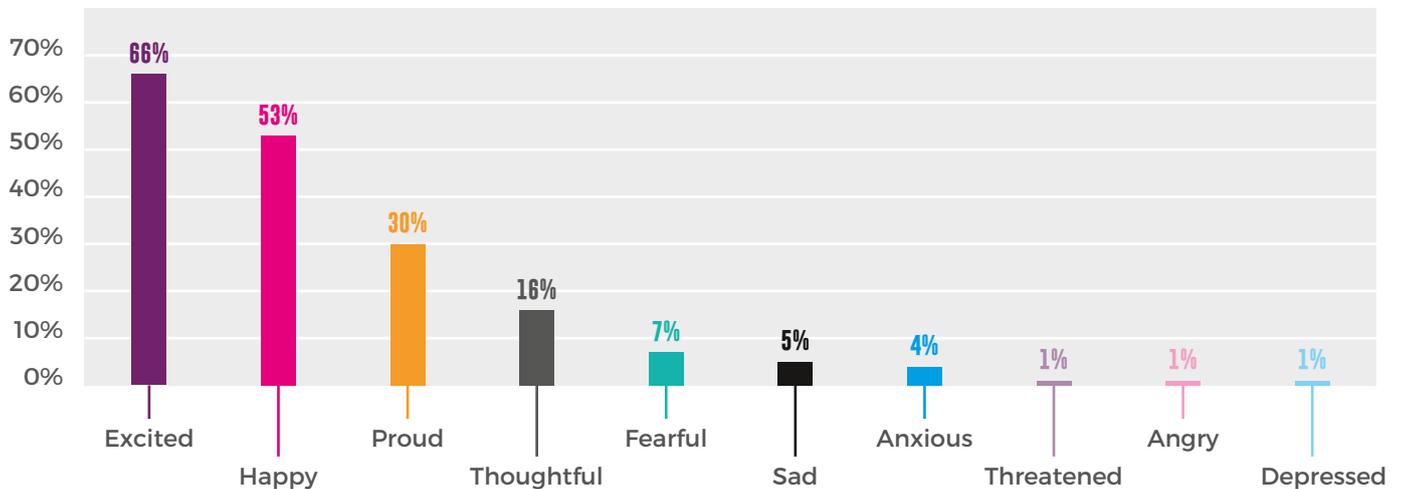
Base: Children who met someone face-to-face that they first got to know online in the past year. n = 98 children.

For the 98 children who met an online stranger in-person during the past year, they tended to report feeling positive about the encounters (see Figure 9). Research conducted in more than 30 countries around the world shows similar findings.[48,49]

Meeting someone you do not know face-to-face for the first time can be very risky. But there are many different types of such encounters, like connecting with new children in the community first online and then in person or going to group events with caregivers. The experiences of *most* internet-using children in Thailand who met someone in person who they first met online seem to indicate that the risk of harm is relatively low for children. However, if harm occurs, it can be very severe. In Thailand, children and caregivers' awareness of the level of risks associated with these encounters is high. Given that engaging with strangers online and then meeting them in person carries a significant level of risk *all* children should be informed of the risks and taught how to engage safely and responsibly.

Talking about sex online

When asked how risky it is for children to talk about sex with someone online, 92% of caregivers and 86% of internet-using children said this was either somewhat or very risky. Girls were slightly more likely than boys to say that talking about sex online was 'very risky' (78% girls; 69% boys), and older children were more likely than younger children to say this activity was 'very risky' (ages 12–13: 65%; 14–15: 76%; 16–17: 80%).

1.3.2 Seeing sexual images online

Most caregivers (92%) and internet-using children (82%) in the household survey identified seeing sexual images or videos online as risky for children. There were no notable age or gender differences.

Disrupting Harm data suggest that seeing sexual content is one of the main concerns caregivers have about their children's online use (50%), along with their child being contacted by strangers (49%). Concerns around children seeing sexual images or videos were not limited to children's immediate caregivers. In the survey of frontline social support workers, one respondent detailed the potential consequences of children seeing sexual content: *"It is easy to access sexually explicit content online that is inappropriate and unacceptable according to social norms. Users can access it easily and can imitate the actions"* (RA3-TH-14-A).

Frontline workers noted that as a result of a very common discomfort in discussing sex and sexuality openly, some young people may turn to online avenues to seek information and expression, and thus may open themselves to risk: *"Expression of*

48. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. UNICEF Office of Research – Innocenti, Florence.
49. Smahel, D., MacHackova, H., Mascheroni, G., Dedkova, L., Staksrud, E., Olafsson, K., Livingstone, S., & Hasebrink, U. (2020). EU Kids Online 2020: Survey results from 19 countries. London School of Economics and Political Science, London, UK.

Figure 10: Children's risk assessment of seeing sexual images or videos online versus children who have actively looked for this content in the past year.

Seeing sexual images or videos on the internet

68%

% of children who say this is 'very risky' for children their age

I have seen sexual images or videos online because I wanted to (for example, I accessed a website or social network expecting to find that kind of content there)

24%

% of children who have done this in the past year

Base: Internet-using children aged 12–17 in Thailand. n = 967 children.

a sexual nature is something that society has difficulty accepting or cannot accept," the respondent said, *"persons at risk choose to suppress this desire and hide it from other persons close to them or from the society. They find their way to express it online instead."* (RA3-TH-48-A). Eighty-six percent of workers identified taboos discussing sex and sexuality increased children's vulnerability to OCSEA in the frontline workers' survey.

Turning to the actual behaviour of the children in the household survey, 24% of 12–17-year-old internet-users said they had *actively looked* for sexual images or videos online during the past year; 17% said they looked for such content sometimes, while 7% said they do this often. There were slight differences across gender (boys: 27%; girls: 22%) and age (12–13: 22%; 14–15: 28%; 16–17: 23%).

On the other hand, 29% of internet-using children said that they saw sexual images or videos by accident. There were no age or gender discrepancies. Of this subsample of 275 children that said they accidentally saw sexual content online, 51% saw it in advertisements (e.g., a pop-up or website), 37% saw it on social media, 34% via direct messages (e.g., a Facebook or WhatsApp message), and 33% while doing a web search. This suggests that technology companies need to strengthen child safety mechanisms to ensure children are not exposed to sexual content by accident on their platforms.

1.3.3 Taking and sharing self-generated sexual content

Self-generated sexual content

Eight percent of internet-using children in Thailand said they had taken naked images or videos of themselves in the past year. Most internet-using children (70%) and caregivers (73%) agreed that "it is wrong for a person to take naked images or videos of themselves." While there were no major discrepancies across children's age groups, girls were more likely than boys to say that this was the wrong thing to do (girls: 73%; boys: 66%).

While this does not constitute 'self-generated' sexual content, it is worth noting that 9% of internet-using children had allowed *someone else* to take images or videos of them naked in the past year.[50] These instances could be consensual activity amongst peers or could represent OCSEA. In addition, the true figures could be much higher, as some children may not be comfortable disclosing this information. There were no clear differences by age or gender. There was a notable difference between children living in urban areas compared to children in rural areas (15% and 4%).

Sharing self-generated sexual content

Eighty-six percent of internet-using children aged 12–17 and 92% of caregivers said that sending a sexual image or video to someone on the internet was risky for young people. The oldest children in the sample were more likely to say that sharing sexual content online was risky for children compared to other age groups

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50. This was defined as content showing their breasts, genitals or bottoms.

Figure 11: Children's risk assessment of sending sexual content online versus children who have engaged in this behavior in the past year.

Sending a sexual image or video to someone on the internet

74%

% of children who say this is 'very risky' for children their age

In the past year, how often have you shared naked pictures or videos of yourself with someone else online?

9%

% of children who have done this in the past year
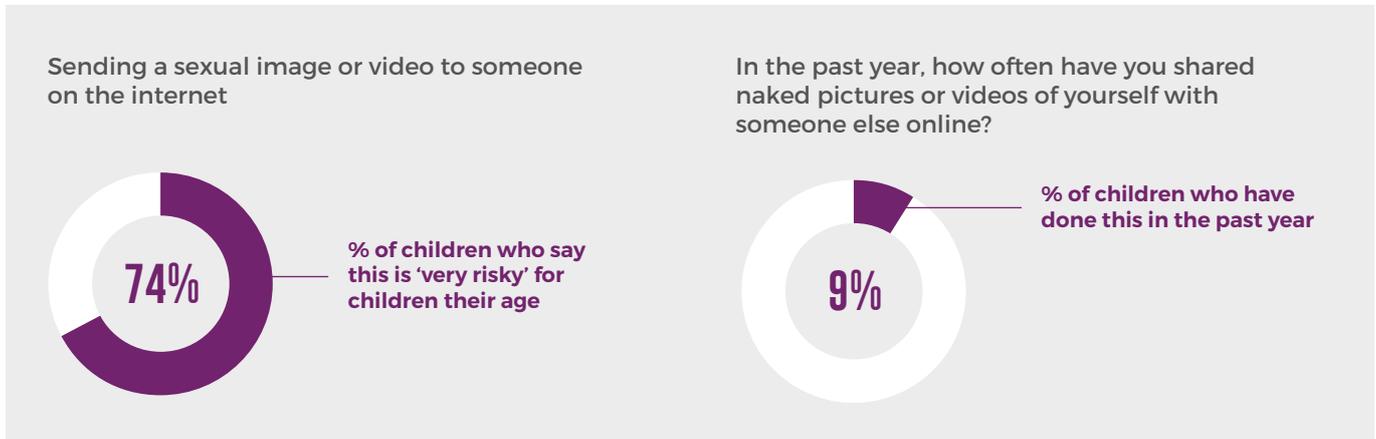
Base: Internet-using children aged 12–17 in Thailand. n = 967 children.

(ages 12–13: 66%; 14–15: 73%; 16–17: 81%). For caregivers, there were no differences across age and gender.

When it comes to non-consensual sharing of sexual content, a majority of Thai children and caregivers tended to place responsibility on the victims. Seventy percent of children and 77% of caregivers agreed that "if someone takes naked images or videos of themselves, it is their fault if they are shared with other people." This victim-blaming by both children and caregivers is concerning, given that in the past year, 9% of internet-using children in Thailand had shared their naked images or videos online. If those children's experiences lead to harm, it may be difficult for them to seek support, particularly from their caregivers. Non-consensual sharing of sexual content is discussed further on page 58.

Although sharing sexual content online is a big concern for caregivers and duty-bearers, very little is known about why children share it. Among the subsample of 88 internet-using children who had shared naked images or videos of themselves in the past year, the most common reasons were concerns over losing a relationship with the other person if they did not share, being in love, trusting the other person, and being threatened (Figure 12). A few children shared sexual content because they were pressured by their friends or because they were offered money or gifts in exchange for such images. This survey question had a 24% non-response rate.

While only two children in this subsample said that they shared naked pictures or videos of themselves because they were pressured by friends to do so, 8% of children in the full sample of 967 reported that they *themselves* had "pressured someone their age to send them sexual pictures or videos" during the past year. Children were equally likely across age groups and by gender to pressure other children their age for sexual content. However, children living in urban areas were more likely than those in rural locations to do this (13% and 3%).

Among the 88 children who had shared naked content in the past year, most (42%) did so with someone they first met online who was a friend of a friend or family member. This was followed by a friend or someone else they knew in person (33%) and – concerningly – someone they met online who had no other connection with their life. Children were least likely to share such content with a romantic partner. Of note is the high non-response rate to this question (29%).

Some respondents working in the field of child protection were sceptical about children's ability to navigate the risks that come with sharing self-generated sexual content. An interviewee from the ThaiHotline[51] explained that based on the cases the hotline had received, some children *"have zero awareness on how the clip will be posted online. The children just think that there will be only a few*

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51. ThaiHotline is a dedicated CSAM hotline, which aims to remove illegal and harmful online content (including OCSEA) via an anonymous reporting system for internet users. For more information about the ThaiHotline see chapter 3.1.3.

Figure 12: Reasons given by children for sharing naked images or videos of themselves.

Reason	Percentage
Worried that I would lose the person if I didn't share	26%
In love	23%
Trusted the other person	23%
Threatened	17%
Prefer not to say	15%
Flirting or having fun	9%
Did not think there was anything wrong with sharing the pictures or videos	9%
Wanted the attention of the person	9%
Don't know	9%
Pressured to share the pictures or videos by their friends	3%
Offered money or gifts in exchange for the pictures or videos	1%
Other	1%

Base: Children who have shared naked images or videos of themselves in the past year. n = 88.

people watching between the people who got the clips. [Children think their] parents and teachers are just in a different world and will not see the clip anyway" (RA2-TH-01-A). This view was also shared by one of the frontline workers surveyed, who said: *"Risk of online abuse has increased because the child is not able to foresee the danger"* (RA3-TH-04-A).

However, data from the *Disrupting Harm* household survey with children suggest that some children are aware of some risks involved and how to navigate them. Children were asked: "when you share naked photos or videos, do you try to make sure that you cannot be recognised?" By making sure they cannot be recognised, children can protect their identity in case their image is shared further. In the subsample of 88 children who had shared naked content of themselves with others in the past year, 58% said that they hid

their identity while doing so; this could indicate that many children are aware of the risks involved and make some attempts to mitigate them. This does not mean that sharing self-generated images with others is free of risk, because as soon as they are shared with others, children lose control of whether they are shared further without permission (see box "The rise in self-generated sexual content involving children"). Noteworthy is that while 70% of girls concealed their identity when sharing naked photos or videos of themselves, only 39% of boys reported doing so. This could mean that boys are at higher risk of some forms of OCSEA, such as sexual extortion. Difference by age group on the other hand, were not as pronounced (ages 12–13: 52%; 14–15: 61%; 16–17: 59%).

### The Rise in Self-Generated Sexual Content Involving Young People

The increasing use of technology is leading to shifts in notions of privacy and sexuality among children in some parts of the world, particularly adolescents.[52] Forms of behaviour that are increasingly normative to young people can be bewildering for adults who grew up in a different time. For example, chatting and video live-streaming is frequent, whether among small private groups of friends or large, anonymous public audiences. While much of this is harmless, producing and sharing self-generated sexual content using these tools is also increasing and bringing significant risks.[53]

The sharing of self-generated sexual content by children is complex and includes a range of different experiences, risks, and harms. As the data show, some self-generated content is created and shared with others because children are in love or having fun. Such exchanges have been shown to be a part of young people's sexual experiences.[54,55] However, the data also show that the creation and sharing of self-generated sexual content can be coerced, for example, through threats or peer pressure (see chapter 2.2). The most common reason cited by children for sharing their self-generated images or videos with others is concerns that they would lose the other person if they did not share.

While coercion can clearly be seen as a crime and leads directly to harm, there can be negative consequences for children sharing any sexual content including in cases where sharing is not coerced. Material shared willingly may not cause harm at first, but there remain risks if it is later shared beyond the control of the person who created it. Once it exists, such content can also be obtained deceptively or using coercion and circulated by offenders perpetually (see Figure 13).[56,57]

Furthermore, Thai law criminalises obscene material in general[58] which adds an extra layer of complexity to this issue. Victims of coerced sharing may be reluctant to report their case as they could expose themselves to criminalisation under the Anti-Pornography Act for the production of such content.

Figure 13: Mapping the consequences of sharing self-generated sexual content involving children.
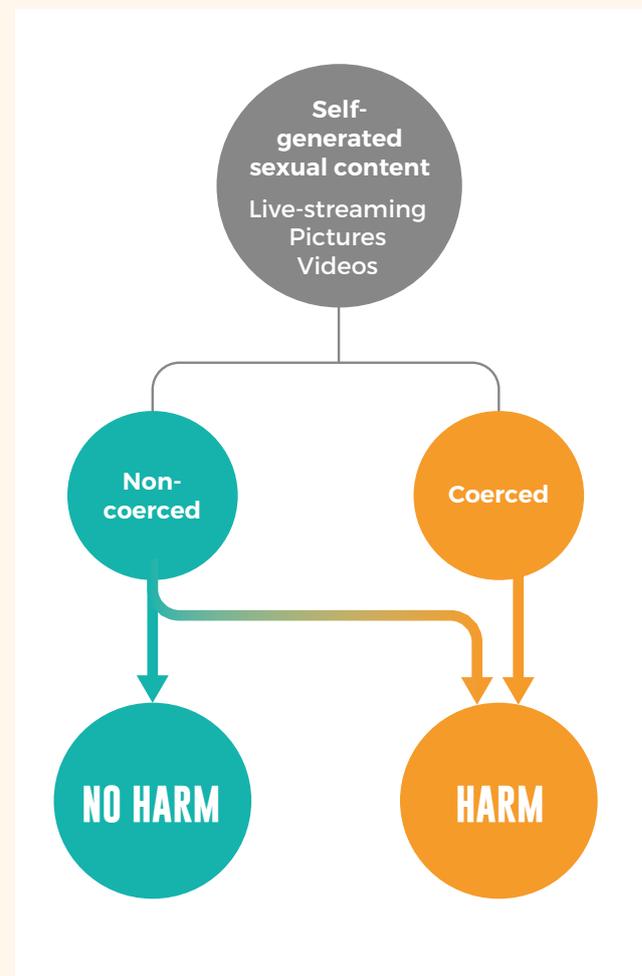
52. Livingstone, S. & Mason, J. (2015). Sexual Rights and Sexual Risks Among Youth Online: a review of existing knowledge regarding children young people's developing sexuality in relation to new media environments. European NGO Alliance for Child Safety Online, London.
53. Thorn & Benson Strategy Group. (2020). Self-Generated Child Sexual Abuse Material: Attitudes and Experiences.
54. Madigan S., Ly A., Rash C.L., Van Ouytsel J., Temple J.R. (2018). Prevalence of Multiple Forms of Sexting Behavior Among Youth: A Systematic Review and Meta-analysis. JAMA Pediatr.
55. ECPAT International (2018). Towards a Global Indicator on Unidentified Victims in Child Sexual Exploitation Material. Technical Report. B ECPAT International.
56. EUROPOL. (2019, 9 October). Internet Organised Crime Threat Assessment 2019.
57. Bracket Foundation. (2019). Artificial Intelligence: Combating Online Sexual Abuse of Children.
58. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 287.

2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN THAILAND

Following on from children's perceptions of, and participation in, various risky online practices, this chapter turns to the threat of OCSEA in Thailand. *Disrupting Harm* draws on a variety of sources – including law enforcement data, mandated reports related to Thailand from United States-based technology companies to the National Center for Missing and Exploited Children (NCMEC), surveys with frontline workers and surveys, interviews and conversations with children themselves – in order to create a well-rounded presentation of the nature of these crimes against children.

This chapter presents estimates of the occurrence of certain instances of OCSEA based on data from law enforcement units and children's self-reported experiences, followed by insights about victims and offenders and top barriers to reporting abuse as told by children. For several reasons, estimates are not intended to provide a conclusive picture of the prevalence of OCSEA. Firstly, the existing administrative data accessed, such as that kept by law enforcement authorities, rarely delineates or classifies OCSEA elements. Secondly, with respect to the household survey, a degree of under-reporting is to be expected due to privacy concerns and hesitation to discuss sexual activity and experiences of sexual exploitation and abuse. Furthermore, in households where sexual abuse occurs, it is less likely to be given permission to talk to the children in such a survey. Finally, many estimates are based on analysis of sub-samples of the survey data that are small because OCSEA is still a rarely reported phenomenon, which results in a larger margin of error.

While *Disrupting Harm* has full confidence in the data and the quality of the sample obtained, the challenges of researching specific and sensitive phenomena mean the loss of some precision in the final estimate. For these reasons, it is suggested that the reader interprets the findings in this chapter as *a good approximation* of the occurrence of certain crimes against children related to OCSEA in Thailand and the extent to which internet-using children in Thailand are subjected to OCSEA.

2.1 LAW ENFORCEMENT

The analysis in this chapter draws on qualitative and quantitative data from law enforcement authorities and several partner organisations, with a view to understanding relevant offences recorded in the country, offender and victim behaviours, and crime enablers and vulnerabilities. The quantitative data are reported numbers and not a complete picture of OCSEA prevalence.

2.1.1 Recorded OCSEA offences

In Thailand, there is a mature illicit economy in which recordings of offline child sexual exploitation and abuse (CSEA) are commercialised as CSAM, and for which there is an international market (RA7-TH-05). This demonstrates how online and offline exploitation and abuse of children can be interdependent and why distinguishing between the two is often difficult. Where official numbers for OCSEA are lacking, data for the more general category of child sexual exploitation and abuse (CSEA) offences is analysed on the assumption that an unspecified number of recorded offences are likely to have involved the use of digital technology at some point.

Law enforcement data for OCSEA cases presented in this chapter were supplied by the Department of Special Investigations (DSI) under the Ministry of Justice of the Royal Thai Government and the Thailand Internet Crimes Against Children task force (TICAC). Comprehensive national data for all CSEA and OCSEA cases was unavailable.

Since criminal offences in Thailand are reported to local police stations in the first instance, the data below does not represent the national total of recorded CSEA and OCSEA offences but rather the specific caseloads of the two above-mentioned specialist units, each of whom have different investigative priorities.

According to the data provided (Figure 14), OCSEA is involved in about half of the caseloads for DSI and TICAC. However, the total number of cases is fairly limited. While this is not comprehensive national data, the figures from these two units do provide a useful indication of the extent to which OCSEA-related cases are being observed in Thai crimes against children.

2.1.2 International OCSEA detections and referrals

On behalf of Thai law enforcement, data were requested for *Disrupting Harm* from the U.S. National Center for Missing and Exploited Children (NCMEC) on CyberTips concerning suspected child sexual exploitation in Thailand for the years 2017 to 2019. U.S. federal law requires that 'electronic service providers' (i.e., technology companies) based in the U.S. report instances of suspected child sexual exploitation to NCMEC's CyberTipline.

However, for providers not based in the United States, this reporting is voluntary, and not all platforms report suspected child exploitation to NCMEC. There is a data gap pertaining to the number of platforms popular in the *Disrupting Harm* focus countries. Therefore, the data presented here is only what has been reported and it does not present a complete picture. This is particularly the case for Thailand, where data from law enforcement

Figure 14: Law enforcement caseloads, DSI and TICAC.

Department of Special Investigations (DSI)	2017	2018	2019	Total
Child sexual exploitation and abuse cases	10	13	14	37
Online child sexual exploitation and abuse cases	5	6	6	17

Thailand Internet Crimes Against Children (TICAC)	Total (June 2015 to October 2020)
Child sexual exploitation and abuse cases	302
Online child sexual exploitation and abuse cases	152

Source: Data provided by DSI and TICAC.

Figure 15: CyberTips concerning suspected child sexual exploitation in Thailand.

	2017	2018	2019	% change 2017–2018	% change 2018–2019	% change 2017–2019
Thailand	279,067	360,507	355,398	29%	–1%	27%
Global Total	10,214,753	18,462,424	16,987,361	81%	–8%	66%
Thailand % of Global Total	2.73%	1.95%	2.09%			

Base: CyberTip data provided by NCMEC.

authorities and partner organisations point to the misuse of Thailand-, Japan- China- and Russia-based platforms for OCSEA, yet these platforms – namely Line, WeChat, and V-Kontakte – do not report to NCMEC (RA7-TH).

Overall, a total of 995,000 CyberTips were made regarding Thailand for 2017 to 2019, an average of 2.2% of the global total.

Moreover, an assessment conducted jointly by Google, NCMEC and Thorn on the distribution of online CSAM in the years 1998 to 2017 placed Thailand third worldwide in raw numbers of CyberTips based on longitudinal data (IP address). During this period, a total of 1,706,055 CyberTips were ascribed to Thailand, representing 11% of all reports, and 64 CyberTips per 1,000 estimated internet users.[59] However, during 2017 to 2019, a smaller increase in CyberTips for Thailand (27%) was seen comparted with the global totals (66%).

TICAC has direct access to the CyberTips for Thailand. It is unclear from the data available how many of these CyberTips have been incorporated into TICAC's OCSEA caseload,[60] which totalled 152 cases from June 2015 to October 2020. In addition, one foreign law enforcement agency, which requested anonymity, reported to INTERPOL that they had referred 79 OCSEA cases to Thai authorities between 2017 and 2019. Referrals from foreign law enforcement agencies are most often made when an ongoing investigation is found to involve an offender or victim in the second country or when a domestic service provider makes a report to the national law enforcement authority that is indicative of OCSEA in the second country. Since the scope of this project did not include systematic collection of data concerning OCSEA referrals from all law enforcement agencies outside Thailand, it is likely that there have been additional international referrals.

Types of OCSEA Offences

Analysis of the types of incidents in the CyberTips reveals that the possession, manufacture, and distribution of CSAM accounts for almost all of Thailand's data.

CyberTips classified as relating to CSAM, including possession, manufacture, and distribution increased by 27% between 2017 and 2019, in line with the national totals. While the numbers for other incident types were comparatively small and not subject to the same level of increase, multiple CyberTips concerning suspected offline child exploitation may reflect Thailand's status as a tourist destination of particular interest to traveling sex offenders. To this end, NCMEC's additional internal classification (Incident Type 2)[61] tagged an additional 86 CyberTips in the reporting period as related to online enticement of children pre-travel. Also, in the reporting period 2017 to 2019, 24 CyberTips were classed by NCMEC as Priority 1, indicating a child in imminent danger, while a further 103 were Priority 2, indicating a child in real danger.

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59. Bursztein, E. et al. (2019). Re-thinking the Detection of Child Sexual Abuse Imagery on the Internet. In Proceedings of the 2019 World Wide Web Conference (WWW '19), May 13–17, 2019, San Francisco, CA, USA. ACM, New York, NY, USA. Top three countries were Iraq, Thailand and Somalia, based on reports per 1,000 internet users.
60. TICAC prioritises investigations in which there are indications that a child has already been abused or is subject to the grooming process.
61. Incident Type 2 (IT2) is an additional classification by NCMEC, including additional disaggregated data. IT2 classifications may include auto-referred international, unconfirmed files (files not reviewed by NCMEC), Online enticement blackmail, Child images (clothed), not enough information (Dummy record), animation drawing or virtual, images appearing adult. IT2 does not indicate imminent threat and is not necessarily associated with Priority levels.

Figure 16: CyberTips concerning suspected child sexual exploitation in Thailand, by incident type.

Incident Type	2017	2018	2019
CSAM, including possession, manufacture, and distribution (NCMEC classification: child pornography)[62,63]	278,926	360,467	355,360
Travelling child sex offences (NCMEC classification: child sex tourism)[64]	12	11	7
Child sex trafficking	6	6	11
Child sexual molestation	2	4	–
Misleading words or digital Images on the internet	–	3	2
Online enticement of children for sexual acts	117	14	17
Unsolicited obscene material sent to a child	4	2	1
Thailand Total	**279,067**	**360,507**	**355,398**

Source: Data provided by NCMEC.

In terms of social media platforms, Line and Instagram featured in cases of suspected OCSEA-related crimes handled by DSI. More than 99% of the CyberTips for Thailand in the period 2017 to 2019 had electronic service providers as their source. A total of 61 electronic service providers submitted at least one CyberTip related to suspected child exploitation for Thailand for the reporting period. This would indicate some diversity in the platforms used by the general population and by OCSEA offenders.

Facebook dominates the CyberTips, responsible for 96% of those made in 2019. The increase of 26% in Facebook CyberTips to Thailand between 2017 and 2019 is broadly similar to the trend observed in Thailand's total CyberTips worldwide. Although in smaller volumes, there were notable increases between 2017 and 2019 from Google – these grew from 3100 in 2017 to 7280 in 2019, Instagram recorded 290 CyberTips in 2017 which jumped to 2059 in 2019, while Imgur made 457 CyberTips in 2017 which grew to 938 in 2019. CyberTips from Twitter were noted at 2250 in 2017 and 3067 in 2019.

Despite being mentioned by national law enforcement as a platform misused in OCSEA, the instant messaging app Line does not feature in this more detailed analysis because it does not notify NCMEC of suspected child sexual exploitation. Also, absent from this list is the Russia-based platform VK. According to the ThaiHotline, the more persistent and sophisticated offenders in Thailand exchange CSAM in dedicated groups, such as the shut-down VK group "ดูให้ตาแฉะ do-hai-ta-share" (literally, 'watch till your eyes bleed'), which contains large amounts of CSAM content and links.

CyberTips for Thailand are notable for the high number of different image hosting and video sharing platforms that made reports. The existence of multiple reports from platforms such as Motherless.com, 4chan (an anonymous image-based bulletin board), Hacker Factor (a digital forensics research company), and Tiversa (a dark web and peer-to-peer monitoring firm) further confirm the presence in Thailand of OCSEA offenders that have a high level of technical sophistication and specialist interest, as do the emergence of platforms such as Discord (157 reports in 2019) and Twitch, which are often used to facilitate gaming chat and streaming.

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62. The terminology used in this column reflects classification by the National Center for Missing and Exploited Children in line with U.S. legislation. *Disrupting Harm* advocates use of the term Child Sexual Abuse Material, in line with the Luxembourg Guidelines.
63. CyberTips under this category may reference more than one file of CSAM. For example, some reporting electronic service providers include more files per report, as opposed to one image per report and multiple reports per suspect.
64. The terminology used in this column reflects classification by the National Center for Missing and Exploited Children in line with U.S. legislation. Disrupting Harm advocates use of the term Travelling Child Sex Offences, in line with the Luxembourg Guidelines.

Figure 17: CyberTips concerning suspected child sexual exploitation in Thailand, top twenty reporting electronic service providers.

Reporting Electronic Service Provider	2017	2018	2019	% of 2019 Total
Facebook	271,507	347,718	341,24	96%
Google	3,100	4,278	7,280	2%
Twitter, Inc. / Vine.co	2,250	3,083	3,067	1%
Instagram, Inc.	290	2,175	2,059	1%
Imgur, LLC	457	631	938	0.26%
Discord Inc.	–	–	157	
Microsoft – Online Operations	143	1,765	125	
Pinterest Inc.	109	114	121	
Tagged.com	39	37	57	
Imagebam/ Flixya Entertainment/ videobam	157	270	47	
Yahoo! Inc	33	25	33	
Tumblr	71	45	27	
4shared	221	78	25	
ProBoards	1	–	25	
Snapchat	9	16	24	
Roblox	2	6	23	
Skout.com	116	3	18	
MeetMe.com (formerly known as myYearbook.com)	13	15	16	
Adobe Systems Incorporated	9	9	13	
Dropbox, Inc.	4	7	11	

Source: Data provided by NCMEC (sorted by 2019 counts, null results removed).

Online Sexual Exploitation and Abuse and Online Gaming

In the household survey of internet-using children, 81% said they use the internet to play online games on a weekly basis. Online gaming was somewhat more popular among boys and younger children. The popularity of online gaming among children and youth in Thailand has been documented in a number of earlier studies, including 2019 research of 3,056 adolescents in grades 7–12 which found that 65% played online games almost every day, for an average of 3–5 hours per day.[65]

Gaming platforms are a beneficial source of entertainment, learning, and socialising for many people, including children. However, as with any platform where children spend time, games can be abused by perpetrators looking to harm children. To illustrate, a public prosecutor from the Attorney General office detailed how the grooming process through gaming might look like: *"Some offenders persuade children to play games and ask children to take off their clothes after playing games or set the condition that if children take off their clothes, they will get the awards such as golden or silver coins"* (RA1-TH-04-A).

The *Disrupting Harm* household survey findings clearly indicate that online games are a channel through which children in Thailand can be subjected to OCSEA:

- Of the 66 children who said they had been offered money or gifts to meet in person to engage in sexual activities in the past year, 41 said this happened to them through an online game

- Of the 101 children who received unwanted requests to talk about sex, 37 said the last such request happened through an online game

- Of the 68 children whose sexual images were shared without their permission, 43 said that this most recently happened through an online game

- Of the 167 children who had been verbally sexually harassed, 24% said it most recently happened in an online game

This is challenging because online games are a largely unfamiliar setting for most caregivers; while 94% of caregivers who participated in the household survey use the internet, only 23% play online games on a weekly basis. There is a need to explain to caregivers that, as with any other media children interact with, online games can play a positive role in children's day-to-day lives but can also be misused by perpetrators to sexually exploit or abuse children. Rather than preventing children from playing online games, caregivers might take more of an interest in the types of games their children often play, ask questions about the platforms they use and who they play with, and teach their children about the possibility of encountering sexual exploitation and abuse when gaming and how to mitigate the risk of harm.

65. Department of Children and Youth, Ministry of Social Development and Human Security. (2020). Report on the Situation of Children and Youth for the financial year of BE..2563 (2020)

Multiple reports from skout.com (137 reports in total), Tagged.com (133 reports), and Tinder, as well as appearance in the data of Initech/Growlr, speak to the misuse of dating sites for suspected distribution of CSAM. The reports from Chaturbate, a platform specialising in the provision of adult live-streamed sexual activity that is often paid for in tokens and raise the possibility of OCSEA with a commercial element taking place (see "OCSEA with a commercial element").

2.1.3 Child sexual exploitation and abuse offences

The child sexual exploitation and abuse offences registered by DSI and TICAC demonstrate the difficulty of distinguishing offline and online child sexual exploitation and abuse. This is particularly true in Thailand, a country where child sexual abuse material distribution and offline child sexual exploitation and abuse value chains are often interdependent (see Venn diagram Figure 20), and where there is an established international market for both.

Figure 18: Child sexual exploitation and abuse cases by offence type, DSI.

Department of Special Investigations	2017	2018	2019	Total
Offline contact sexual offences involving girls	1	0	0	1
Offline contact sexual offences involving boys	5	4	11	20
Live streaming of CSEA / live distant child abuse	2	2	0	4
Unregulated exposure to sexual/pornographic content	4	4	5	13
CSAM production and distribution	1	0	0	1
Technology facilitated travelling sex offenders	0	0	1	1
Online sexual offences involving bullying by a child or a peer	0	0	1	1
TOTAL	14	10	18	

Base: Data provided by DSI.

Figure 19: Child sexual exploitation and abuse cases by offence type, TICAC.

Thailand Internet Crimes Against Children	Cases (June 2015 – Oct 2020)[66]
Human Trafficking	89
Child Sexual Abuse	75
CSAM Offences ('Child Pornography')	152
Total	302

Source: Data provided by TICAC.

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66. The data provided by TICAC refers to total number of cases between June 2015 and October 2020. The numbers provided were not disaggregated per year, which did not allow to present the data for the *Disrupting Harm* reporting period described in the methodology (i.e. 2017–2019).

While the numbers are small, and the offence types reflect the different organisational priorities of the two units, the case data nevertheless indicate that individuals in Thailand are engaged in a range of OCSEA-related activities and that there is a dynamic relationship between online and offline offending. A closer look at TICAC data shown in Figure 20 confirms this overlap.

Locations

While DSI's operations to combat CSEA focus on Pattaya and Bangkok, TICAC investigates CSEA across Thailand. Between June 2015 and October 2020,[67] CSEA cases were identified in Nakhon Ratchasima (43 cases), Bangkok Metropolitan (42), Chonburi (38), Chiang Mai (31), and Phayao (13).

A selection of recent law enforcement operations further illustrates the interconnectedness of CSEA and OCSEA:

- Operation Cross Country 11 was a joint operation between TICAC and the U.S. Federal Bureau of Investigation. In this 12-day operation in 2016, two male Thai offenders were investigated for child sexual abuse of a girl and a boy, while a further eight male offenders were investigated for CSAM offences.

These eight offenders were based in the United States, Australia, Norway, Switzerland, and the United Kingdom.

- In a repeat of this operation in 2017, law enforcement authorities identified nine Thai offenders and four American offenders, investigated four cases of human trafficking, two of child sexual abuse and six of CSAM offences, and safeguarded ten victims.

- In a 23-day operation in 2018 conducted jointly by TICAC, the Royal Thai Police Anti-Trafficking in Persons Division, and the Tourist Police, law enforcement authorities investigated three cases of human trafficking, three of child sexual abuse, and 11 of CSAM offences. Law enforcement identified 17 suspects, 15 of whom were male and 14 of whom were based in Thailand. The remaining three suspects were based in Germany, Russia, and Switzerland. Of the eight victims identified, seven were female, and six were still children.

- Operation Save the Children took place from April to June 2020. A total of 53 CSEA cases were investigated, of which 30 concerned CSAM offences, 13 child sexual abuse, and nine human trafficking. During investigations, 150,000 files of CSAM were seized, and 47 offenders and 40 victims were identified.

Figure 20: Types of child sexual exploitation and abuse cases investigated by TICAC (2015–2019).
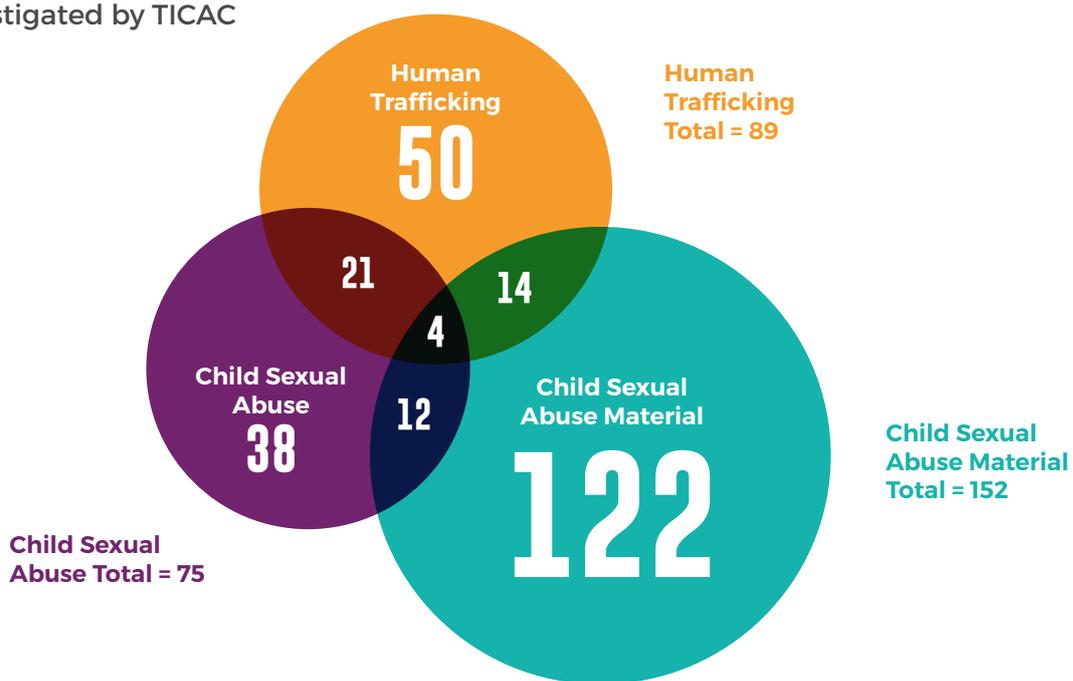
Base: TICAC.

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67. The data provided by TICAC refers to total number of cases the task force has worked on between June 2015 and October 2020. The numbers provided were not disaggregated per year, which did not allow to present the data for the Disrupting Harm reporting period described in the methodology (i.e., 2017–2019).

The Continuum of Online and Offline Child Sexual Exploitation and Abuse

The *Disrupting Harm* data reveal that labelling child sexual exploitation and abuse as 'online' or 'offline' does not do well to reflect the realities of sexual violence that children are subjected to. Children can be abused or exploited while they spend time in the digital environment, but offenders can also use digital technology to facilitate violence, for example, social media or instant messaging can be used to convince or coerce children to meet offenders in person, leading to 'offline' child sexual exploitation and abuse.

Case Study: CSAM production and distribution

In August 2018, a case was reported to DSI. Two boys accompanied their grandmother to her workplace. The house belonged to a male Thai national – who was living abroad at the time – and was occupied by his boyfriend. The boyfriend took pictures and videos of the victims without clothes and in the shower. The compliance of the victims was ensured by using video games as an attraction. The material was shared online through the social media platform Line. The case was initiated as a tip from the Australian Federal Police and was part of Operation Blackwrist.[68] INTERPOL was involved in intelligence gathering and supporting member states in victim identification. The victims were safeguarded and referred to a counsellor within the Ministry of Social Development and Human Security, and the offender has been convicted to 21 years of imprisonment.

Disrupting Harm explores and presents data about:

1. Sexual exploitation and abuse that takes place in the online environment.
2. Sexual exploitation and abuse that takes place offline but is facilitated by digital technology.
3. Sexual exploitation and abuse that is committed 'offline' and then moves online through sharing images or videos of the abuse as illustrated in the case study below.

Interviews with sixteen government stakeholders show that there is a growing understanding of the interconnectedness of 'offline' CSEA and OCSEA-related crimes: *"Currently, the forms of child exploitation and abuse are different from the past. Now, the exploitation and abuse can be through online media, not direct physical exploitation, as occurred in the past"* (RA1-TH-05-A). However, the governmental, justice and civil society systems have not fully adjusted to meet this reality, and this is important to keep up with the evolving nature of digitally-facilitated abuse: *"30–40-year-old practitioners are supposed to understand and catch up with the views and opinions of children. This new generation of workers must think about what will happen in the future."* said a representative from the Department of Juvenile Observation and Protection (RA1-TH-01-A-F).

In addition, a lack of clarity remains around the responsibilities of various agencies in addressing OCSEA cases. And, as one interviewee emphasised, there is a need to establish clearer laws around OCSEA-specific crimes to make it easier for law enforcement to act and for children to obtain justice through courts: *"If there are a special procedural law and special division in the court like human trafficking cases, it will improve the efficiency of the judicial law for online child abuse cases."* (RA4-TH-02-A)

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68. INTERPOL. (2019). 50 Children Rescued, 9 Sex Offenders Arrested in International Operation.

Figure 21: NCMEC CyberTips concerning suspected child sexual exploitation in Thailand. Number of unique uploads IP addresses by year.[69]

	2017	2018	2019	% Change 2017–2019	% Change 2018–2019
Thailand Unique Upload IP addresses	229,372	260,867	258,614	13%	−1%
Total Thailand Reports	279,067	360,507	355,398	27%	−1%
Reports per Unique IP address	1.22	1.38	1.37	13%	−1%

Base: CyberTip data provided by NCMEC.

CSAM distribution focus

An Internet Protocol (IP) address is assigned to each individual device on a specific network at a specific time. NCMEC CyberTip data for Thailand permits analysis of the number of unique IP addresses that were engaged in suspected child exploitation.

Multiple reports per IP address can indicate that suspects (or at least their devices) are engaged in multiple offences of CSAM distribution during the same online session, which may be indicative of a more deliberate style of offending that is less likely to be committed through lack of knowledge. By the same token, Thailand's consistently low average number of CyberTips per Unique IP address (see Figure 21) may suggest a tendency towards lower volume CSAM offending within individual online sessions on globally popular platforms.

Data on CSAM distribution on peer-to-peer is more of an advanced activity file-sharing networks present a rather different picture. According to the Child Rescue Coalition's Child Protection System, between 9 June 2019 to 8 June 2020, a total of 3,049 Thai IP addresses were identified as engaged in distribution or downloading CSAM. Since the system does not monitor all file-sharing networks, this should not be taken to be representative of the sum total of CSAM offending on such platforms. Representation of data for Thailand alongside that for other *Disrupting Harm* focus countries in Southeast Asia allows for comparison (see Figure 22).

Figure 22: CSAM distribution and downloading from *Disrupting Harm* focus countries in Southeast Asia, observed on peer-to-peer file-sharing networks by the Child Rescue Coalition.

	IP Addresses	Globally Unique Identifiers (GUIDs)
Cambodia	1,319	95
Indonesia	1,124	202
Malaysia	2,754	558
Philippines	1,971	1,446
Thailand	**3,049**	**609**
Vietnam	925	141

Source: Data provided by Child Rescue Coalition for the period of 9th June 2019 to 8th June 2020.

More devices in Thailand were captured sharing CSAM on peer-to-peer file-sharing networks than in any other Southeast Asian *Disrupting Harm* focus country. Distribution on peer-to-peer networks is more of an advanced activity compared to distribution on mainstream social media platforms; users are required to download specialist software and to actively upload and search for CSAM, often by file names shared in offender networks.

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69. Please note: the same IP address may be counted in more than one year, and a report can contain more than one unique IP address. Technical measures by ISPs including the dynamic assignment of IP addresses and the sharing of IP version 4 addresses across a large number of devices can also have an impact on the number of unique IP addresses logged.

At the same time, the capture of multiple IP addresses per installation of file-sharing software, represented by the number of Globally Unique Identifiers in the above figure, indicates that the average Thai offender has engaged in multiple sessions of CSAM distribution in the period sampled. These observations point to more persistent OCSEA offending by some individuals based in Thailand.

OCSEA with a commercial element

The two-year international Operation Blackwrist[70] demonstrates that CSAM is retailed in Thailand via subscription-based websites and dark web markets. Law enforcement authorities report the use of the electronic wallet service TrueMoney as a tool for payment for OCSEA. Additional information received by INTERPOL indicates that Thailand was among countries receiving money transfer payments suspected of links to child exploitation in the reporting period for *Disrupting Harm*.

ThaiHotline observes that individuals engaged in CSAM distribution for-profits are mostly adults and that they often send password-protected links to paying clients. Ordering of CSAM can be facilitated through online forums and groups of offenders. The online ordering of CSAM can also lead to offline offending in cases where a customer requests to have hands-on access to a child (see box "The Continuum of Online and Offline Child Sexual Exploitation and Abuse" for more on the overlaps between online and offline CSEA). ThaiHotline staff reported that CSAM involving Thai children has appeared on Pornhub.

> **In Thailand online child sexual abuse material distribution and offline child sexual exploitation and abuse are often interdependent, with an established international market for both.**

Case Study: CSAM Distribution for Financial Gain

In November 2017, a case was registered in northeast Thailand against a 30-year-old Thai male who was in possession of CSAM. It was alleged that he had abused 30 boys, aged between 12–13 years, for a period of one year to create and distribute material by posting images on his own Facebook page. All the children lived in the same vicinity as the offender and were living with their families. The victims were family members or neighbours of the offender. DSI received a tip from INTERPOL; the subsequent investigation revealed that the offender was earning money by selling CSAM using TrueMoney, Thailand's leading e-wallet for mobile networks. A New Zealand-based cloud storage and file hosting service was used to distribute the material, and its server was hosted in Europe. International cooperation was solicited to investigate the case, conduct victim identification, and bring the offender to conviction. The offender was charged with online human trafficking and was sentenced to 146 years of imprisonment.

Analysis – conducted by Twitter for *Disrupting Harm* – of three million URLs shared by accounts suspended *globally* in the period 2017-2019 for violation of the platform's CSEA policy has found that OCSEA-related activity on the platform falls largely into two categories: the sharing of links to third party servers on which CSAM is hosted, and users connecting to other CSAM producers. Links to third party servers included two main sub-categories: URL shorteners (such as bit.ly, ift.tt, dlvr.it, goo.gl, and ow.ly), and generic social media links (Instagram, YouTube, Reddit, Facebook). Together, these account for 50% of the CSAM-related links shared on Twitter. URLs with lower numbers included adult content websites and showed greater national diversity.

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70. INTERPOL. (2019). 50 Children Rescued, 9 Sex Offenders Arrested in International Operation.

Figure 23: Top 5 domains links shared by Twitter users suspended for CSAM related activity, generic shorteners and social media excluded.

Offence	Thailand	Indonesia	Philippines	All Southeast Asia
1	nudyed.net	path.com	curiouscat.me	curiouscat.me
2	2ch-matome-site.com	wl.gs	8ch.net	socialcam.com
3	curiouscat.me	tl.gd	ask.fm	path.com
4	swarmapp.com	kecirit.com	dz4link.com	nudyed.net
5	vine.co	socialcam.com	socialcam.com	2ch-matome-site.com

Source: Twitter Trust & Safety team

The figure above includes the top five domain links in Thailand, Indonesia, Philippines, and across all of Southeast Asia. Twitter has confirmed that in 2017–2019 a number of users were suspended for suspected CSEA-related activity in Thailand, Indonesia, Philippines, Malaysia, Cambodia and Vietnam; and that numbers for Thailand were significantly higher than for the other *Disrupting Harm* focus countries in Southeast Asia. Email addresses linked to these accounts were predominantly generic web-based accounts such as Gmail, Hotmail/Outlook, and Yahoo Mail. In terms of the behaviour of these suspended profiles, there was a desire to move to more private channels such as direct messaging, or more private platforms (for example, Line in Thailand) in order to conceal activities. For activities related to live-streaming that took place on private channels, Skype was the dominant platform. In regard to commercial distribution, Twitter has observed that some Thai accounts suspended for CSEA-related violations included price indicators (for example, 100 or 150 baht (US$3–5)) in their profile bios. Profile descriptions were also observed to include indicators for ages of interest and links to external channels such as Line and Skype.

Web Access to CSAM

Research was conducted on Google Trends to identify levels of interest in CSAM in open web searches.[71] In the first instance, a sample of 20 terms[72] selected by the INTERPOL served as keywords and phrases for specialist interest in CSAM. Queries for the time period 1 January 2017 to 31 December 2019 on searches in Thailand returned a result of 'not enough data' for each of these 20 terms.

Returns of 'not enough data' equate with a 0 relative popularity score, indicating a comparatively low level of interest in that term (as opposed to absolute 0 search volume) within the geographical and time limits set.[73] When compared to global searches for the same terms and those from other countries, this suggests that specialist CSAM search terms may be used less in Thailand than they are in some other countries. While it may also be argued that more sophisticated CSAM searchers are less likely to search on the open web, the relative popularity of some of the terms in other countries would suggest that open web search is still used for CSAM discovery.

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71. Google Trends is a publicly available tool that returns results on the popularity of search terms and strings relative to others within set parameters. Rather than displaying total search volumes, the tool calculates a score (on a range of 1 to 100) based on a search term or string's proportion to all searches on all terms/strings. Data points are divided by total searches in the geographical and time parameters set, to achieve relative popularity. While Google Trends draws on only a sample of Google searches, the dataset is deemed by the company to be representative given the billions of searches processed per day. For more information on data and scoring, see "FAQ about Google Trends data".
72. English language terms were selected because local dialects rendered sporadic results. These universal specialist terms were identified by INTERPOL Crimes Against Children team. In order to maintain uniformity in all DH reports, vernacular terms were not used unless otherwise some terms were provided by the law enforcement. In the case of Thailand law enforcement did not provide any such terms.
73. Ramadanti, D. (2020). Telling stories with Google Trends using Pytrends in Python.

Less specialist, more 'entry level' searches related to CSEA were widespread across Thailand during the reporting period, including English language searches for image and video content depicting sexual activity with and between teenagers, with children, and with babies. There was a particular interest in Russian, Korean, and Japanese CSAM content, and in particular anime and hentai cartoon-style images and videos. Searches on platforms such as VK, Pantip, and Reddit for specific formats of CSAM-related content – such as familial abuse or material involving children of particular ethnicities – appear to indicate that some web searchers in Thailand have specific requirements reflective of a more persistent and active interest in CSAM that has progressed beyond initial curiosity.

With regard to non-English terms, the national CSAM hotline ThaiHotline has flagged around 200 Thai words and phrases to Google for filtering and diversion purposes. There is an opportunity for these words to be shared with international law enforcement organisations, with a view to making existing indexes of CSAM search terms more globally representative. The results above nevertheless appear to demonstrate that there is an appetite for CSAM in Thailand and that the open web is used for its discovery.

CSAM hosting

Thailand has been identified as a hosting country for images and videos that have been assessed as illegal by INHOPE members that are using the I- 'See' (c)-Child-Abuse-Material (ICCAM) platform.[74]

Figure 24: CSAM hosting in Thailand, as identified by INHOPE members hotlines using ICCAM.

	2017	2018	2019
Illegal items (confirmed CSAM)	818	3,801	2,486
Percentage of global total	0.55%	1.70%	0.78%

Source: Data provided by INHOPE

While the percentage of global hosting remains small, the number of illegal items identified as hosted in Thailand increased in 2018. To some extent, this can be explained by operational considerations, including increased detection of CSAM worldwide following the deployment of the Project Arachnid web crawler[75] in the same year.

The Internet Watch Foundation actioned the following reports concerning confirmed CSAM hosting in Thailand.

Figure 25: CSAM hosting in Thailand, as identified by the Internet Watch Foundation.

	2017	2018	2019
Actioned Reports (Confirmed CSAM)	643	3112	1624
Percentage of Global Total	0.82%	2.96%	1.22%

Source: Data provided by Internet Watch Foundation

The national CSAM hotline, ThaiHotline, hosted by the Internet Foundation for the Development of Thailand, reports the following number of URLs containing confirmed CSAM (national and international hosts).

Figure 26: URLs containing confirmed CSAM, as reported to ThaiHotline.

	2016	2017	2018	2019
Number of URLs confirmed to contain CSAM	846	1,421	4,223	7,921

Source: Data provided by ThaiHotline

Since these statistics concern websites as opposed to individual items of CSAM, the larger numbers may be taken to be a more comprehensive indicator of national OCSEA occurrences and reporting than hosting identified by international organisations. These numbers include national and international hosts, which allows for an assessment of the number of websites hosted within Thailand.

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74. INHOPE. (2021). What is ICCAM & Why is it important?
75. Operated by the Canadian Centre, Project Arachnid is an innovative tool designed to crawl links on sites previously reported to Cybertip.ca that contained CSAM and detect where these images/videos are being made publicly available. Once child sexual abuse material is detected, a notice is sent to the provider hosting the content requesting its removal.

Sexual extortion

TICAC reports that sexual extortion is a tactic commonly used by offenders to ensure victim compliance with OCSEA. A representative from the ThaiHotline noted that this tactic may be used particularly in cases where images and videos are generated by young people themselves.

The ThaiHotline representative also recalled cases where offenders set up fake online profiles in order to make contact with children, often pretending to be the same age as their victims. Based on this respondent's experience, some young people have then been groomed online to produce content for money or with the promise of securing work as a model. In some cases, an adult can be heard remotely encouraging or directing the child's actions. Young people have also been known to encourage or invite friends with the prospect of earning money. In other cases, young people think that they are voluntarily sharing content with a romantic partner. Young people fail to understand that shared content will be distributed without their permission between offenders, often for financial gain. The respondent noted a major case where an offender operating a modelling scam obtained 1,000 videos generated by children themselves. Offenders have also been observed to set up multiple fake profiles to engage with a child simultaneously, using apparent 'peer pressure' to desensitise a potential victim to nudity and gain trust. Children's experiences of non-consensual sharing of sexual images and of sexual extortion are further presented in chapter 2.2.

> **Thailand continues to rank high as the preferred destination country for child sex offenders among the *Disrupting Harm* focus countries.**

2.1.5 Links to travel and tourism

Data on travelling child sex offenders can also serve as an indication of OCSEA as these offenders often record the abuse for their own use or for further distribution. They may also use communications technology to groom or procure children for offline abuse, or to maintain relations with children they have already abused offline.

Data supplied by INTERPOL's law enforcement partners indicates that Thailand remains a popular destination for travelling child sex offenders. A number of foreign law enforcement agencies also reported that they had active investigations into CSEA offences allegedly committed by their nationals in Thailand during 2017 to 2019.

In a number of countries, convicted sex offenders are required to notify a central authority about their overseas travel. Analysis of data supplied by one foreign law enforcement agency reveals that between 2015 and 2020, there were 168 notifications to that country's national sex offender registry concerning travel to Thailand, representing 27% of notifications concerning the *Disrupting Harm* focus countries in Southeast Asia.[76] Another national authority reported that between May 2017 and June 2020, Thailand accounted for 47% of their reports – more than any other *Disrupting Harm* focus country – concerning travelling child sex offenders.

The United States Homeland Security Investigations' Angel Watch Center provides referrals to officials in destination countries on convicted American child sex offenders who have confirmed scheduled travel. Between 2017 and 2020, Angel Watch Center made 243 referrals to Thailand, representing 20% of the total number of referrals to *Disrupting Harm* focus countries in those years. Seventy percent (n = 170) of these referrals resulted in the convicted sex offender being denied entry to Thailand; which suggests that there is effective cooperation between American and Thai law enforcement authorities in striving to prevent CSEA by travelling sex offenders.

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76. INTERPOL requested data and qualitative insights from a number of foreign law enforcement agencies with intelligence on or outreach activities in the focus countries. In line with intelligence handling protocols and data protection requirements, some of these sources have been anonymised.

2.2 CHILDREN'S EXPERIENCES OF CHILD SEXUAL EXPLOITATION AND ABUSE IN THAILAND

Under the *Disrupting Harm* project, OCSEA was defined specifically to include CSAM, live-streaming of child sexual abuse, and online grooming of children for sexual purposes. These concepts are used here to organise and present the results of the research. At the same time, it is recognised that the ways in which children are subjected to OCSEA are far more complex and nuanced. The experiences or offences in question often occur in combination or in sequence. Moreover, as explored in the box *The Continuum of Online and Offline Child Sexual Exploitation and Abuse* on <u>page 42</u>, OCSEA does not only occur in the digital environment; digital technology can also be used as a tool to facilitate or record offline sexual exploitation and abuse.

The *Disrupting Harm* household survey of 12–17-year-old internet users measured children's exposure to various manifestations of OCSEA, which will be presented individually below. When taken together, the data reveal that in the past year alone, an estimated 9% of internet-using children aged 12–17 in Thailand were victims of grave instances of online sexual exploitation and abuse. This aggregate statistic encompassed four indicators including children being blackmailed to engage in sexual activities, someone else sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts in the past year prior to data collection.

1. Someone offered you money or gifts in return for sexual images or videos

2. Someone offered you money or gifts to meet them in person to do something sexual

3. Someone shared sexual images of you without your consent

4. Someone threatened or blackmailed you to engage in sexual activities

According to *Disrupting Harm* estimates, when scaled to the population of internet-using children in this age group this represents an estimated 400,000 children in Thailand who were subjected to at least one of these harms in the span of just one year. It is worth considering that the survey only included internet users and those who live at home, meaning that more vulnerable child populations – such as children engaged in migration or children in street situations – may not be represented in these figures.

2.2.1 Online grooming

Disrupting Harm defines online grooming as engaging a child via technology with the intent of sexually abusing or exploiting the child. This may happen either completely online or through a combination of online and in person engagement.

Online grooming is a complex process that is often fluid and difficult to detect, especially where it involves a gradual building of trust between the offender and the child over an extended period of time. As one frontline social support worker explained, the child is often 'prepared' for sexual abuse and made to engage in sexual acts online or in-person: *"Online communication is a channel that provides perpetrators or facilitators with easy and quick access to victims and use their vulnerability to deceive, coerce, persuade and exploit them".* (RA3-TH-11-A) However, online grooming can also be abrupt, with an offender suddenly requesting or pressuring a child to share sexual content of themselves or to engage in sexual acts, including via extortion.

At the time of writing, Thai law did not specifically criminalise the grooming of children for sexual purposes. According to a Public Prosecutor from the Attorney General's office, this offence has been included in a draft law to be approved by the National Assembly (RA1-TH-05-A). Insights received through the research and consultation process conducted by *Disrupting Harm* suggest that the provision on grooming of children for sexual purposes included in the draft law provides for an increased penalty when the grooming is done through technology. The definition provided by the draft provision would potentially cover grooming of children for any "inappropriate act", and therefore would be applicable both to cases where the grooming process is aimed at sexually exploiting children through an in-person meeting and to cases when the sexual abuse is committed online only.

Potential grooming – children asked to talk about sex

In the household survey of internet-using children aged 12–17 in Thailand, children were asked if they were subjected to certain behaviours in the past year that could be an indication of grooming. Those children who had experienced possible instances of grooming were then asked follow-up questions about *the last time* this happened to them: how they felt, whether it occurred online or offline (or both), who did it to them, and whether they told anyone about it. Because relatively few children said they were subjected to possible grooming, many of these follow-up questions involve small subsamples. In such cases, when the sample is smaller than 50, absolute numbers are presented instead of percentages to avoid misrepresentation of the data. Recognising that sexual exploitation and abuse of children can happen in many different ways and places, most data points below allow for multiple responses and may add up to over 100%.

The household survey results show that in the past year, 10% of 12–17-year-old internet users were asked to talk about sex or sexual acts with someone when they did not want to. There were no notable differences by age, gender, or urbanity. Depending on the context, these experiences could mean varying levels of harm for a child. For example, a child being asked to talk about sex by a boyfriend or girlfriend but not wanting to engage at that moment might not face serious harm from this interaction. On the other hand, these experiences could also indicate malicious instances of attempted grooming– thus why it is described as instances of *potential* (versus actual) grooming.

Online or offline? Of the 101 children who received unwanted requests for sexual talk over the past year, a majority said they most recently received these requests online; either via social media or in an online game (see infographic on page 50). Younger children (aged 12–13) were more likely to receive these requests via an online game compared to the oldest children in the sample. Receiving these requests in person was less common (19%). There was a high non-response rate for this question, with 21% of children selecting 'don't know' or 'prefer not to say'.

The 65 children who most recently received unwanted requests to talk about sex *via social media* were most likely to be targeted on Facebook or Facebook Messenger, followed by Twitter, TikTok, Instagram, Discord, YouTube, Line, and Twitch.

Because asking a child to talk about sex can happen without the involvement of technology, only children who were most recently received these requests on social media or in an online game (n = 72) were included in the subsequent analysis, as they represent potential OCSEA cases.

How children felt: Among the 72 children who were asked via an online channel – social media or an online game – to talk about sex when they did not want to, 30% said they were not affected at all by the request. Meanwhile, 70% reported negative feelings about the experience, the most common were feeling guilty, scared, annoyed, and distressed.

How children responded to unwanted requests:
While 32% of children who received unwanted requests for sexual talk in the past year ignored the request in the hope the problem would go away by itself, a similar proportion (31%) of children refused to comply with the request. Older children and boys were more likely to comply with this request, compared to younger children and girls, respectively. Other common responses included trying to get the offender to leave them alone and not using the internet for a while. Only a small minority of these children (n = 3) actually did as the person asked.

Who made the requests: Most children who received unwanted requests for sexual talk said the offender was an adult friend or acquaintance. One in four of these children said they received unsolicited requests from someone they did not know. Although this is not a small proportion of cases, it is worth noting that when taken together, people who the child already knows are more likely to send them these kinds of requests compared to unknown individuals.

Whom did children tell about it – if anyone?
Children who experience unwanted requests for sexual talk were most likely to turn to a female caregiver for support. It was also common for children to confide in their siblings. This strong familial support is further reflected in the fact that 94% of all children surveyed agreed or strongly agreed that a family member would help them if they had a problem.

Fourteen percent of children told a friend the last time they received an unwanted request to talk about sex. Children were unlikely to report these incidents through formal mechanisms; only two children reported this to the police, and one child used an online reporting channel. It is also concerning that 31% of these children (n = 22) did not tell anyone about their experience, including 14 children from the oldest age group (16–17). Barriers to disclosure are addressed in chapter 2.5.

Potential grooming – children asked to share sexual images or videos

Behaviour that could be an indication of grooming is asking children to share sexual content. Within the past year, 7% of internet-using children in Thailand (n = 72) had received unwanted requests for a photo or video showing their private parts. There were no differences by gender or age group.

Some offenders have the intention of manipulating children into self-generating and sharing sexual images or videos through digital technologies, whether or not they also intend to meet the child in person. Global action to combat grooming children with the sole intent of getting them to send sexual images or videos of themselves has remained slow. In 2015, amid concern about this issue, the Committee in charge of overseeing implementation of the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Abuse (also known as the 'Lanzarote Committee') issued an opinion regarding this. The Committee recommended that states should extend the crime of grooming for sexual purposes to include "cases when the sexual abuse is not the result of a meeting in person but is committed online." [77]

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77. Council of Europe's Lanzarote Committee. (2015). Opinion on Article 23 of the Lanzarote Convention and its explanatory note. Para 20.

IN THE PAST YEAR
# I HAVE BEEN ASKED TO TALK ABOUT SEX WHEN I DID NOT WANT TO

YES 10%

THE LAST TIME THIS HAPPENED ONLINE...

What did you do?*†
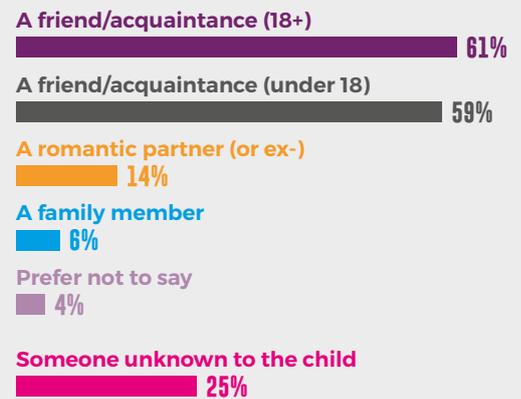
- **32%** Ignored it
- **31%** Said no
- **29%** Tried to get the other person to leave me alone

How did you feel?*

- **30%** It didn't affect me
- **20%** Guilty
- **16%** Scared

Who did it?*†

- A friend/acquaintance (18+) — **61%**
- A friend/acquaintance (under 18) — **59%**
- A romantic partner (or ex-) — **14%**
- A family member — **6%**
- Prefer not to say — **4%**
- Someone unknown to the child — **25%**

**n = 72 internet-using children** aged 12–17 who received unwanted requests *online* to talk about sex in the past year.

Where did it happen?*†

- Social media **64%**
- In person **19%**
- In an online game **37%**
- Some other way **8%**
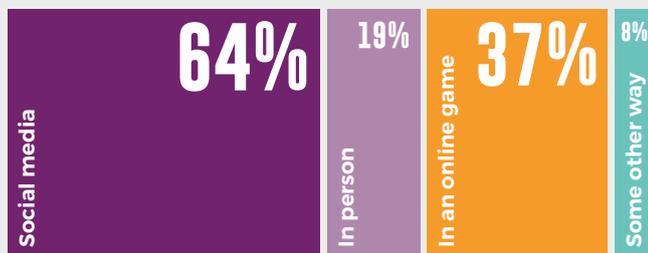
n = 101 internet-using children aged 12–17 who received unwanted requests to talk about sex in the past year.

On which platform did this happen?*†

- Facebook or Facebook Messenger **77%**
- Twitter **51%**
- TikTok **43%**
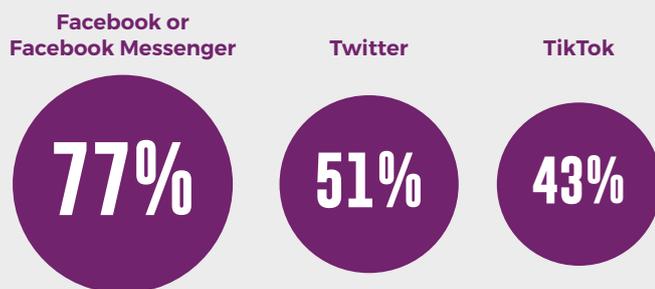
n = 65 internet-using children aged 12–17 who *most recently* received unwanted requests *via social media* to talk about sex.

Whom did you tell?**†
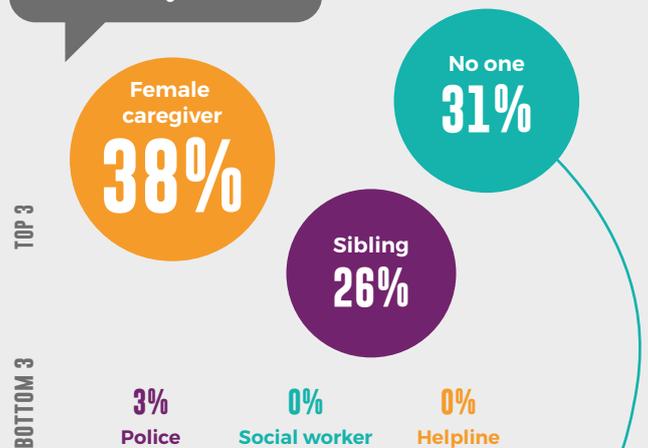
TOP 3
- Female caregiver **38%**
- No one **31%**
- Sibling **26%**

BOTTOM 3
- Police **3%**
- Social worker **0%**
- Helpline **0%**

n = 72 internet-using children aged 12–17 who received unwanted requests *online* to talk about sex in the past year.

Why did you not tell anyone?*†

- I did not know whom to tell **64%**
- I did not think it was serious **14%**
- I did not think anyone would believe me **9%**
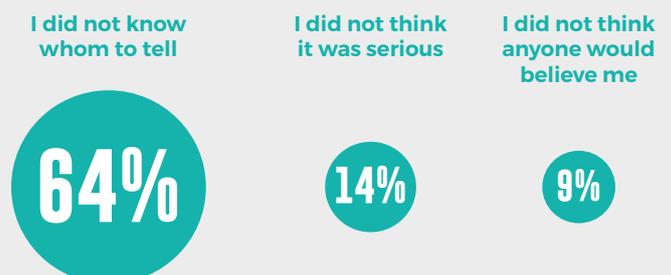
n = 22 internet-using children aged 12–17 who *did not tell anyone* the last time they received unwanted requests *online* to talk about sex.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

How children felt: Of the 72 children who had this experience, 36% percent of children said they were "not affected at all" the last time they received an unwanted request to send images or videos of their private parts, but 53% of children reported feeling negatively. Girls were much more likely to say that they were not affected by the most recent request they received compared to boys (48% and 17%, respectively). As shown in the accompanying infographic, feelings of guilt, distress, and/or embarrassment were the most common of those negative feelings. Out of 72 children, seven children preferred not to answer this question.

How children responded to unwanted requests: Among the 72 children who were asked to send images or videos showing their private parts in the past year, the most likely response (particularly among 12–13-year-olds) was asking the other person to leave them alone. Others ignored the problem in the hopes it would go away, avoided the internet for a while, or deleted all messages from the offender.

Around one in five of the 72 children refused to comply the last time someone asked them for an image or video showing their private parts. However, 13% did comply with the offender's request. Changing privacy settings (4%) and reporting what happened online (1%) were the least common courses of action taken by children. Given that 78% of children said they *know* how to report harmful content online, it is unclear why so few children report unwanted sexual requests online.

Who made the requests: Overall, children were more likely to receive unwanted requests to share sexual content by people they already know rather than by someone unknown. Once again, friends or acquaintances – both minors and adults – were most likely to make these requests. In comparison, someone unknown to the child accounted for 18% of cases.

Online or offline? Most children who were subjected to unwanted requests for sexual content said the requests were made online via social media; others said the requests were made during online games and in-person interactions, and 14% preferred not to answer the question. For the 54 children who were targeted on social media, the most common platforms where they most recently received these kinds of requests were Facebook, Twitter, and TikTok.

Whom did children tell about it – if anyone? After their last time receiving unwanted requests for content showing their private parts, most children confided in a female caregiver or a sibling. This was followed by friends and then male caregivers. Girls were more likely than boys to confide in caregivers, both male and female. As shown on , children were unlikely to report what happened through formal reporting mechanisms. Fourteen percent did not tell anyone about what happened to them, and an equal proportion of children did not want to answer this question.

Offering children money or gifts for sexual images or videos

The offer of money or gifts to a child in return for sexual images or videos constitutes evidence of a pattern of grooming with the aim of obtaining CSAM. Seven percent of children in the household survey said they had been offered money or gifts in return for sexual images or videos in the past year alone. When scaled up to population of internet-using 12–17-year-olds, this figure is estimated at around 350,000 children in one year. There were no observable differences by age group or gender.

Who made the offers: Asked about the last time they were offered money or gifts in exchange for sexual images or videos, most children said they received this offer from someone they already knew. Once again, friends were the most likely to make these offers of money or gifts; in 66% of cases, a friend or acquaintance younger than 18 years made these offers, followed by a friend or acquaintance 18 or older. Current or former romantic partners accounted for 9% of cases and family members only 1%. One in five of these offers came from someone unknown to the child.

Online or offline? While 20% of children said the offer of money or gifts was made in-person, most offers were made online; 61% on social media, and 48% during an online game. There was a high non-response rate, with 21% of children selecting 'don't know' or 'prefer not to say'.

Among the 43 children who received such offers *via social media*, the most common platforms cited were Facebook or Facebook Messenger, TikTok, Instagram, and Twitter. Some children received these offers on gaming and live-streaming platforms like Discord (n = 13) and Twitch (n = 6).

IN THE PAST YEAR
# I WAS ASKED FOR A PHOTO OR VIDEO SHOWING MY PRIVATE PARTS WHEN I DID NOT WANT TO

Base: Internet using children 12–17
n = 967 children

YES 7%

THE LAST TIME THIS HAPPENED

What did you do?*†

40% Tried to get the other person to leave me alone
28% Ignored it
18% Said no

How did you feel?*

It didn't affect me
36%
13% Guilty
13% Distressed

Who did it?*†

A friend/acquaintance (under 18) — 59%
A friend/acquaintance (18+) — 57%
Prefer not to say — 18%
A romantic partner (or ex-) — 8%
A family member — 8%
Someone unknown to the child — 18%

n = 72 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

Where did it happen?*†

Social media 75%
In person 34%
In an online game 52%
Some other way 8%

n = 72 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
82%

Twitter
63%

TikTok
57%

n = 54 internet-using children aged 12–17 who *most recently* received unwanted requests for sexual images *via social media*.

Whom did you tell?†**

TOP 3
Female caregiver **46%**
Friend **21%**
Sibling **43%**

BOTTOM 3
1% Police
0% Social worker
0% Helpline

n = 72 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

Why did you not tell anyone?*†

I did not know whom to tell **70%**
I felt embarrassed **20%**
I did not think it was serious **20%**
I did not think anyone would believe me **10%**

n = 10 internet-using children aged 12–17 *who did not tell anyone* the last time they received unwanted requests for sexual images.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

**Source:** Disrupting Harm data

IN THE PAST YEAR
I WAS OFFERED MONEY OR GIFTS IN RETURN FOR SEXUAL IMAGES OR VIDEOS

YES 7%

Base: Internet using children 12–17
n = 967 children
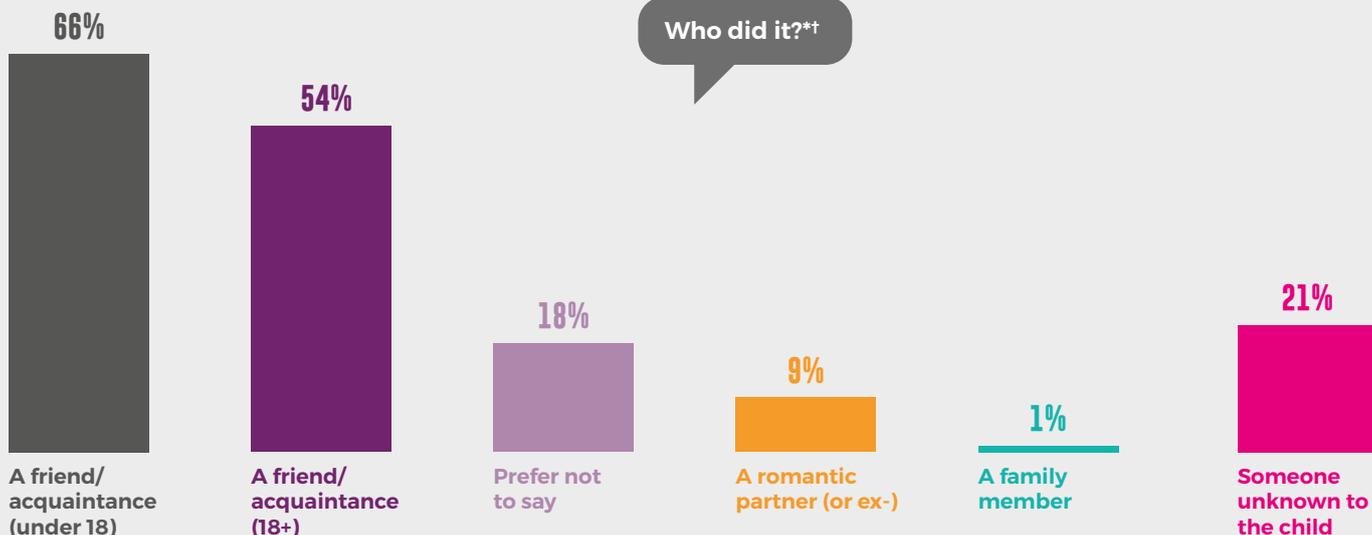
THE LAST TIME THIS HAPPENED…

Who did it?*†

66% A friend/ acquaintance (under 18)

54% A friend/ acquaintance (18+)

18% Prefer not to say

9% A romantic partner (or ex-)

1% A family member

21% Someone unknown to the child

n = 70 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

Where did it happen?*†
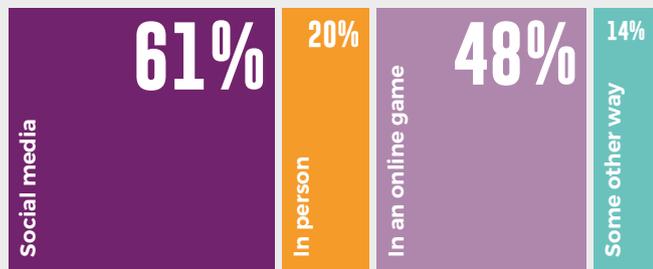
61% Social media

20% In person

48% In an online game

14% Some other way

n = 70 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

On which platform did this happen?*†

Facebook or Facebook Messenger **84%**

Twitter **79%**

TikTok **60%**
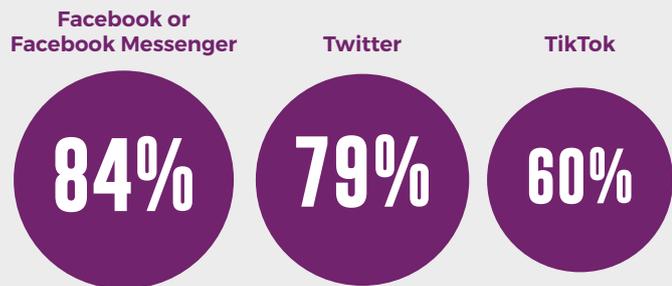
n = 43 internet-using children aged 12–17 who *most recently* were offered money or gifts *via social media* in exchange for sexual images or videos.

Whom did you tell?**†
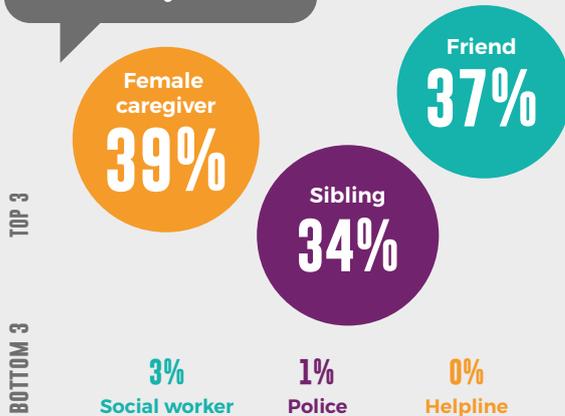
TOP 3

Female caregiver **39%**

Friend **37%**

Sibling **34%**

BOTTOM 3

3% Social worker

1% Police

0% Helpline

n = 70 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

Why did you not tell anyone?*†

I did not think it was serious **43%**

I did not know whom to tell **29%**

I felt that I did something wrong **29%**

I did not think anyone would believe me **13%**

I worried I would get in trouble **13%**

n = 7 internet-using children aged 12–17 who *did not tell anyone* the last time they were offered money or gifts for sexual images or videos.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

Whom did children tell about it – if anyone?
Children were most likely to disclose this experience informally, with very few using formal reporting mechanisms. The data from the household survey continue to show a clear pattern that family members – particularly female caregivers – are the most common confidants for children who experience these harms. As shown in the infographic on page 53, this was followed by telling a friend, brother, and male caregiver (21%). Conversely, only 3% reported what happened to a social worker, 1% went to the police, and none of the respondents called a helpline. One in ten did not tell anyone the last time they received promises of money or gifts in exchange for sexual images.

Offering children money or gifts for sexual acts
During the past year, 7% of 12–17-year-old internet users in Thailand had been offered money or gifts to meet someone in person to do something sexual.

Online or offline? Of the 66 children who said they had been offered money or gifts to meet in person and engage in sexual activities in the past year, a majority of children (76%) said that they received these offers via social media, and 62% through an online game; 27% received such an offer in-person. Among the 50 children who most recently received offers *via social media*, the most common platforms cited were Twitter, followed by Facebook, TikTok, Instagram, YouTube, Twitch, and Snapchat.

Once again, because offering a child money or gifts to engage in sexual acts in-person can happen entirely 'offline' without the involvement of technology, children were asked if the most recent request they received to engage in sexual acts 'offline' happened in-person, on social media, in an online game, or in some other way. Only children who said that this happened on social media and/or in an online game (a total of 53 children) were included in the subsequent analysis, as they represent potential OCSEA cases.

Who made the offers: For children who had been offered money or through *online channels* – social media or gaming platforms – money or gifts to meet in person for sexual acts, these offers were most likely to be made by a peer younger than 18, followed by a friend or acquaintance 18 or older. Rarer were current or former romantic partners, someone unknown to the child, and family members.

Whom did children tell about it – if anyone?
Once again, children were very unlikely to engage with formal reporting channels and instead tend to confide in the people close to them. Respondents were equally likely to tell a female caregiver or a friend (45%), while 15% did not tell anyone at all.

Sexual extortion
Sexual extortion is sometimes used in the grooming process. Often the offenders have already obtained sexual images of the children and threaten to publicly publish or share these with the child's friends or family as a way of coercing them into sharing more images or engaging in other kinds of sexual activities. Such threats can also be used to extort money.

Seven percent of the internet-using children in the household survey said that they had been threatened or blackmailed to engage in sexual activities within the past year. It is unclear which threats were used. No question was asked about the use of sexual images to extort money. Sexual extortion committed online is not currently criminalised in Thailand but in the draft law being developed, insights received indicate a draft provision criminalising sexual extortion will be included (but will not be specific to children) and will impose a punishment of imprisonment from one to ten years and fine between 20,000 to 200,000 Baht (US$600 – US$6,000).[78]

Online or offline? For this kind of abuse, the use of online channels was overwhelmingly common; of the 66 children who said they had been threatened or blackmailed, 76% said that the last time this happened was via social media, and 62% said it was happening during an online game. However, it also happened in-person to some extent (24%), and 18% of respondents did not answer this question.

Among the 47 children targeted via social media, the most common platforms cited were Facebook or Facebook Messenger, Twitter, TikTok, and Instagram. Only children who said that this happened to them on social media or in an online game (n = 48) were included in the subsequent analysis.

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78. Informal communication with the Office of the Attorney General.

IN THE PAST YEAR
I WAS OFFERED MONEY OR GIFTS TO MEET IN PERSON TO DO SOMETHING SEXUAL

YES 7%

Base: Internet using children 12–17
n = 967 children
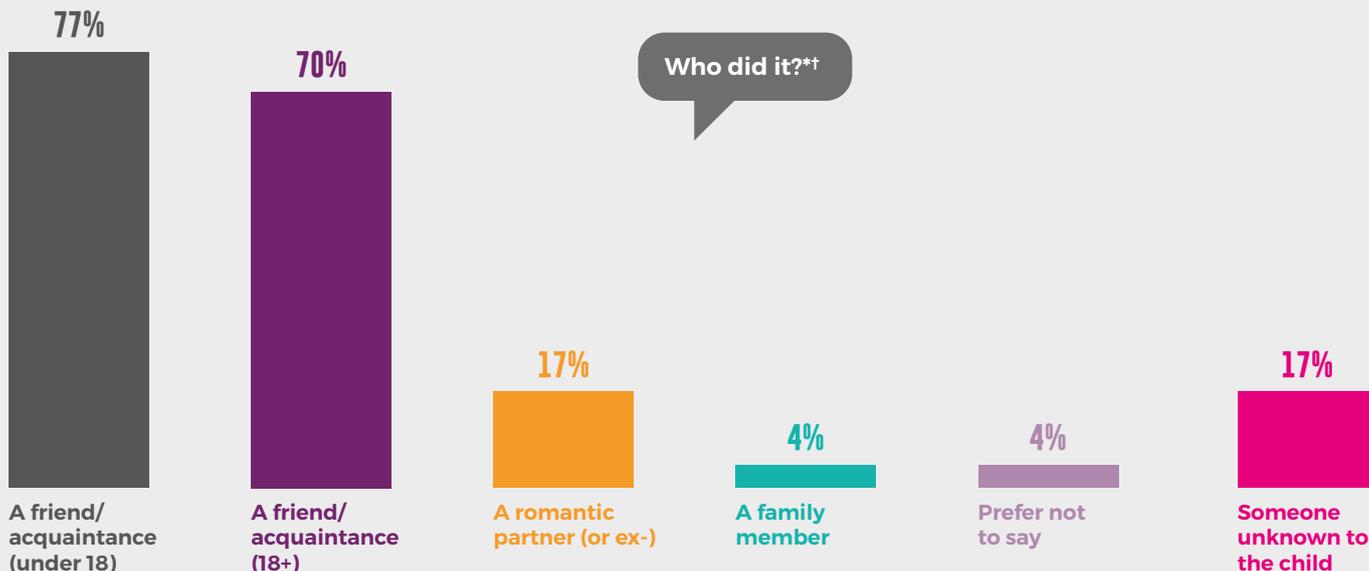
THE LAST TIME THIS HAPPENED ONLINE...

Who did it?*†

77%	70%	17%	4%	4%	17%
A friend/ acquaintance (under 18)	A friend/ acquaintance (18+)	A romantic partner (or ex-)	A family member	Prefer not to say	Someone unknown to the child

n = 53 internet-using children aged 12–17 who were offered money or gifts *online* for in-person sexual acts in the past year.

Where did it happen?***†

76% Social media	27% In person	62% In an online game	14% Some other way

n = 66 internet-using children aged 12–17 who were offered money or gifts for in-person sexual acts in the past year.

On which platform did this happen?***†

Twitter	Facebook or Facebook Messenger	TikTok
84%	78%	67%
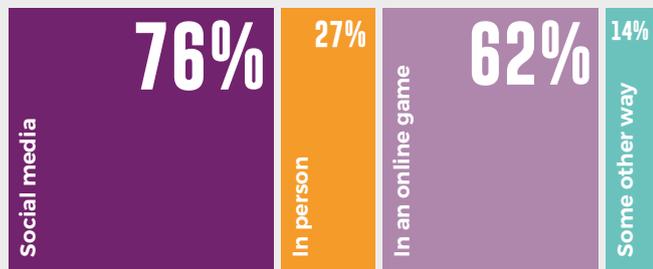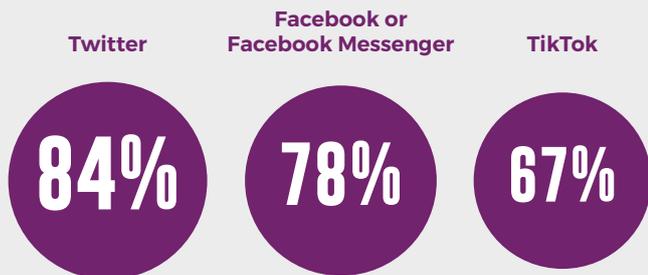
n = 51 internet-using children aged 12–17 who *most recently* received offers of money or gifts for in-person sexual acts *via social media*.
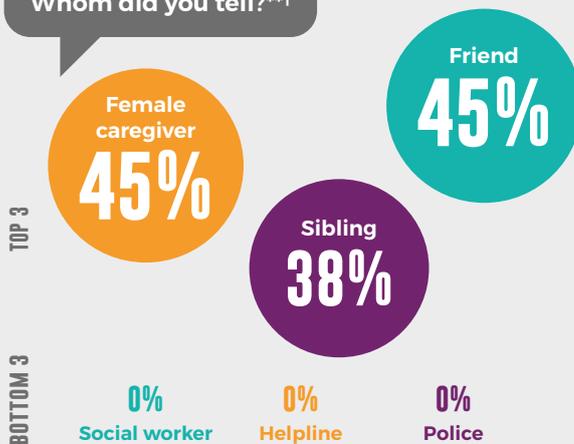
Whom did you tell?****†

TOP 3

Female caregiver **45%**

Friend **45%**

Sibling **38%**

BOTTOM 3

0%	0%	0%
Social worker	Helpline	Police

n = 53 internet-using children aged 12–17 who were offered money or gifts *online* for in-person sexual acts in the past year.

Why did you not tell anyone?***†

I did not think anyone would believe me	I felt that I did something wrong	I did not think it was serious	I felt embarrassed
38%	25%	25%	13%

n = 8 internet-using children aged 12–17 who *did not tell anyone* the last time they were offered money or gifts *online* for in-person sexual acts.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

IN THE PAST YEAR
SOMEONE THREATENED OR BLACKMAILED ME TO ENGAGE IN SEXUAL ACTIVITIES

YES 7%

Base: Internet using children 12–17
n = 967 children
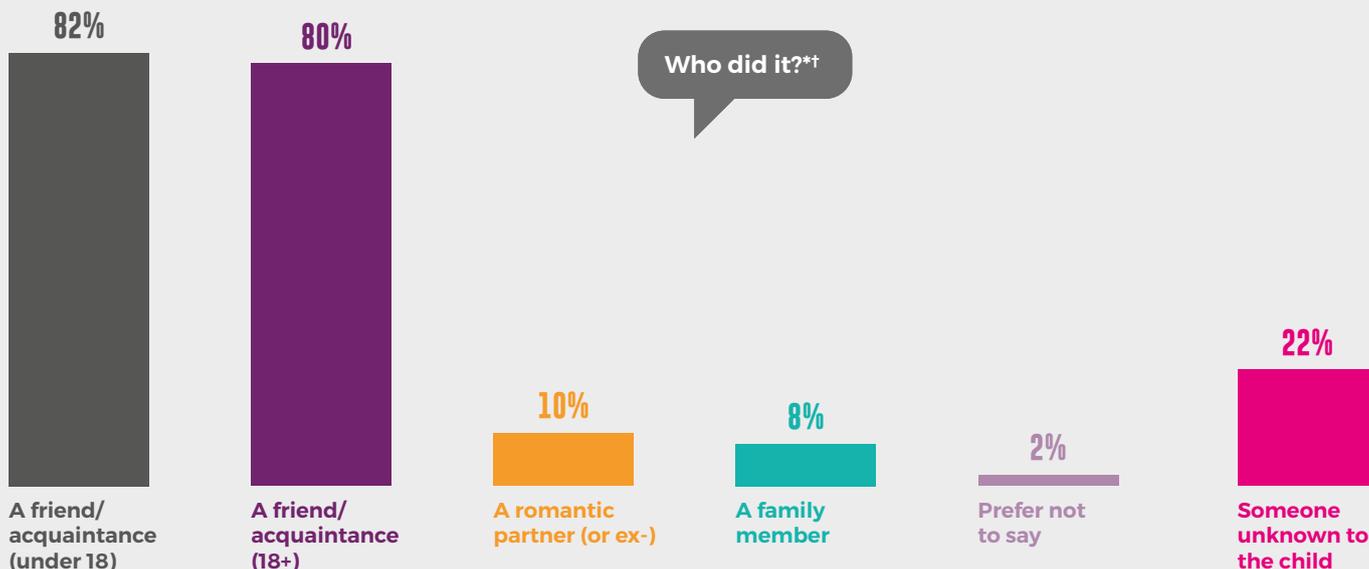
THE LAST TIME THIS HAPPENED ONLINE...

Who did it?*†

- **82%** A friend/acquaintance (under 18)
- **80%** A friend/acquaintance (18+)
- **10%** A romantic partner (or ex-)
- **8%** A family member
- **2%** Prefer not to say
- **22%** Someone unknown to the child

n = 50 internet-using children aged 12–17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

Where did it happen?*†

- **75%** Social media
- **24%** In person
- **62%** In an online game
- **14%** Some other way

n = 63 internet-using children aged 12–17 who were threatened or blackmailed to engage in sexual acts in the past year.

On which platform did this happen?*†

- Facebook or Facebook Messenger **83%**
- Twitter **74%**
- TikTok **64%**
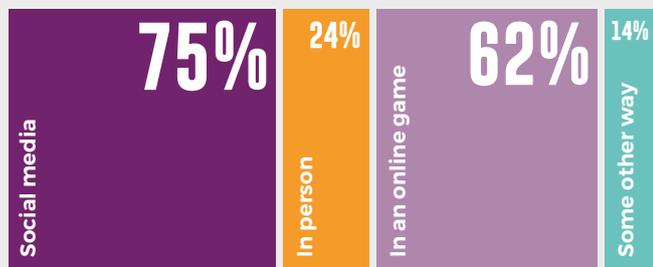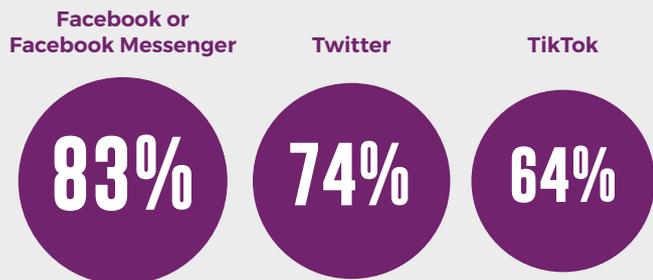
n = 47 internet-using children aged 12–17 who *most recently* received threats or were blackmailed *via social media*.
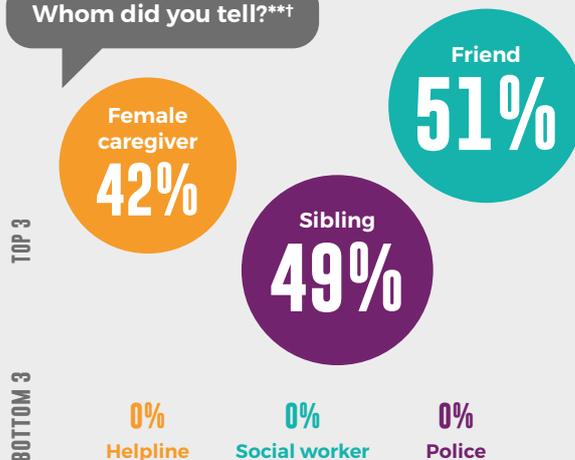
Whom did you tell?**†

TOP 3
- Female caregiver **42%**
- Sibling **49%**
- Friend **51%**

BOTTOM 3
- Helpline **0%**
- Social worker **0%**
- Police **0%**

n = 50 internet-using children aged 12–17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

Why did you not tell anyone?*†

- I did not think it was serious **50%**
- I did not think anyone would believe me **25%**
- I did not know whom to tell **20%**

n = 4 internet-using children aged 12–17 who *did not tell anyone* the last time they were threatened or blackmailed *online* to engage in sexual activities.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

Who makes the threats: For the 48 children who were threatened or blackmailed *online* – i.e., via social media or an online game – the most common offenders were friends or other acquaintances below the age of 18 (n = 42) and/or adult friends (n = 41), accounting for almost all cases of sexual extortion captured in the survey. A few children said the offender was someone they did not know. Current or former romantic partners and family members were least likely to instigate these threats. Overall, as with the other forms of OCSEA explored in this chapter, sexual extortion was more commonly committed by individuals known to the child than by someone unknown to them.

Whom did children tell – if anyone: The 38 children who were threatened or blackmailed to engage in sexual activities were most likely to tell their friends about the incident, followed by siblings, then female caregivers. Four children did not disclose what happened to anyone. None of the children in this subsample reported being extorted for sex to the police, a social worker, or a helpline. As noted by a frontline social support worker participating in the survey: *"Most children will choose not to talk with their parents, but rather with their peers. Friends of the same ages often have the same view on the matter that it is something normal. Thus, the child is hardly aware of the problem or that his/her right is going to be violated".* (RA3-TH-32–A) However, data from the household survey contradicts this perception, as 12–17-year-old internet users who were subjected to various forms of OCSEA in the past year were generally most likely to confide in a female caregiver.

With that said, not all children will confide in their caregivers or an adult. Indeed, many children do turn to their friends, as shown throughout this chapter. It is therefore essential to educate *all* children about OCSEA, its many manifestations, and how it constitutes a violation of their rights. Children provided with such knowledge will be more protected and better able to support a peer that discloses they are victims of OCSEA.

2.2.2 CSAM and live-streaming of child sexual abuse

In Thai legislation, the definition of CSAM[79] can potentially be used to cover cases of digitally generated CSAM, including realistic images of non-existent children. However, the definition provided by the Thai legislation does not fully cover all forms of CSAM[80] in that it does not explicitly cover depictions of the sexual parts of a child's body for primarily sexual purposes. The definition also does not explicitly cover materials that depict a person appearing to be a child engaged in sexually explicit conduct. The Thai Penal Code criminalises certain acts associated with CSAM, including possession either for the sexual benefit of oneself or another person, forwarding such materials to another person,[81] producing, importing, exporting, selling, possessing, or circulating in any way CSAM for commercial purposes or trade, distribution or public display.[82]

The victimisation of children via video calls is a common form of OCSEA, according to TICAC, and live-streaming of CSEA has appeared in the caseload of DSI. In addition, one foreign law enforcement agency notes that Thailand accounts for 5% of its total reports to date on live-streamed CSEA.[83] NCMEC CyberTips also indicated that individuals in Thailand are engaged in suspected child exploitation on streaming platforms. In addition to the globally popular online platforms that report to NCMEC, platforms based in Thailand, Japan and Russia have been used to commit OCSEA offences.

Children's experiences of non-consensual sharing of sexual images

CyberTip data presented in chapter 2.1 showed that CSAM is a real and existing threat to the safety and wellbeing of children in Thailand; and that the possession, manufacture, and distribution of CSAM accounted for almost all of Thailand's reports in 2017–2019. Moreover, the *Disrupting Harm* household survey found that in the past year, 7% (n = 68) of internet-using children aged 12–17 in Thailand said that someone had shared sexual images of them without their permission, with no notable variations by gender or age group. Given that these numbers

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79. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 1(17).
80. According to the Optional Protocol to the CRC on the Sale of children, child prostitution and child pornography (OPSC Guidelines) and the Budapest Convention.
81. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 287/1.
82. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 287/2.
83. INTERPOL requested data and qualitative insights from several foreign law enforcement agencies with intelligence on or outreach activities in the focus countries. In line with intelligence handling protocols and data protection requirements, some of these sources have been anonymised.

are nationally representative, when scaled to the population of internet-using 12–17-year-olds, the number of children who experienced this type of abuse in the last year alone would be estimated around 310,000 children. This is an alarming number considering the severity of this crime.

These images, particularly when shared online, can be widely circulated and viewed all over the world, resulting in a continuous sense of shame and fear of being recognised for the victims; and the trauma associated with those in-person experiences may be repeatedly reactivated. The *Disrupting Harm* household survey did not obtain specific data about live-streaming of sexual abuse due to ethical concerns around delving too much into the details of specific abuse experiences.

Who shared these images? As in other instances of OCSEA explored in the survey, individuals who are known to the child or in a position of trust were the most common offenders of non-consensual sharing of the child's sexual images or videos; friends were the most common by far, followed by romantic partners and family members. People unknown to the child 'accounted for only 12% of cases.

Online or offline? Non-consensual sharing of children's sexual images was more likely to happen online – via social media or a gaming platform – than in-person; 68% of the 68 children who said that someone had shared sexual images of them without their permission said the images were shared on social media. There was no major difference by gender. However, older children were more likely to have their images shared on social media. A similar proportion of children said their sexual images were shared through an online game, with children aged 14–15 most likely to say this happened to them. Girls were also more likely than boys to have their sexual images shared through online games. Boys were somewhat more likely to have their images shared on social media than girls.

Twenty-four percent said they were shared in-person, and 22% said their images were shared non-consensually in some other way. One in five children did not answer this question. Among children who said their sexual images were most recently shared on social media without their permission (n = 46), Facebook or Facebook Messenger and Twitter were the most common platforms where this happened, followed by TikTok, Instagram, Discord, Snapchat, and Twitch.

Whom did children tell – if anyone? Children who experienced this kind of abuse were most likely to confide in their female caregivers, a sibling, or a friend, followed by a male caregiver and a teacher. As shown in the infographic on page 59, reporting through formal mechanisms was quite rare. As with many of these questions, there was a considerable non-response rate (17%). Thirteen percent of children who had their sexual images shared non-consensually (n = 9) did not tell anyone the last time this happened. Among this small subgroup, the most common barriers to disclosure included not knowing whom to tell, not thinking what they experienced was serious enough, feeling they did something wrong, and being embarrassed.

Accepting money or gifts in exchange for sexual images or videos

As explored previously in the context of grooming, children are sometimes offered money or gifts in return for sexual content. Here the acceptance of money or gifts by children is considered in return for such content, regardless of how the process was initiated.

For years, the income inequality (as of 2018, Thailand had the fourth highest income inequality ranking in the Association of Southeast Asian Nations[84]) has likely helped to perpetuate this trend. The emerging phenomenon is the use of digital technologies – including by children and young people – to self-produce and send sexual images or videos of oneself in return for money or other material incentives.

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84. United Nations. (2020). Thailand Economic Focus: Building a more equal and sustainable Thailand after COVID-19: A UN perspective.

IN THE PAST YEAR
SOMEONE SHARED SEXUAL IMAGES OF ME WITHOUT MY CONSENT

YES 7%

Base: Internet using children 12–17
n = 967 children
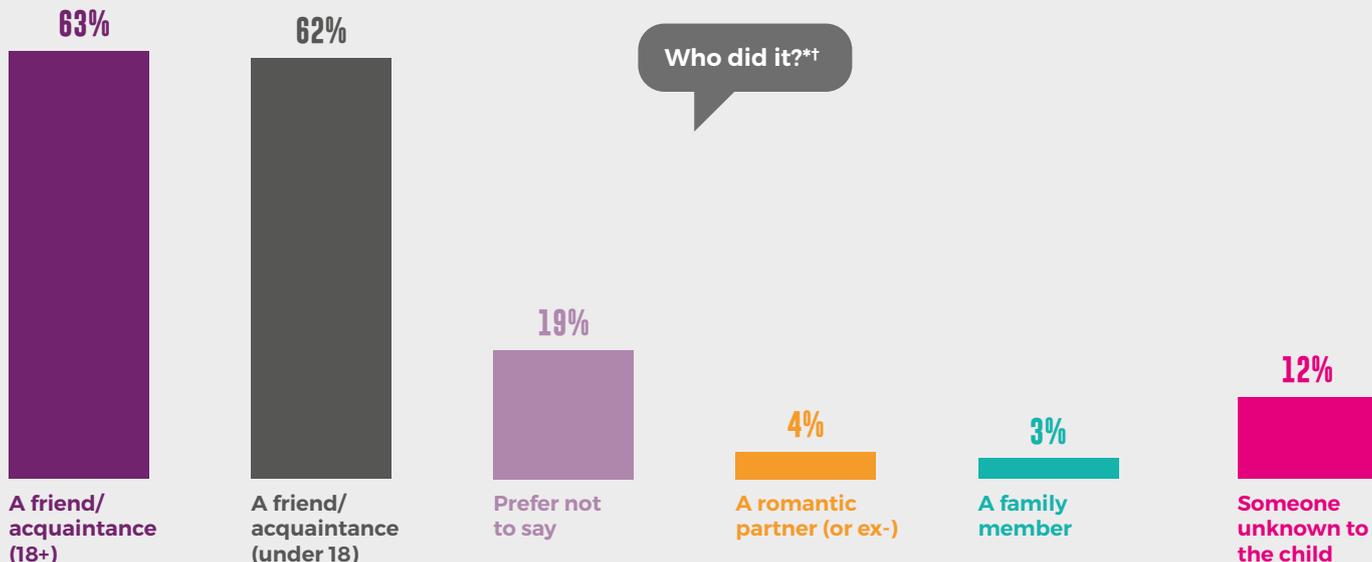
THE LAST TIME THIS HAPPENED...

63% A friend/acquaintance (18+)

62% A friend/acquaintance (under 18)

19% Prefer not to say

Who did it?*†

4% A romantic partner (or ex-)

3% A family member

12% Someone unknown to the child

n = 68 internet-using children aged 12–17 whose sexual images were shared non-consensually in the past year.

Where did it happen?*†

68% Social media

24% In person

63% In an online game

22% Some other way

n = 68 internet-using children aged 12–17 whose sexual images were shared non-consensually in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
78%

Twitter
74%

TikTok
65%
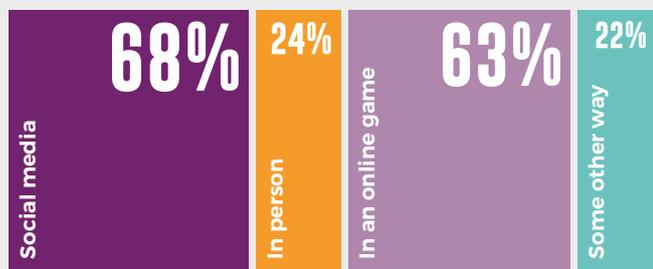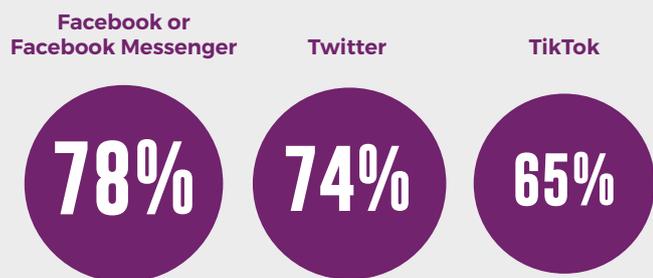
n = 46 internet-using children aged 12–17 whose sexual images were *most recently* shared *via social media*.
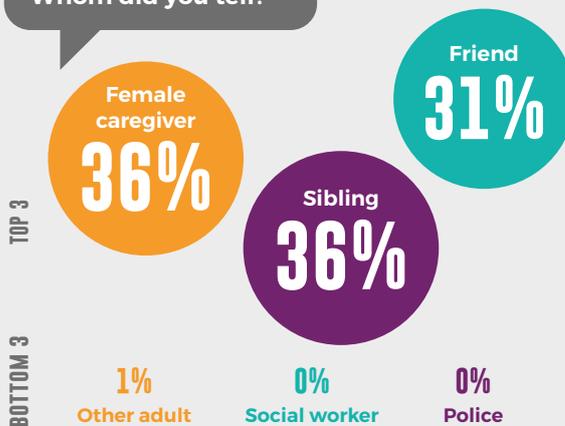
Whom did you tell?**†

TOP 3

Female caregiver **36%**

Sibling **36%**

Friend **31%**

BOTTOM 3

1% Other adult

0% Social worker

0% Police

n = 68 internet-using children aged 12–7 whose sexual images were shared non-consensually in the past year.

Why did you not tell anyone?*†

I did not know whom to tell
75%

I did not think it was serious
25%

I felt that I did something wrong
22%
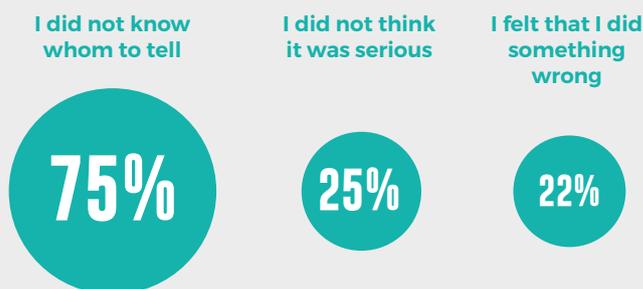
n = 9 internet-using children aged 12–17 who *did not tell anyone* the last time their sexual images were shared non-consensually.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

According to a ThaiHotline representative interviewed, children may start engaging in this practice because *"they may want some extra money and did not see any physical damage (from taking video clips) ...There are several cases where children do not think about anything at all except to get some money, and it is fun."* (RA2-TH-01-A) An official at the Department of Juvenile Observation and Protection which works primarily with juvenile offenders, indicated that victims might not always understand the full consequences of sharing sexual images or videos. They are not concerned about being victims of OCSEA and simply desire the payment that comes from providing sexual content or engaging in sexual acts. (RA1-TH-01-A-F) Another official from the same department said: *"There are a lot of cases for friends inviting other friends to join. Children told us that they got a sample clip from a friend that doing the same would get some money, so they did it. They were not aware that it would affect their daily lives".* (RA2-TH-01-A) In reality, once this kind of content is shared the child loses control of where or to whom it is disseminated. In a study by the Internet Watch Foundation and Microsoft 90% of the 'youth-generated' sexual images and videos assessed were 'harvested' from their original upload location and later redistributed on third party websites.[85]

Children who took part in the *Disrupting Harm* household survey were asked, "in the past year, how often have you accepted money or gifts in exchange for sending sexual images or videos of yourself?" Given its sensitivity, this question was asked only to the 15–17-year-olds. Among the 508 respondents, 7% said that in the past year, they had accepted money or gifts in exchange for their sexual images or videos. While on its own, this may not seem like a large number of children, the data are representative of 15–17-year-old internet users across Thailand. This suggests that one out of every fourteen children in this age group received money or other forms of compensation in return for sexual content. Since some children may have been hesitant to reveal their involvement in such activities – even in an anonymised survey – the true figure could be even higher.

The ThaiHotline representative described how some children who agreed once to send self-generated sexual content – in return for money – found themselves in an escalating, abusive situation.

"[Children] told us that they did it to get small money like 500 or 1000 Baht; [and] later on it got posted online, and the children got threatened to send more clips. Many children do not want to tell their parents, so they got deceived [to send] more clips. Until they could not stand it anymore, they reported to us, or they told parents and the parents brought them to us." This quote reflects the realities of OCSEA, and how a range of methods can be deployed by offenders to exploit children. (see page 47 for more about sexual extortion).

The growing use of digital and mobile payments, which makes micro-transactions easy and instant, may facilitate OCSEA. Thailand is among the top ten countries globally in regards to usage of mobile payments in stores, and there has long been a global concern, particularly within the law enforcement field, of the risk of 'borderless' crypto-currencies being misused to facilitate child abuse.[86] In cases where there is an indication of financial flows pertaining to OCSEA material or live-streaming leading to payment, TICAC can ask for further investigation and technical support from the Financial Crimes Unit.

Live-streaming

Presently, neither the Thai Penal Code nor any other Thai law explicitly criminalises the live-streaming of child sexual abuse. Going by the definition of CSAM provided by the Thai Penal Code, live-streaming of child sexual abuse would not be covered because the abuse is not necessarily stored on the computer of the receiver.

Reality is well ahead of the legislation: live-streaming of OCSEA is indeed happening in Thailand, according to a representative of ThaiHotline: *"I saw some clips where the children had not yet removed clothes, or only removed the upper part... [and] we heard the grooming voice cheering children to remove all. Those clips were recorded [for] live-streaming. We knew this from the voices in the clips; if it starts from grooming to removing more and more clothes, it will be live-streaming."* (RA2-TH-01-A)

The lack of legislation clearly criminalising the live-streaming of child sexual abuse is not the only hurdle in addressing this threat. According to the same ThaiHotline representative, monitoring these cases and stopping the abuse before it takes place or even during the live-stream remains a major challenge.

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85. Internet Watch Foundation & Microsoft. (2015). Emerging Patterns and Trends Report #1 Online-Produced Sexual Content.
86. Internet Watch Foundation. (2014). Briefing Paper – Preliminary Analysis of New Commercial CSAM Website Accepting Payment by Bitcoin.

How Technological Development has Influenced OCSEA

The wide availability of faster and cheaper internet access has led to the increasing use of video tools in communications. Video chat and live-streaming tools have rapidly gained popularity and are changing the ways we engage with each other, particularly for young people. Live-streaming is increasingly used both amongst small private groups and for 'broadcasts' to large, public, unknown audiences. In Thailand, 87% of internet users aged 12–17 watch live-streams at least every week. Girls were more likely than boys to watch live-streams (91% and 82%, respectively). Ninety-one percent of 16–17-year-olds watch live-streams every week, compared to 81% of the youngest respondents. Music and gaming are the most common types of live-streams enjoyed by children who watch live-streams at least weekly.

While watching live-streams is often harmless and has many benefits, the misuse of such tools is creating new ways of perpetrating OCSEA, including the following:

Offenders broadcasting child sexual abuse: Live-streaming tools can be used to transmit sexual abuse of children instantaneously to one or more viewers, so that they can watch it while it is taking place. Remote viewers may even direct the sexual abuse, and financial transactions may be conducted alongside the abuse or even within the same platforms. Streaming platforms do not retain content shared, only metadata concerning access to their services. This means that when the streaming stops the CSAM vanishes, unless the offender deliberately records it. This creates specific challenges for investigators, prosecutors, and courts, especially as the existing legislative definitions of CSAM and methods of investigation and prosecution can rely on outdated conceptualisations of the problem.

Self-generated sexual content involving children: As noted in chapter 1.3.3, the rise in self-generated sexual content – both coerced and non-coerced, live-streamed or recorded – poses complex challenges. Even if its production is non-coerced, this content may still make its way into circulation through non-consensual sharing or nefarious means, such as hacking. Governments and support services everywhere are grappling with how to address these issues.

2.3 OTHER EXPERIENCES OF CHILDREN THAT MAY BE LINKED TO OCSEA

In addition to the examples of OCSEA already presented, children may be subject to other experiences online which can be harmful, such as sexual harassment or unwanted exposure to sexualised content. These experiences could contribute to the desensitisation of children so that they become more likely to engage in sexual talk or sexual acts – for example, during a grooming process.

2.3.1 Sexual Harassment

Although Thai legislation criminalises sexual harassment in general,[87] it does not explicitly criminalise it when performed online and when the victims are children. The *Disrupting Harm* household survey of internet-using children shows that in the past year, 17% of children (n = 167) have been exposed to sexual comments about them that made them feel uncomfortable, including jokes, stories, or comments about their bodies, appearance or sexual activities. There were no major differences by age or gender in terms of exposure to this kind of sexual harassment.

How did children feel? Among the 167 children who were exposed to unwanted sexualised comments or jokes in the past year, a third said that they weren't affected by their most recent experience with this type of harassment. A few children felt embarrassed – 20 children and more often boys than girls – or annoyed by their most recent experience. Fourteen percent of children who had this experience preferred not to answer the question.

Online or offline? Among the 167 children who had been harassed in this way, most said the recent instance occurred on social media (51%). Twenty-seven percent said they were harassed in-person, 24% said this happened in an online game, and 6% some other way. Girls were more likely than boys to face sexual harassment in person. Among the 85 children whose most recent experience with verbal sexual harassment happened on social media, Facebook or Facebook Messenger was by far the most common platform where children were targeted (79%); this could be due to Facebook's popularity in Thailand.

Twitter and TikTok were also cited by children, while Instagram and Line were mentioned by a third of this subsample. Girls were more likely than boys to be targeted on Facebook and Twitter.

Who made these comments: The offenders of the verbal sexual harassment were most often friends of the victims. In most cases, this was done by an *adult* friend or acquaintance, followed by friends who are younger than 18 years. It was quite unlikely for children to be verbally sexually harassed by a romantic partner or a family member. As shown in the infographic on page 63, taken together, children were more likely to receive such comments from someone they already know rather than from a person unknown to the child. Notably, over one-fifth of children (36 children) did not want to answer this question, perhaps due to discomfort describing these experiences, even in an anonymous survey.

Whom did children tell – if anyone? Children were not likely to engage with formal reporting mechanisms the last time they received sexual comments that made them uncomfortable. As with other forms of sexual violence, they relied on their interpersonal relationships instead. One quarter of those 167 children disclosed their experience to a female caregiver, and 21% turned to a friend. Over a third of children who received unwanted sexual comments in the past year did not tell anyone about what happened to them. Boys were more likely than girls to not tell anyone about this experience.

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87. Government of Thailand. (1956). Thai Penal Code, 1956 (as amended by the Amendment to the Criminal Law No. 24 of 2015), Section 397.

IN THE PAST YEAR
SOMEONE MADE SEXUAL COMMENTS ABOUT ME THAT MADE ME FEEL UNCOMFORTABLE

YES 17%

Base: Internet using children 12–17
n = 967 children

THE LAST TIME THIS HAPPENED...

How did you feel?*

It didn't affect me
35%

13%
Embarassed

12%
Annoyed

Who did it?*†

A friend/acquaintance (18+) — **42%**

A friend/acquaintance (under 18) — **34%**

Prefer not to say — **22%**

A romantic partner (or ex-) — **8%**

A family member — **4%**

Someone unknown to the child — **26%**

n = 167 internet-using children aged 12–17 who were subjected to verbal sexual harassment in the past year.

Where did it happen?*†

51% Social media

27% In person

24% In an online game

6% Some other way

n = 167 internet-using children aged 12–17 who were subjected to verbal sexual harassment in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
79%

Twitter
40%

TikTok
38%
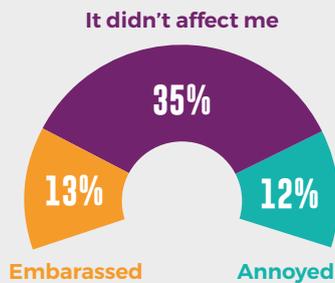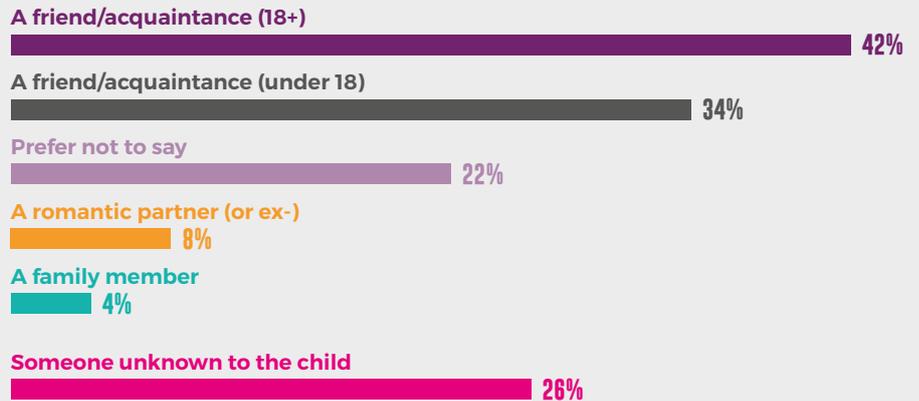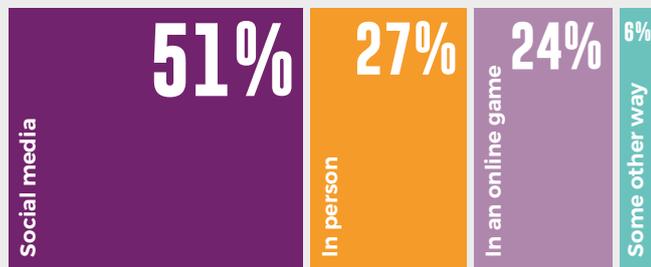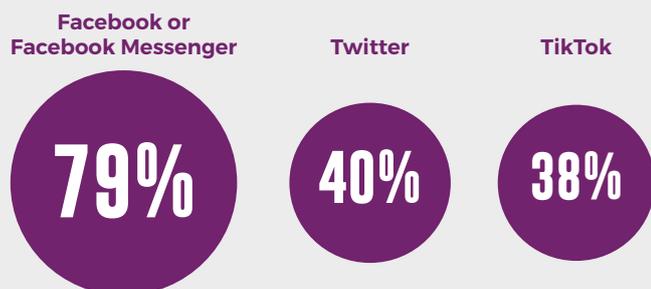
n = 85 internet-using children aged 12–17 who were *most recently* subjected to verbal sexual harassment *via social media.*

Whom did you tell?**†
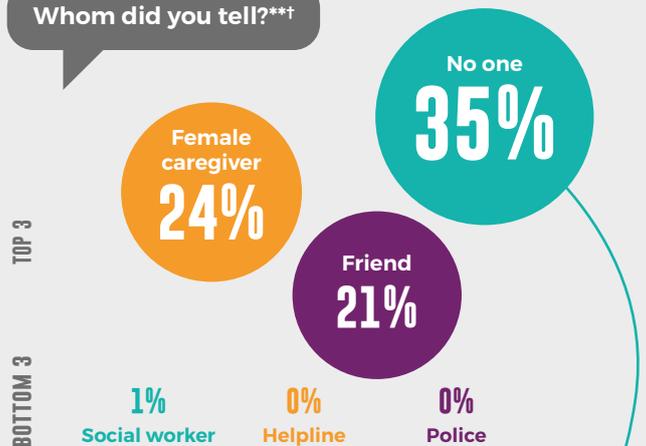
TOP 3

Female caregiver
24%

No one
35%

Friend
21%

BOTTOM 3

1% Social worker

0% Helpline

0% Police

n = 167 internet-using children aged 12–17 who were subjected to verbal sexual harassment in the past year.

Why did you not tell anyone?*†

I did not know whom to tell
53%

I did not think it was serious
26%

I felt embarrassed
9%

I did not want the person who did this to get into trouble
9%
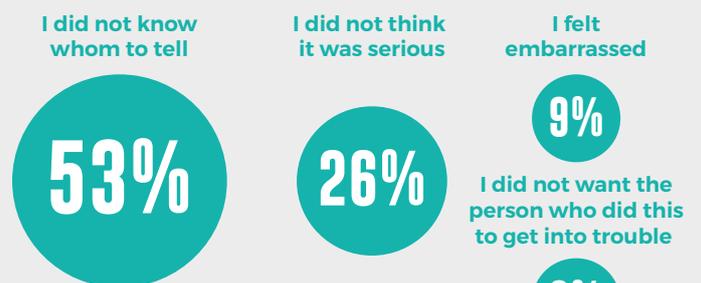
n = 58 internet-using children aged 12–17 who *did not tell anyone* the last time they were subjected to verbal sexual harassment.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

IN THE PAST YEAR
SOMEONE SENT ME SEXUAL IMAGES I DID NOT WANT

YES 16%

Base: Internet using children 12–17
n = 967 children

THE LAST TIME THIS HAPPENED...

How did you feel?*

It didn't affect me
45%

7%
Scared

7%
Embarassed

15%
Annoyed

Who did it?*†

A friend/acquaintance (under 18) **41%**

A friend/acquaintance (18+) **39%**

Prefer not to say **17%**

A romantic partner (or ex-) **7%**

A family member **5%**

Someone unknown to the child **35%**

n = 152 internet-using children aged 12–17 who received unwanted sexual images in the past year.

Where did it happen?*†

66% Social media

22% In person

29% In an online game

6% Some other way

n = 152 internet-using children aged 12–17 who received unwanted sexual images in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
85%

Twitter
34%

Instagram
31%

TikTok
31%
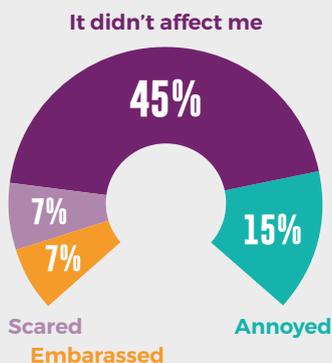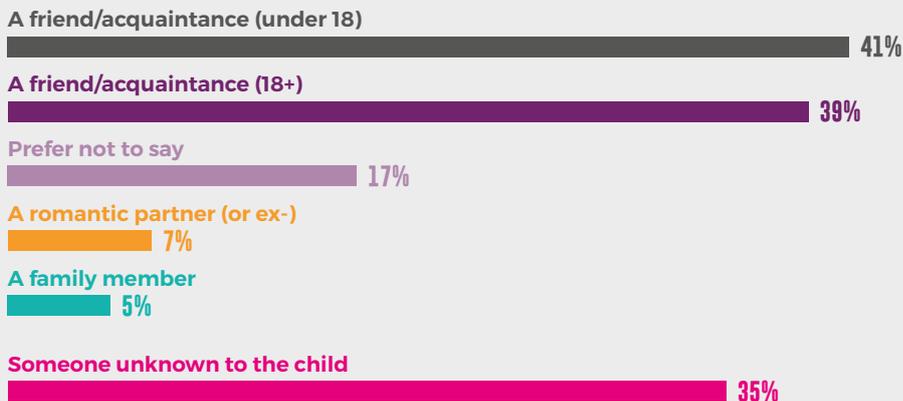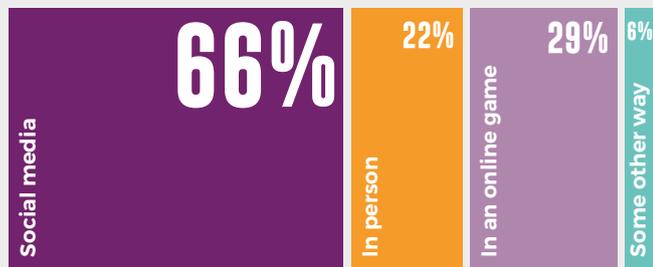
n = 100 internet-using children aged 12–17 who *most recently* received unwanted sexual images *via social media.*

Whom did you tell?**†

TOP 3

Female caregiver **20%**

Friend **26%**

No one **35%**

BOTTOM 3

1% Social worker

1% Police

0% Helpline

n = 152 internet-using children aged 12–17 who received unwanted sexual images in the past year.

Why did you not tell anyone?*†

I did not know whom to tell
44%

I did not think it was serious
25%

I felt that I did something wrong
17%

n = 52 internet-using children aged 12–17 who *did not tell anyone* the last time they received unwanted sexual images.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

2.3.2 Receiving unwanted sexual images

Sixteen percent of children said that they were sent unwanted sexual images in the past year, which is another form of sexual harassment. There were no major differences by gender or age.

How did children feel? Forty-five percent of children who received unwanted sexual images (68 children) said that their most recent experience did not affect them at all. Children also reported feeling annoyed by this experience. Eleven percent of respondents preferred not to answer this question.

Who sent these images? As with verbal sexual harassment, children were most likely to receive unwanted sexual images from a friend or acquaintance. In this case, of the group of 152 children who stated that they had received these images in the past year, 41% of children were sent images by a friend or acquaintance younger than 18 years, and 39% were sent unwanted sexual images by a friend who is 18 years or older. Romantic partners (current or former) and family members were least likely to be the senders. Once again, this was more likely to be committed by someone who is already in the child's life than by someone unknown to the child.

Online or offline? As might be expected, children were more likely to receive unwanted sexual images online (66% on social media, 29% through an online game) than in person (22%). Once again, Facebook or Facebook Messenger were by far the most common platforms where children were being targeted with sexual images they did not want, followed by Twitter, Instagram, and TikTok.

Whom did children tell – if anyone? Over a third of children who were sent unwanted sexual images said that the last time this happened, they didn't tell anyone. Children who did disclose their experience to someone chose to turn to a friend (26%) or to their mothers (20%) or siblings for support (19%). Once again, almost no children engaged with formal reporting mechanisms. Among the 52 children who did not tell anyone the last time they were sent unwanted sexual images, the most common barrier to reporting was not knowing where to go or whom to tell (44%). This was followed by not thinking that what happened was serious enough to report (25%) and feeling they did something wrong (17%).

2.4 INSIGHTS ABOUT VICTIMS AND OFFENDERS FROM KNOWN OCSEA AND CSEA CASES

2.4.1 Victims

Data supplied by DSI and TICAC do not distinguish between online and offline CSEA victims (see reasons described in chapter 2.1). The data are also not representative of all OCSEA cases in Thailand but instead represent the reported cases by these two agencies between 2017–2019.

According to the crime data collected, 71% of CSEA (online and offline) victims recorded by DSI were in the 10 to 12 age group. In contrast, children aged 15 to 17 accounted for the largest proportion (46%, n = 99) among victims that were safeguarded by TICAC.

All the CSEA victims recorded by DSI were male, while the majority of victims (74%, n = 158) recorded by TICAC were female. In recent years, there appears to be growing awareness of boys in Thailand experiencing sexual exploitation and abuse. For example, one Government duty-bearer noticed: *"Presently, I notice that the number of boys experiencing sexual exploitation and abuse has been rising."* (RA1-TH-04-A) The household survey results cannot be compared to the crime data above, as it captures different instances and forms of abuse. Nonetheless, data from the survey provide additional insights into victim characteristics. Among internet-using 12–17-year-olds, boys and girls were equally likely to be subjected to each form of OCSEA measured in the household survey. This may also contradict the common public assumption that boys are less vulnerable to OCSEA than girls.[88]

All but one of the victims in DSI caseloads were Thai nationals, and the majority (10 out of 12) were living at home. This challenges a popular belief that CSEA only affects children living on the street. While the small data set supplied by law enforcement authorities is not representative of the country as a whole, the suggestion that domestically-settled children are also victims aligns with the observations of national responders to OCSEA. *"We found that victims of OCSEA cases are mainly from middle-class families"* said a representative of the Ministry of Social Development and Human Security. (RA1-TH-06-A)

A participant in the survey of frontline workers remarked, *"OCSEA and typical sexual exploitation is currently similar because everyone, including members of ethnic minority groups, are all able to access technology and can fall prey to online sexual abuse. Victims need not be poor only. Children or adolescents who are better off can also become victims of child sexual exploitation."* (RA3-TH-24-A)

2.4.2 Offenders

DSI reports that all their CSEA offenders in the years 2017-2019 were male. TICAC reports a lower proportion, with 75% male offenders between 2015 and 2020. DSI also reported on offender age where known (n = 25), with a relatively even distribution between the ages of 18 and 79.

Thailand is a destination of choice for travelling child sex offenders. Foreign nationals accounted for 82% of DSI's offenders in the reporting period and for 20% of the caseload of TICAC between 2015 and 2020. This reflects the fact that the two units have their own operational focus – one prioritising work with international law enforcement, the other domestic OCSEA offences.

Data provided by DSI reveal that four out of nine offenders in 2017 had previous convictions for violent or sexual offences (data for 2018 and 2019 was unavailable). Since the majority of these units' suspects are foreign nationals, this prompts a question whether these offenders were convicted overseas and whether they were subject to effective criminal records sharing and sex offender management regimes.

Relationship between victim and offender

DSI data revealed that the suspects in the reporting period were equally likely to be individuals outside the victim's immediate family and friendship networks, as they were to be family members, adult friends of the family, and child peers (8 out of 16 suspects each). Since the law enforcement data on the relationship between victims was received only from one department, it should not be regarded as representative of typical victim-offender relations in OCSEA cases in Thailand. Still, it broadly corresponds to results from the household survey in terms of offender profiles.

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88. ECPAT International (2021). Global Initiative to Explore the Sexual Exploitation of Boys: Thailand Report. Bangkok: ECPAT International

While not providing a direct comparison to law enforcement data, frontline social support workers who had managed cases that involved OCSEA during the past 12 months indicated that based on their caseload, the most common relationship between the victim and offender was said to be that the offender was someone unknown to the child, which was closely followed by community member over 18, caregiver, other relatives over 18, and foreign nationals. As noted by one frontline social support worker who encountered OCSEA cases, the victim's friends of similar age can also become offenders: *"Aside from strangers, a large number of wrongdoers or perpetrators are those close to children but are not relatives. They include boyfriends or intimate friends who are in the same ages or are older"*. (RA3-TH-18-A) Similarly, an officer of TICAC stated that *"I [arrested a] suspect owning child sexual abuse material… the suspect was a child as well."* (RA1-TH-02-A)

> **Offenders often came from within the victims' circle of trust.**

Other frontline workers pointed to people in positions of authority as being involved in the abuse. One noted that offenders tend to be *"people related to children, such as tutors, older friends, relatives, mothers, and police officers. These people have befriended children as part of a grooming process."* (RA3-TH-14-A) The ThaiHotline has observed several cases in which adults in positions of trust, including monks and teachers, have tried to groom children with sexual messages. (RA2-TH-01)

The household survey of 12–17-year-old internet users showed that people known to the child were more likely to be the offenders compared to someone unknown to the child. Specifically, friends were most often the offenders in question. Whether this was friends under 18 years or adult friends differed by the type of OCSEA measured.

2.5 BARRIERS TO CHILDREN SPEAKING TO ADULTS ABOUT OCSEA

2.5 Barriers to children speaking to adults about OCSEA

Children in Thailand broadly felt that they could depend on their interpersonal networks as support if they needed help. In the household survey, as many as 94% of internet-using children said that they can rely on a family member to help them if they have a problem. For children who experienced OCSEA in the past year and disclosed it to someone, female caregivers were the most likely confidant. On the other hand, across the various forms of OCSEA captured in the household survey, between 8 – 31% of children never told anyone what happened to them, depending on the type of OCSEA in question. Some interviews with children, justice actors, and frontline workers showed that children sometimes do not share their experiences with their caregivers in fear of being blamed.

2.5.1 Reasons for not telling

Data from the household survey, interviews with children who have been through the justice system, survey of frontline workers, and interviews with government duty-bearers all indicate that children in Thailand might not disclose their OCSEA experiences due to:

Shame, stigma, and victim-blaming: Forty-five of the 50 frontline social support workers surveyed believed that stigma from the community is a key factor influencing reporting on OCSEA in Thailand. Likewise, 56% noted the low status of children in society as a key factor, and 70% said that taboos around discussing sex and sexuality influence the reporting of OCSEA (Figure 27). *"Child victims or family members are not willing to file a complaint because of shame,"* said one public prosecutor interviewed, *"Sometimes we found many child victims' photos, yet we could not cooperate with victims' parents. For example, [only] 1–2 victims were willing to file a complaint, although we found more than ten child victims."* (RA4-TH-10-A) In the survey of frontline workers, 'fear that images may be published online and uncovered by mass media' was mentioned as a factor that influences reporting on OCSEA, which indicates the shaming concerns might be particularly influential in cases of CSAM. Additionally, experiences of victim-blaming were mentioned by some of the children who went through the justice system. As one child who ended up reporting her case said: *"I was not ok; I was afraid that my parents would scold me because I went out to enjoy myself."* (RA4-TH-01-A)

Figure 27: Social and cultural barriers to reporting OCSEA.

Barrier	Percentage
Stigma from community if a known victim	90%
People don't know mechanism for reporting	84%
Cannot trust services to be confidential	84%
Low knowledge of the risks from parents	82%
People know it happens but tolerate it	74%
Taboo to discuss sex and sexuality	70%
Poor quality of service for reporting	66%
Low status of children means no rights to report	56%
Police don't accept report	48%
Victim is punished	46%
Expected roles for men and women	42%
No hotline or helpline	24%
Other	22%

Source: Frontline welfare workers, n = 50.

Fear of consequences: When asked what they would do if their child experienced sexual harassment, abuse, or exploitation, most caregivers said they would tell someone they trust like a spouse (67%) or another family member (35%). Fewer caregivers said they would report formally. For example, only 17% of caregivers participating in the household survey said they would report to the police, and 4% said they would keep it to themselves. Of those caregivers who said they would not tell anyone (4% or 34 caregivers), seven cited concerns over negative consequences as a barrier to reporting, and seven said they would not report because they did not think anything would change. A director of a non-governmental organisation working on protection of children from trafficking and sexual abuse spoke of one case where a student was sexually assaulted, and the alumni association pressured the school to dismiss the victim. Although the school did not comply, this example speaks to some of the repercussions that victims could face. As indicated by the Director of the HUG Project,[89] caregivers might not always follow through on a complaint in fear of the consequences: *"Most parents do not want to proceed with the case; they are worried that it will affect children's mental health and education. However, such kind of worry cannot sustainably eliminate the problem. If the case enters a legal process, it will help relieve the victim's mind. The relief starts by telling us the story, telling the parents the story, and entering a judicial process to get the appropriate sentence."* (RA4-TH-04-A).

Insufficient parental guidance or support: Some children might hesitate to report on what happened if they don't have *"at least one adult from whom the child can ask for help, or who can give the child both physical and psychological support."* (RA3-TH-32–A) In other cases, caregivers are available, but the child may hesitate to disclose to them what happened; the Director of HUG project explained that *"when an online child abuse case happens, the child is terrified that the parents will know the story.*

It puts us in a difficult situation because a case for a child aged less than 18 years old requires parents to acknowledge the legal process." (RA4-TH-04-A)

Lack of awareness that OCSEA is a crime: Data from the household survey show that one of the top barriers to children reporting OCSEA is the belief that what happened to them was not serious enough to report. This pattern suggests that children do not understand OCSEA and its manifestations nor that it represents a grave violation of their rights and ought to be reported. One of the justice actors mentioned that in cases of OCSEA with a commercial element, some victims have difficulty distinguishing that they are being abused: *"Some [victims] said that it was just a show to earn a living, not an abuse."* (RA4-TH-06-A)

Lack of knowledge on reporting mechanisms: This was mentioned by 39 out of the 50 frontline social support workers as a barrier to reporting OCSEA cases in Thailand. This was also one of the most common barriers to reporting mentioned by children in the household survey who were victims of OCSEA in the past year. It may reflect a lack of availability or awareness of formal reporting channels – such as helplines and law enforcement – or that children might not have adequate support systems available to them at the interpersonal level.

This finding is somewhat incongruent with another finding from the household survey, showing that 47% of children in Thailand said they would know where to get help if they or their friend experienced sexual assault or sexual harassment. The discrepancy highlights the difference between expected and actual behaviour when children experience harm; while 47% shared they would know where to seek help in a hypothetical situation, for those who actually experienced abuse and did not tell anyone about what happened, not knowing where to go was a major obstacle to reporting. Older children were more likely to be aware of where to get help compared to younger children (aged 12–13: 40%; 14–15: 45%; 16–17: 56%). There were no notable gender differences.

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89. The HUG project works in Thailand to prevent sexual abuse and trafficking of children, and to support children who have endured this kind of violence through partnership with police, schools, communities, families, and children.

3. RESPONDING TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN THAILAND

This chapter presents evidence about current Thai response mechanisms, including formal reporting options and responses by police and the court system. It also considers the contributions that government, civil society, and the internet and technology industry make to combating OCSEA in Thailand. Much of the data is drawn from qualitative interviews with government officials, law enforcement, court professionals and children and caregivers who accessed the formal justice system. Responses may not reflect the full range of experiences of those accessing the Thai response mechanisms to OCSEA.

3.1 REPORTING MECHANISMS

As seen in the previous chapter, few children report cases of OCSEA to formal reporting mechanisms like the police or helplines. Similarly, the majority of caregivers would hesitate to report to the police if their child experienced sexual harassment, abuse, or exploitation. As mentioned, in the sample of caregivers included in the household survey, only 17% said that they would tell the police if hypothetically their child was subjected to these forms of abuse. In the interviews with six survivors of OCSEA and three of their caregivers, children who decided to report their experience of OCSEA did so because they wanted to be compensated for the harm that the incident caused them and because they did not want the offenders to do it again to other children. As one survivor said about her offender, *"he did not only do this to me alone; in the future, he might keep doing this."* (RA4-TH-03-A, B)

While chapter 2.1 describes children's experiences of OCSEA in Thailand, this sub-chapter will highlight the law enforcement units and civil society organisations that handle OCSEA-related cases. The main channels to report OCSEA cases in Thailand are the police – namely, TICAC; the online reporting portal of the Technology Crime Suppression Division; and the National Helpline 1300. There are also two non-governmental organisations: the ThaiHotline and Childline Thailand.

3.1.1 Police

There is no law enforcement unit in Thailand that specialises in investigating OCSEA. Instead, OCSEA-related cases are handled mainly by two separate bodies:

- TICAC, which operates on a case-by-case basis and to which the general public can report
- DSI under the Ministry of Justice, which receives reports from foreign law enforcement agencies (see chapter 2.1 for crime data) and does not have a reporting line for the general public

TICAC

TICAC monitors, investigates, and prosecutes internet crimes against children (see chapter 2.3 for details about TICAC). Reports from the public can be made directly to TICAC. In addition, TICAC receives OCSEA reports through the following channels:

- **Facebook page of Thailand, Internet Crimes Against Children:** This is a channel where victims or friends of victims can directly report cases. An officer of TICAC (RA1-TH-02-A) shared that, *"Initially, we aimed to use Facebook to promote preventive measures to the public. Still, later, more and more people contact us via Facebook to report and follow up on OCSEA cases."* According to one child survivor interviewed, this reporting mechanism worked effectively: *"I contacted the police via TICAC-Thailand Internet Crimes Against Children [Facebook page]. After that, they quickly contacted me. At that time, I was sceptical if they would respond to my message."* (RA4-TH-04-A-child)
- **Non-governmental organisations** working with TICAC, inside and outside of Thailand
- **Embassies**
- **Other government agencies,** such as the Ministry of Social Development and Human Security
- **Local police officers**

Data from TICAC indicates that between June 2015 and October 2020, TICAC investigated 302 cases: 122 related to OCSEA, 50 related to human trafficking, and 38 child sexual abuse. Nakhon Ratchasima, Bangkok, and Chonburi were the provinces with the highest number of arrests (for more detailed crime data analysis, see chapter 2.1)

Case Study – TICAC Investigation

In June 2018, TICAC received information from a child victim through Facebook that CSAM of the child and their friends had been produced and sold online. TICAC's investigation led to the prosecution and sentencing of three offenders to 22 years, six years, and eight years imprisonment, respectively. Three victims were awarded 3,769,000 THB (125,216 USD) in compensation.[90] In this and similar cases, TICAC reports that its officers partner with the Ministry for Social Development and Human Security, the Office of the Attorney General, the HUG Project, and A21 Foundation in the preparation of cases for court, including victim impact statements that reflect the physical and psychological effects of CSEA.[91]

Technology Crime Suppression Division

The Technology Crime Suppression Division prevents and responds to technology-related offenses, monitors the presence of illegal and obscene material online, and coordinates cooperation between domestic and foreign agencies.[92] While TICAC focuses more on offenders of OCSEA, the Division reportedly investigates websites containing OCSEA material (and web administrators).[93]

Reports can also be made to the Division online or by phone. In 2019, there were over 2,500 cases reported to the Technology Crime Suppression Division consisting of defamation (40%), cyber scam (25%), business email compromise (3%), hacking (5%), and others (27%).[94] It is not clear how many OCSEA reports the Division investigates per year since there is no separate category for this type of offense in the reporting system.

According to interviews with representatives from the Investigation Division of the Provincial Police Region 5, the Technology Suppression Crime Division is in the process of expanding with the creation of a cyber unit. One interviewee said the main tasks of this new cyber unit will include *"handling cases involving computer-related offenses, including online child abuse cases."* (RA4-TH-03-A)

3.1.2 National Helpline 1300

Another possible avenue through which children in Thailand can seek help is the 24-hour National Helpline 1300, operated by the Ministry of Social Development and Human Security. The Helpline receives reports on violence, abuse, sexual exploitation, and trafficking,[95] and connects victims with appropriate services, such as emergency rescue, psychological support, and social services. The National Helpline 1300 is available for all children, regardless of nationality, and includes interpretation services in 20 languages by trained staff. As of 2017, a total of 68 staff members worked at the National Helpline 1300.[96]

The Helpline received an increasing amount of total calls every year, however the calls on child sexual abuse were somewhat reduced each year. No data on child sexual abuse cases was available for the year 2019. Helpline 1300 registered in separate categories reports of sexual harassment/indecent acts on children as well as trafficking of children. It is unclear to what extent those reports constituted OCSEA-related cases.

Apart from the 1300 line, the Helpline has also launched a reporting mechanism through the mobile app LINE; 32,317 reports were received via this channel in 2020.[97,98] No data on the types of reports and effectiveness of the portal has been collected.

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90. Government of Thailand. (2020). Royal Thai Government's Country Report on Anti-Human Trafficking Efforts.
91. Government of Thailand. (2020). Royal Thai Government's Country Report on Anti-Human Trafficking Efforts.
92. See: Royal Thai Police Technology Crime Suppression Division.
93. Subhamitr. J.C.(2018). The Impact of Child Molestation and Human Trafficking as a Result of Child Pornography to Thai Economic and Social Security
94. UNODC. (n.d.). Cybercrime Presentations: Thailand.
95. UNICEF. (2016). Child Protection in the Digital Age: National responses to online child sexual abuse and exploitation in ASEAN Member States.
96. Ministry of Social Development and Human Security. (2017). Thailand's Country Report on Anti-Human Trafficking Response.
97. The cases reported through the mobile application are not included in the total number of calls received included in Figure 28.
98. Ministry of Social Development and Human, Security Social Help Center Hotline 1300. (n.d). Statistics Hotline.

Figure 28: Number of reports received by the National Helpline 1300 2017–2020.

	2017[99]	2018[100]	2019[101]	2020[102]
Total number of calls received and/or actioned	96,150	106,412	129,497	343,552
Calls on child sexual abuse[103] (n)	504 cases	453 cases	No data	375 cases
Calls on child sexual abuse (% of total)	0.5%	0.4%	No data	0.1%

Source: https://1300thailand.m-society.go.th/statyearly

Additionally, the Department of Children and Youth has launched the Child Protection Information System linking six online operational systems, one of which is a reporting mechanism through a mobile application. The application was launched in May 2021 and therefore it is too early for Disrupting Harm to assess its effectiveness.

3.1.3 ThaiHotline

The dedicated CSAM hotline, ThaiHotline, was established in 2009 and is currently a member of the INHOPE. The ThaiHotline is operated by the Internet Foundation for the Development of Thailand, in cooperation with the Ministry of Digital Economy and Society, Thai Internet service providers, and law enforcement agencies.[104] It aims to remove illegal and harmful online content (including OCSEA) via an anonymous reporting system[105] for internet users; reports can be made online, by phone, or by email.

ThaiHotline refers cases to the relevant agencies; after receiving a report, analysts review the material and try to determine its geographic hosting location. If the material is hosted outside of Thailand, the report is forwarded via INHOPE to the appropriate member country's hotline.[106] If the material is hosted by a company in Thailand, law enforcement receives an alert, and the hosting provider is notified to remove the content. A ThaiHotline representative explained that after referring cases in which children are the victims, they follow up with the authorities. The representative mentioned that one obstacle in

their collaboration with law enforcement is the lack of awareness of how to handle OCSEA cases in some police stations: *"We should have an option to report [suspected OCSEA] to any police station. In reality, however, the police will reject the case because they have no knowledge and experience on online child abuse cases and how to collect digital evidence."* (RA2-TH-01-A)

The number of URLs containing confirmed CSAM that were reported to ThaiHotline significantly increased each year of the reporting period 2016–2019, totalling 14,411 (Figure 29).

Figure 29: URLs containing confirmed CSAM, as reported to ThaiHotline.

	2016	2017	2018	2019
Number of URLs confirmed to contain CSAM	846	1,421	4,223	7,921

Source: ThaiHotline

These numbers include national and international hosts, precluding an assessment of the number of websites hosted within Thailand. Since these statistics concern URLs for websites as opposed to individual items of CSAM, they may be a more comprehensive indicator of the national scope of OCSEA than hosting identified by international organisations.

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99. Based on the financial year of the Thai government: 1 October 2016-30 September 2017.
100. Based on the financial year of the Thai government: 1 October 2017-30 Sept 2018.
101. Based on the financial year of the Thai government: 1 October 2018- 30 Sept 2019.
102. Based on the financial year of the Thai government: 1 October 2019- 30 Sept 2020.
103. The number reflects both family and non-family violence.
104. Global Resource and Information Directory. (n.d.). Thailand.
105. See: ThaiHotline.
106. Stroebel, M. & Jeleniewski, S. (2015). Global Research Project: A global landscape of hotlines combatting child sexual abuse material on the Internet and an assessment of shared challenges.

The hotline estimates that in 15–20 cases per year, they will receive urgent contact from a child who is being sexually abused by means of online video clips or is about to be abused offline for online exploitation (e.g., the perpetrator is about to film the abuse and share it online). The hotline has observed that these are mostly cases in which children are no longer prepared or able to tolerate threats from their abusers. In instances of urgent cases, the hotline will inform the police, social workers, and NGOs as soon as possible for a quick, coordinated response. (RA2-TH-01-A)

Beyond receiving reports from the public about CSAM, ThaiHotline is cooperating with Google (see chapter 2.1) to eliminate CSAM from the popular, Google-owned video sharing platform, YouTube. *"We are [now a] YouTube 'Trusted Flagger', they will trust us when we 'flag' [channels or videos]."* – the ThaiHotline representative shared. (RA2-TH-01-A) The representative also mentioned Google's plans to implement machine learning to scan for CSAM (to streamline the content removal process) and that ThaiHotline is conducting studies on response to CSAM in other countries to support revision of policy or legislation in Thailand.

Child Hotlines and Helplines – What Is the Difference?

Channels through which children and adults can report cases of OCSEA include child hotlines and child helplines. Child hotlines focus on working with industry and law enforcement agencies to take down content, and they are now more often accessible by web than by phone. Child helplines provide immediate crisis support, referrals, and ongoing counselling and case management services; they generally tend to respond to a broader range of child protection concerns, though some focus specifically on OCSEA.

3.1.4 Childline Thailand and other civil society organisations

The national helpline, *Childline Thailand 1387 "SaiDek 1387,"* is a free, nationwide, 24-hour helpline, not associated with any government agency, that provides assistance to all children under 18, victims of abuse and exploitation. The helpline receives approximately 150,000 calls each year.[107] It is a member of Child Helpline International, to which it reported receiving zero contacts concerning OCSEA in 2017, 61 contacts in 2018, and zero contacts in 2019.[108] The majority of the 2018 number (50 contacts) concerned online child sexual exploitation, defined by Child Helpline International at the time as activities related to CSAM: of these, 30 contacts concerned boys and 20 girls.[109]

Once children disclose their experiences to a civil society organisation, the staff will then pass the cases on to the police. At a later stage, the police may coordinate the investigation and evidence collection with governmental and non-governmental bodies. Consequently, the police will then hand over the collected evidence and information about the case to the prosecutors. One prosecutor noted that the process is not always so smooth and suggested to improve it: *"I was informed by social workers and local NGOs [non-governmental organisations] on the delay of case submission from police officers. To expedite the police officers' process, I suggested social workers and NGOs staff [support the] procedure to collect evidence and provide it to the police officers. Therefore, a government entity for case management is crucial for better operation."* (RA4-TH-05-A)

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107. See: Childline Thailand.
108. 2017 and 2019 data submissions confirmed by Chile Helpline International, November 2020.
109. In 2019 Child Helpline International simplified its data framework to improve the quality and reliability of the data collected and reported by child helplines. Data were reported under nine sub-categories in 2017 and 2018, and two sub-categories in 2019.

One of the social support workers interviewed noted cases in which civil society organisations that received a report on CSAM deleted the material from the website or social media immediately, rather than report to relevant agencies – such as Thailand Internet Crimes Against Children – who know how to properly delete the data after ensuring it as part of evidence submitted to the court. This interviewee emphasised that *"Any NGOs who work on hotline channels for online child exploitation and transfer the case to the police should understand the appropriate protocol. They should not help victims delete online information but transfer the case to the police to manage at the earliest."* (RA4-TH-04-A) For more on the role, the civil society sector plays in response to OCSEA, see sub-chapter 3.4.2.

Challenges to reporting

Unclear reporting process. According to one interviewee, the process of reporting a case is unclear – a pattern corroborated by the respondents of the household survey: *"In terms of filing complaint process, child victims do not know where to file the case. They usually will decide to file the case at the police station in their area. The police station, however, will not accept the case but will issue a daily report. Then the police officer will suggest the victim bring the daily report to us [Investigation Division Provincial Police Region 5]".* (RA4-TH-03-A-justice) This is problematic, in particular for children in remote areas or different provinces, as they might spend about a day traveling from their residence to the Investigation Division Provincial Police Station Region 5 in Chiang Mai (which has a Children Women Families Protection Centre). This may make it impossible for them to report their case at all and hence impede them from accessing justice.

Large volume of cases and inadequate resources. The number of OCSEA reports submitted to the police seems to exceed the capabilities and resources. The ThaiHotline representative said: *"I still see the contents online, despite us reporting it to the police. The police are aware of it; nevertheless, the case has not reached their queue. In other words, the police have so many cases to tackle."* (RA2-TH-01-A)

Lack of knowledge on OCSEA among local law enforcement. Another factor might be that the local police officers lack knowledge and understanding of OCSEA. The survey of frontline social support workers indicates that, from their perspective, there is room for improvement in Thai law enforcement's awareness and response to OCSEA (see Figure 30). As noted by one caregiver who wanted to file a complaint about OCSEA in a local police station: *"When we went to the local police station in [location removed to preserve anonymity], they said that this kind of incident would fade away after some time… I feel that the police were rather reluctant to accept the case. They explained to us that it was difficult to track [the offenders and] it would not be possible to arrest the offenders."* (RA4-TH-03-A-B-caregiver) One frontline social support worker said that local police officers and government officials who are not specialised on OCSEA, do not have knowledge and understanding about it: *"They have no awareness. They are unable – or believe that they are unable – to assist victims. However, law enforcers of specialised units can better handle cases of victims more effectively and speedily."* (RA3-TH-49-A)

Figure 30: Frontline workers' perceptions of local law enforcement awareness and response to OCSEA.
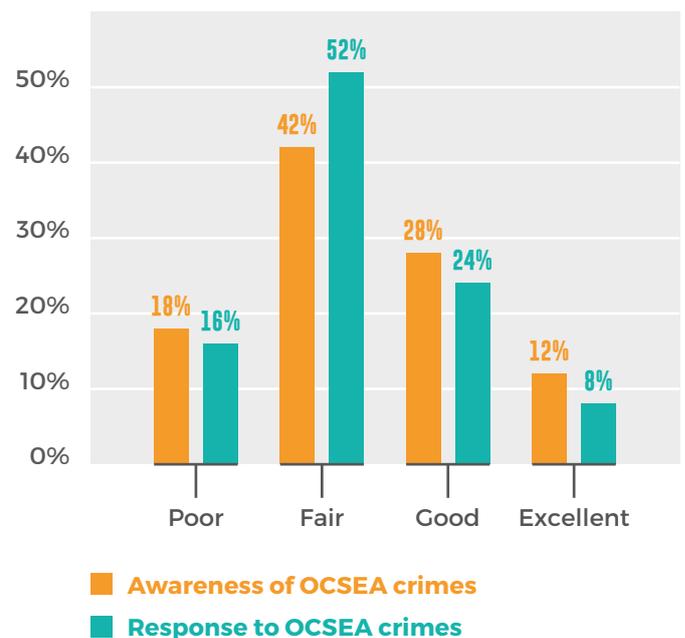
Source: Frontline social support workers, n = 50.

3.2 LAW ENFORCEMENT RESPONSE

3.2.1 The law enforcers

Thailand does not have a single fully dedicated law enforcement unit dedicated to OCSEA. The majority of national stakeholders interviewed for the *Disrupting Harm* report stated that such a unit will be established in the near future. As detailed in the previous sub-chapter, TICAC and the Ministry of Justice's DSI conduct specialist CSEA operations and currently play the leading role in responding to cases of OCSEA in the country. While TICAC investigates reports referred by NCMEC and other partners and by the general public, DSI cooperates with foreign law enforcement agencies in order to exchange information and improve investigations of OCSEA.[110] In addition, the Ministry of Interior Department of Provincial Administration reports the involvement of its officers in OCSEA investigations.

Figure 31: Two main Thai law enforcement bodies countering OCSEA in Thailand.

	Thailand Internet Crimes against Children task force (TICAC)	Department of Special Investigation (DSI)
Staff and capacity	Two hundred twenty police officers nationwide, including digital forensic experts, digital intelligence analysts, and psychologists. These officers are drawn into operations from their regular jobs and assigned specific tasks in the unit on a case-by-case basis. Since officers are not assigned to TICAC on a permanent basis, there is limited capacity to undertake more resource-intensive activities such as covert investigation and proactive monitoring of open and dark web spaces. In cases where there are indications of commercial OCSEA activity, TICAC can request technical support from the Royal Thai Police Financial Crimes Unit to identify the relevant financial flows and gather evidence. According to the law enforcement representatives interviewed, there are no standard operating procedures for requesting and providing this support: instead, most officers rely on interpersonal relationships. Operations are conducted in cooperation with local police units, who often assume responsibility for offline surveillance and ground response.	Five officers were assigned to handle OCSEA cases nationwide as of 2020. DSI regularly draws on the expertise of a number of government bodies, including the Attorney General's chamber (for legal consulting), the Ministry of Justice Central Institute for Forensic Studies (for forensic analysis), and the Ministry of Social Development and Human Security (for social support services for victims). DSI also works closely with organisations in the civil society sector to address needs on a case-by-case basis.
Budget	Since TICAC is not a standing government unit, it is not mandated to receive government budget allocation every year. In the years 2017 and 2018, the government allocated to TICAC nine million baht ($278,210) and 11.84 million Baht ($366,000), respectively. Funds are generally allocated per request to address specific OCSEA cases that have been reported. According to a TICAC officer (RA1-TH-02-A), the lack of awareness concerning the importance of child protection causes the preparation of requests for allocation of budget to OCSEA investigations to be challenging and time-consuming.	The DSI has a dedicated budget. However, the fact that OCSEA is not one of the crime types listed in the Special Case Investigation Act means that the department cannot request a budget to investigate OCSEA unless the case is related to human trafficking offences. Once cases are approved for special investigation, the department also provides financial support to organisations working in collaboration with the division.

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110. TICAC signed a memorandum of understanding to receive reports directly from NCMEC in March 2017.
See: United States and Thailand Signed an Information-Sharing Agreement to Combat Child Sexual Exploitation.

	Thailand Internet Crimes against Children task force (TICAC)	Department of Special Investigation (DSI)
Training received	TICAC officers are trained on open-source investigation, online crimes, and crimes against children. The TICAC investigation team is trained in digital forensics. A representative of the Ministry of Social Development and Human Security confirmed that TICAC *"Has technology for digital forensic investigation so that the evidence collection process will be more effective."* (RA1-TH-06-A). One respondent outlined plans to consolidate the separate databases currently held by the task force and the Department of Special Investigation in order to streamline national efforts to combat OCSEA and reduce duplication.	DSI officials took part in training on CSAM investigation provided by authorities in the U.S, Australia and Europe, and according to a DSI representative (RA1-TH-03-A), *"Those officials will later hold the capacity building activities to train other officials based in Thailand."* In addition, training to build government officers' capacity to investigate OCSEA cases has been organised by government agencies with the support of international bodies, such as INTERPOL, according to interviewees from DSI and the Attorney General.
Training provided	TICAC aims to equip stakeholders, especially police officers working at the local level, with the knowledge and necessary skills to handle OCSEA cases. From 2019 to September 2020, it delivered training sessions, each to approximately 50 police officers, in the four areas with the largest number of OCSEA cases: Bangkok, Krabi, Chiang Mai, and Nakornratchasima. Improved knowledge as a result of the training is believed to have had led to a further increase in the number of identified OCSEA cases in these regions. TICAC also plays a leading role in providing training on child protection issue to school children: *"The training aims to raise awareness and promote preventive measures among vulnerable children. After the training, some students came to TICAC officials to report OCSEA cases happening to them or their friends,"* said the TICAC officer (RA1-TH-02-A). The training, which is delivered in collaboration with the civil society organisation the HUG Project, has reached more than 5,000 children in 13 schools. TICAC also utilises social media channels to promote internet safety advice.[111]	The DSI, in collaboration with the Thailand Institute of Justice and FACE Foundation, developed and is implementing the "Act Now: Actions against Child Sexual Abuse in the Tourism Industry" training programme for law enforcement officers, which aims to equip them with knowledge, skills, and techniques on the identification of OCSEA victims and on locating people accused of possession of CSAM.
International cooperation	As the operations described in chapter 2.1 illustrate, TICAC works directly with U.S. law enforcement authorities, notably Homeland Security Investigations and the Federal Bureau of Investigation. Representatives noted that specialised training programs delivered by these agencies and the United Kingdom National Crime Agency have improved their team's capacity to investigate and provide feedback on international referrals of OCSEA cases, such as NCMEC's CyberTipline reports of suspected child exploitation on global online platforms.	DSI has active partnerships with foreign law enforcement agencies, notably the Foreign Anti-Narcotics and Crime Committee and representatives of foreign authorities stationed in Thailand. In addition to exchanging information on travelling child sex offenders, the department conducts joint operations with foreign agencies (see international operations below). DSI does not have direct access to the NCMEC Cyber-Tipline reports.

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111. See: Twitter – TICAC; and Facebook – TICAC – Thailand Internet Crimes Against Children.

Promising practices

- **Capabilities.** While both TICAC and DSI are limited in staff headcount, they have capable and competent staff to undertake investigations and present cases to the prosecution. The staff receives training and development support through regular seminars with other stakeholders, foreign law enforcement consortium, and bilateral cooperation. The Office of the Executive Director at the Attorney General's Chamber is planning to introduce a project for convening the two units to optimise resources and coordination.

- **Cooperation between law enforcement and civil society organisations** is commendable. Their work with the HUG Project – whose child advocacy centres provide child-friendly services and facilities and assist in the physical and psychosocial recovery of CSEA victims – includes education and awareness. In 2019, TICAC, in collaboration with the HUG Project, published guidelines for police officers on delivering a child-centric approach to their CSEA operations. These guidelines outline best practices for working with child victims, key concepts of child protection as applied by social services; they also encourage safer recruitment of professionals to work with children and serve as a directory with contact details for key stakeholders. Members of TICAC report that they also work closely with the Ministry of Social Development and Human Security and other non-governmental organisations that support child victims.

- **Training initiatives.** The interviewees from DSI and the Attorney General said that government agencies – with the support of international bodies, such as INTERPOL – have organised training for government officers and implementing partners on investigating OCSEA cases: *"We [the Attorney General] conduct capacity building activities for law enforcers and high-level police to be aware of OCSEA situations taking place in their responsible areas,"* said the representative of the Attorney General office. *"As of now, we have done the capacity building activities for two cohorts; we initially expect to implement capacity building activities in nine police divisions."* (RA1-TH-04-A)

The two cohorts that have already been trained included a total of 510 police officers. According to the same representative of the Attorney General office, the training can only be done for one group at a time due to a lack of financial support. He explained that the officers receiving the capacity-building activities will be expected to pass on the knowledge to other police working with them.

- **Educational training for children.** Representatives of both units regularly attend OCSEA-related training, meetings, and activities as participants or trainers. Hence, besides investigation and prosecution, TICAC and DSI play a role in educating children on OCSEA-related information and prevention. According to an officer of TICAC, the unit launched in May 2020 a series of prevention events – called the CARE project – to raise awareness and educate children on OCSEA-related issues. In its first year, the CARE project was implemented in six schools. *"I think we received positive feedback from participating schools, and some students approached the officials to ask for advice regarding OCSEA cases,"* the officer said. (RA1-TH-02-A)

- **Plan of creating a dedicated unit under Cyber-Crimes Directorate of the Royal Thai Police**, which will look into online crimes against children. Once this unit is operational, it is envisaged the investigations and processes will be streamlined. The dedicated unit was scheduled to launch activities in October 2020, but as of the drafting phase of this *Disrupting Harm* report (August 2021), there has not yet been an administrative order for the establishment of the specialised unit, and INTERPOL has not received any formal notification of this unit. It has been published that the Royal Thai Police intends to recruit officers who have had experience in dealing with OCSEA-related cases. It is envisaged that with the establishment of the dedicated unit in the Cyber-Crimes Investigation Division, the designated officers will work on OCSEA and will be able to participate in covert operations, and investigate and monitor the websites communication platforms on the open networks of the internet like social media platforms, communication media, and anonymous networks.

International Operations by the Department of Special Investigations

Operation Blackwrist was launched by INTERPOL after routine monitoring of the dark web revealed material depicting abuse of 11 boys, all below 13 years old. The material originated from a subscription-based website with nearly 63,000 users worldwide. The two-year international operation led to the rescue of 50 children, as well as the arrest and prosecution of child sex offenders in Thailand, Australia, and the United States. All of the images and videos seized have been uploaded to INTERPOL's International Child Sexual Exploitation database.

Thailand's DSI became involved in Operation Blackwrist in June 2017, working in close collaboration with INTERPOL's Liaison Bureau in Bangkok. Investigators around the world joined the effort to identify the 11 boys and find the website's administrators. The U.S. Homeland Security Investigations identified the website IP address and worked on establishing potential links within the United States. Additionally, Bulgaria's Cybercrime Department at the General Directorate Combating Organized

Crime, supported by EUROPOL, took down the website's servers. The Department of Internal Affairs in New Zealand compiled information packages on website users for INTERPOL member countries. The U.S. National Center for Missing and Exploited Children reviewed e-mail addresses and provided additional intelligence. The Australian Federal Police and South Australian Police came on board when an IP address pointed to a location in Adelaide.

The first victims were identified in November 2017, leading to simultaneous arrests in Thailand and Australia two months later. The website's main administrator, based in Thailand, was also identified and arrested in January 2018, and six months later, a Thai court sentenced him to 146 years in prison on charges of child rape, human trafficking, possession, and distribution of CSAM. A second administrator, based in Australia, was sentenced to 40 years and three months in prison, in May 2019, in an Australian court. This is the longest sentence ever imposed in Australia for CSEA offences.

In **Operation Eastern Safeguard**, April 2–10, 2018, DSI identified 13 sources of CSAM distribution in Thailand based on information provided by the United Kingdom National Crime Agency. With additional information about U.S. citizens with criminal records who were resident in Thailand, the department joined forces with the officers of the Royal Thai Police, the Department of Provincial Administration, and non-governmental organisations to arrest U.S., French and Swedish citizens.

In **Operation Runaway**, November 2018, the officers from DSI, the Royal Thai Police, and the Department of Provincial Administration jointly investigated information from the U.K. National Crime Agency, U.S. Homeland Security Investigations and Federal Bureau of Investigation, and the Dutch National Police. They identified CSAM distributors in 16 locations in 12 provinces in Thailand.

In **Operation Leopard**, December 2018, the officers from DSI, the Royal Thai Police, and the Department of Provincial Administration jointly investigated information from Internet service providers, leading to the arrest of eight suspects for CSAM offences, of whom four were Thai nationals and four foreign nationals from the United Kingdom, Australia, France, and Italy.[111]

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112. Department of Special Investigation (DSI), Ministry of Justice. (2018). DSI Annual Report 2018.

Challenges

- **Duplication of efforts.** While DSI and TICAC share good practices and attend joint training seminars organised by the Office of the Attorney General, representatives of both units noted that there is frequent overlap between their tasks and responsibilities and duplication of effort. (RA8-TH)

- **Lack of collaboration across authorised agencies** was the most common challenge shared by all law enforcement interviewees. Limited coordination and information sharing can cause delays and missed opportunities in investigations and prosecutions. Interviewees highlighted the existence of different databases for OCSEA in the respective units as a complicating factor. For example, because TICAC is the only unit authorised to have direct access to NCMEC CyberTips, DSI must request relevant NCMEC data via the Royal Thai Police. (RA8-TH)

- **Local police capacity:** Currently, officers at the local level often lack knowledge and skills to investigate OCSEA without assistance from the national specialist units. The interviewees from TICAC, DSI, and the Office of the Attorney General all emphasised that capacity building activities for police officers working at the local level are crucial to tackle OCSEA: *"Local police asked parents to bring their children who were victims of OCSEA to the Technology Crime Suppression Division (TCSD) located in Bangkok, because local police do not know how to implement digital forensic investigations… the local police may also feel that OCSEA or technology crime cases are less critical than others, such as homicide or rape cases."* (RA1-TH-04). An officer from TICAC explained why collaboration between local police offices is crucial to some cases: *"The individual offender can exploit many children covering a large area, which is difficult for the police to investigate all child victims. For example, local police may reach only one victim. In this case, the local police cannot investigate child victims living in other areas of responsibility, and we will only end up with only one child victim."* (RA1-TH-02-A) Since the number of victims relates to the level of legal punishment offenders will receive, the lack of coordination is a significant limitation.

In such cases, effective coordination and information sharing between local and national investigators can lead to more victims being identified and to offenders receiving penalties that better reflect the true extent of their crimes.

- **Specialist tools and support:** Thailand is *not* connected to the INTERPOL Child Sexual Exploitation database. Connecting to this database is recommended to allow specialised OCSEA investigators to share data on cases and to avoid duplication of effort by enabling investigators to check whether a series of images are already known to international law enforcement or whether there are still victims to be identified.

- On a related point, a number of interviewees highlighted the **mental health challenges** associated with frequent and prolonged exposure to CSAM but also stated that no counselling or psychological support was available to law enforcement OCSEA investigators.

- The **limited number of officers** at DSI and TICAC hampers the ability to accommodate all cases and properly support law enforcement at the local level.

- **Government funds remain largely insufficient**, considering the need to compete with rapid technological advancement. Triage tools for CSAM to facilitate investigations remain prohibitively expensive for law enforcement to procure and use.

- **Limitations of the Special Case Investigation Act**. DSI encounters legal difficulty in relation to OCSEA because unless a case is clearly linked to human trafficking offences, it is not listed in the department's governing legislation as one of the crimes requiring special investigation. An interviewee from DSI stated, *"Human trafficking is one of the appendices of the Special Case Investigation Act, while OCSEA is not. [So,] without a written statement, DSI does not have the power to operate a particular investigation. To request cases beyond what is written in the DSI law's appendices in exceptional cases needs the approval of a committee led by the Prime Minister and Dr Wissanu Krea-ngam [legal advisor of the cabinet – March 2020].*[113] *Nobody knows when the committee will decide on the request… the approval process takes time."* (RA1-TH-03-A) In cases where there is a nexus with organised crime or human trafficking, the process is more straightforward.

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113. Legal advisor of the cabinet – March 2020.

- **Distinguishing OCSEA from offline CSEA:** It can be difficult in practical and operational terms to distinguish OCSEA from offline CSEA, especially in investigations that feature human trafficking. Elements of CSEA are carried out offline and some online. Like establishing contact, confidence building and gradually moving to recording production of CSAM followed by distribution.

3.2.2 Step by step: What happens when a child goes to the police?

Children's and caregivers' first encounters with the police

After reporting a case, children will have to present themselves before the police, and if they are younger than 18 years old, they must come together with their caregivers. *"Before starting the investigation, we will identify the child's age. If the child's age is less than 18 years old, I will invite a multi-disciplinary team*[114] *to join the investigation. If the person/victim's age is beyond 18 years old, it depends on their cooperation."* (RA4-TH-03-A-justice). At this stage, based on the multi-disciplinary guidelines, the police officers will coordinate with the Competent Official, as per the Child Protection Act to see if there is a need to appoint a social worker or other service provider to support the child. Oftentimes, civil society organisations are involved to empower the children to participate in the justice process; some of these organisations have psychologists and social workers that know how to effectively communicate with the children and caregivers. Unfortunately, this practice has so far been implemented only in some areas, where the multi-disciplinary teams and guidelines are well developed, while in many areas, multi-disciplinary teams are just getting started, and the practice mechanism is still not strong enough (RA4-TH).

When children who reported their case to the police were asked how they felt during their encounters with the police, they expressed mixed feelings. One of the victims shared feeling uncomfortable and unmotivated to follow through with the process because there were no women police officers for her to talk with: *"They were [all] male… I did not feel like telling my story to male police; some guys might look down at us and say that it is all our fault. They probably could not help me; it is better not to file a case because it is wasting time."* (RA4-TH-04-A)

One interviewed public prosecutor suggested that attitudes towards OCSEA victims can be different between male police officers and female police officers. In the respondent's view, a male officer is perhaps more likely than a female officer to think that the victim would not be abused if she did not go with the offender. (RA4-TH-05-A)

It is also important that processes are explained to children. *"Officers should explain to children about the legal process; what will happen, what will be next steps, and what kind of questions they will ask… so they understand the process thoroughly."* (RA4-TH-05-A) One of the victims interviewed said that the process was not clearly explained to them: *"I didn't know about the whole process; they only told me that the next step might be in the court."* (RA4-TH-05-A-child)

On the other hand, according to one victim's mother, after they reported the case to the Provincial Police Region 5, the police started the operation on the same night, including logging into the victim's account on the messaging app Line and communicating with the offender. *"In my opinion, the police worked very fast. They arrested the offender in approximately a month".* (RA4-TH-02-A, B-caregiver). This shows the value of having officers trained on OCSEA in each police unit to respond to this type of abuse.

The interview process

Child-friendly measures: Interviews with law enforcement representatives indicated that child-friendly victim-centric investigation and victim identification procedures are standardised, documented, and followed during the course of the investigation. Continued training is needed though, as one of the interviewed OCSEA child victims reflected that the enforcement of child-friendly interview methods was not consistently applied by the police. According to the Criminal Procedure Code, in case of sexual offences under the Thai Penal Code or any other law, if the victim is a child, the inquirer shall, upon the request of such a child, interview him or her separately at a suitable place and in the presence of a psychologist or social worker, a person sought by the child and a public prosecutor.[115]

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114. Multi-disciplinary teams offer coordinated medical, legal, and counselling services for child and adult victims of violence, including sexual violence.
115. Government of Thailand. (2008). Criminal Procedure Code, 1934 (as amended by Act No. 28 of 2008), Section 133 bis.

However, one child respondent was not interviewed in a suitable place nor with the presence of a psychologist or social worker: *"The interview took place in the police station at the front desk to receive reports; there were around 10 people there, [including] two male police officers and five of my friends".* (RA-TH-01-A) The same child shared that while the questions were clear, the tone of police officers was not friendly: *"At that time, I was about to lose consciousness, and I was still depressed, I did not want to say much. There were two police officers; one officer was kind and the other one was quite tough. He bashed the table and shouted at me, saying '[Name], speak clearly!' He could not understand [what I was saying]. He said that we had disturbed their working hours."*

The experiences of some other children interviewed indicate that when child-friendly measures are applied, it makes a difference for OCSEA victims, and they appreciate it: One child said: *"I think questions were clear and were not difficult to answer. During the interview, they asked me if I wanted my mother to be with me or I prefer to ask my mother to sit in a separate room. After the interrogation, they told us that they might set a few more appointments and asked the convenience of my mother... I like the way the police work together to make me feel that they can protect me. I feel secured and relieved."* (RA4-TH-02-A, B) Another child said that the interview was held in a private setting, which made her feel more comfortable sharing the experience.

Victim-blaming: Testimonies from the six OCSEA child victims interviewed reflect that among law enforcement officials and the general public, it is common to believe that a child is responsible for the online sexual exploitation and abuse he or she has endured and should not be considered a victim. One of the child victims described how the officers were victim-blaming her: *"The police said it was late, and [asked] why we were not at home; I explained to them what happened. Then they said, 'Why did you go out at night?' They seemed to want to blame me for what had happened."* (RA4-TH-01-A) One interviewee from a civil society organisation that works with OCSEA victims stated that victim-blaming attitudes are common for law enforcement officers.

He suggested changing the investigation process could help shift law enforcers' approach towards OCSEA child victims: *"If the officers ever had a chance to see the kids' real condition it could significantly change their attitudes and perceptions toward these kids."* (RA4-TH-01-A)

Opportunity to select a police officer: All six interviewed OCSEA child victims were female, and all had strong opinions on the importance of having female police officials available. One of the child victims said: *"During the interrogation, I felt a little uneasy and asked myself why it had to be a male (police officer), not a female officer. I did not know that we could select the gender of the police who would interrogate us; I had no idea at all... When I had to tell the story [of how] I got abused by men [to] police officers [that] are also men it was kind of repeating my trauma, and I felt bad about it. If it is a woman, I feel that I can trust a woman who is like my mother who will listen to me."* (RA4-TH-06-A, B)

Although not required by any law, the Royal Thai Police issued a policy for female investigators to be responsible for interrogating sexual assault cases, including those under the Domestic Violence Act and the Human Trafficking Act. Female investigators are also in charge when a child under 10 years old has committed an act that constitutes a criminal offence.[116,117] Child respondents confirmed that female police officers have a crucial role in providing comfort and support to victims of OCSEA during the interrogation stage. However, as reflected by the children's own experience, the number of female police officials involved in OCSEA investigations is still limited.

When children were asked what would make the process easier for them, they mentioned factors such as privacy and child-friendly language. One child said: *"I think it should be more private during the interview and there should be only two people like me and an official. And the conversations should be in a way that are easy to understand."* (RA-TH-01-A) Another child emphasised the importance of limiting the number of times victims have to recount their experience: *"We should not have to tell the story many times; each time it repeats our trauma. Nowadays, I still cry when I think about the incident."* (RA4-TH-04-A)

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116. According to section 73 of the Thai Penal Code, "a child not yet over ten years of age shall not be punished for committing what is provided by the law to be an offence."
117. Roles and responsibility of female investigators were specified under Royal Thai Police Order No. 514/2537.

3.3 OBTAINING JUSTICE AND ACCESS TO REMEDIES

Since *Disrupting Harm* experienced difficulties in identifying children who had formally reported cases of OCSEA and went through the justice process (see chapter 2.5 for barriers to reporting), the description of what a child might experience during their first encounters with legal professionals is based on a limited number of interviews with six children and their caregivers and 11 justice professionals. While the responses may not be representative of the whole picture, they provide some insights into what children might experience if they decide to go to court to seek justice for OCSEA crimes in Thailand.

3.3.1 Court Proceedings

Experiences of children in court

The six interviewed children, whose OCSEA cases were brought to court, stated that their general experience with officials during the judicial procedure was good and that the officials they met with were professional and responded well. As one child shared: *"I think all officers are nice. I did not see anybody who was unfriendly to me. They worked the best on their duty when they were with me."* (RA4-TH-06-A, B) While some children and their caregivers were well informed about the legal procedure, one child) said that she did not know what to expect, and it was all unclear: *"At that time, I had no idea at all about the process [that will] be in the court; [Will] I have to meet [the offenders]? Will they ask me questions?"* (RA4-TH-06-A, B)

Three of the six interviewed OCSEA child victims had their cases judged without them needing to appear in court. For those who went to court, the questioning was very short. One child said that she only had to answer "yes" or "no" to the judge. Another child said that questions asked by the court were factual and straightforward, such as: "This person does this, right?"

From the three children that had to participate in the court hearing, one of the interviewed OCSEA victims was offered a preparatory meeting with a social worker before the court session. The child described this as very helpful: *"The social worker told me I would have to talk about what happened because they interviewed the offenders and they wanted to interview me to prove that the information was in line and true in order that justice would be upheld. She suggested me to recall what happened and tell the truth. She also suggested the wordings that I should use in the courtroom. It made me feel more confident and relaxed. And after entering the court session, I found that it was not as scary as I thought."* (RA-TH-01-A)

One of the interviewed lawyers explained that she and her colleagues practice with the child victims before going to the court to help the children arrange thoughts and be prepared to answer questions. (RA4-TH-09-A) Two of the OCSEA child victims said that having a female prosecutor and/ or social worker on their case put them more at ease during the judicial process; one of them said: *"It would be better if officials are female. They would understand me more because we are female, and I would have told more details."* (RA4-TH-04-A)

The more difficult experiences related to the court procedure were:

- **Confronting offenders in court.** All three victims that had to attend the court session, reported that they had to confront their offenders while they were in court. This was a very traumatising experience for all three. As one child said: *"I felt so worried because the offenders were sitting behind me, and I was in the middle of the courtroom. They were looking at me, so I felt pressured. I was afraid of them. I was afraid of the offenders because they could hear what I was saying. I was afraid that they would hate it. I was afraid they would hate me, and one day… they would take revenge because I had ruined their futures."* The child further shared: *"We should not see the offenders when we go [to the court], there should be partitions or something to separate [us]."* (RA4-TH-01-A-child)

The interviews showed that different practices seem to exist in deciding whether children who are victims of OCSEA need to appear in court or not. According to one child: *"They said that they did not want me to meet the offender."* (RA4-TH-02-A, B-child) The Criminal Procedure Code does not have a specific section to clarify whether child victims should attend the court session or not. The Code's principle is that of the best interest of the child. According

to social workers, if there is sufficient evidence and a confession from offenders in the report of the public prosecutor, the judge can go on and convict offenders without the child being present. This is considered good for children based on the principle of the best interest of the child, given that they do not have to encounter the stressful and formal environment of the court, nor repeat their stories or be confronted with the offenders.

- **Language used.** Another important point is how children are addressed by prosecutors and judges. Some children had no issues: One child said, *"It was easy to understand, and it was clear. They did not rush me to talk. They let me talk slowly and gradually... they used language that we usually [use], so I understood."* (RA4-TH-05-A) But another child said that the language was difficult, demonstrating there is still room for improvement: *"I did not understand much at that time, they did not use language that was easy to understand."* (RA-TH-01-A) A prosecutor suggested that, *appropriately communicating with children throughout the legal process builds trust and contributes to a more effective legal process.* (RA4-TH-05-A)

- **Having to repeat the ordeal.** An issue adding the to the re-traumatisation is having to repeat the testimony about the exploitation and abuse several times. One victim (RA4-TH-02-A, B) shared feeling uneasy about having to share her story on about five separate occasions, to people from difference agencies. The Criminal Procedure Code states that, unless there are justifiable reasons, a child shall not be questioned repeatedly.[118] The inquirer shall arrange to have the interview of the child recorded audio-visually as evidence that can be reproduced as and when required .[119] Among the victims of OCSEA who were interviewed, only one child mentioned the use of video recording during the interrogation.

Duration of process and outcomes

All six OCSEA victims who were interviewed said that the offenders were arrested and prosecuted within a short period of time. The court sentenced the offenders within a period ranging from a few months up to one year. Four out of the six OCSEA child victims interviewed were informed of the conviction. In some cases, especially those in which children did not appear in court in person, the children were not informed about the judgment. *"I do not know what happened. Nobody told me if this guy received the death sentence, jail sentence, or fines,"* said one of the victims (RA4-TH-06-A, B). In one case (RA4-TH-03-A), the offender was sentenced to 27 years in prison, but his term was halved following his confession. In another case (RA4-TH-04-A), three offenders were sentenced to 11 years in jail. Half of the six children victims felt strongly that the punishment for offenders was too low and is not fair. *"You cannot compare his 11 years in jail with my life from now on,"* said one of the victims. (RA4-TH-04-A-child) *"He will be in jail for 11 years and after that, he could prey on more victims. It is not ok."*

Technical capacity of justice staff

Although it is impressive that the courts were able to adjudicate all cases of the six interviewed OCSEA victims, interviews with justice professionals and government representatives did point to some challenges. Some of those were quite similar to the challenges for law enforcement. Similarly, the justice staff had issues with differentiating between the types of OCSEA as well as classifying OCSEA cases under the current legislation. To fill legislative gaps, some prosecutors classify a case as a human trafficking case. This may inadvertently influence the level of compensation received, treatment, and services accessible for child victims as well as the punishment given to offenders. There is also confusion on when to use the Criminal Procedure Code versus the more specific Computer-Related Crime Act. This is not always clear, especially for law enforcement in the provinces, according to one prosecutor (RA4-TH-10-A-justice).

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118. Government of Thailand. (2008). Criminal Procedure Code, 1934 (as amended by Act No. 28 of 2008), Section 133 *bis*.
119. Government of Thailand. (2008). Criminal Procedure Code, 1934 (as amended by Act No. 28 of 2008), Section 133 *bis*.

Determining the jurisdiction can also be a challenge for OCSEA cases. One justice professional noted: *"Recently, a big challenge is to determine the jurisdiction of cases because we cannot identify the location where the incident took place as the crime is committed online. Thus, we are not sure where the crime scene was, or which jurisdiction has the authority to investigate the case."* (RA4-TH-01-A-justice)

Finally, there is inadequate resources to fight OCSEA effectively. One justice professional said: *"We should also consider reasonable budgets and human resources for these cases... The online threats are tough to control."* (RA4-TH-02-A-justice). In the office of the Attorney General's Chamber at the Executive Director's Office of the Strategies and Human Trafficking Department and Database Innovation, there are currently only six deputy prosecutors tasked to deal with anti-human trafficking in persons and OCSEA cases. (RA8-TH)

Thailand has established an anti-human trafficking court to handle human trafficking cases. Four out of the 13 interviewed justice professionals suggested a similar approach for OCSEA cases. As one lawyer said: *"If there were a special procedural law and special division in the court like [there is for] human trafficking cases, it will improve the efficiency of the judicial law for online child abuse cases."* (RA4-TH-02-A)

3.3.2 Compensation

Another aspect of justice is the right to compensation for OCSEA victims. Child victims can claim compensation either through the police or by applying for it in court. It is common practice in Thailand for police to request that offenders give money to the victims to compensate for the damage; this may lead to dropping of charges in minor criminal cases, but when the crimes are more serious, the case will still be brought before the court.

Justice representatives shared that claiming compensation in court is time-consuming and complicated, which might discourage victims from following through on it. One victim shared: *"One day we went to the social development and human security office, but we did not bring all required documents with us. My family thought the process is too complicated. It requires a lot of documents to prove the case, such as the police report, my personal documents and documents from other relevant people. So, we did not pursue the compensation further"* (RA-TH-01-A). Compensation in court can be claimed on the basis of numerous legal provisions. The sum of the compensation depends on the legal provision that is applied; a case charged under the Anti-Human Trafficking Act may lead to higher compensation. Another source of compensation can be state funds, such as the Anti-Trafficking Fund and the Child Protection Fund, but amounts are quite small.

In the cases of two of the six interviewed OCSEA victims, the court ordered the offender to pay the victim compensation for mental trauma and other damages. In one case, the amount awarded was approximately 100,000 Thai Baht (US$ 3,000); in the other case, the awarded compensation was 20,000 Baht (US$600) because that was all the offender could pay. (RA4-TH-04-A-child)

3.3.3 Social support services

The Thai government has established **multi-disciplinary One-Stop Crisis Centres (OSCC)** that offer coordinated medical, legal, and counselling services for child and adult victims of violence, including sexual violence. This was achieved through cooperation between the Royal Thai Police, the Ministry of Social Development and Human Security, Ministry of Health and Ministry of Labour. The One-Stop Crisis Centres were established in 2013. Although the quality of services and staff capacity may vary by location, One-Stop Crisis Centres generally represent the most important component of the child protection system.[120]

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120. Government of Thailand. (2013). One-Stop Crisis Centres.

According to information gathered through the interviews, significant tasks of the multi-disciplinary team include:

- Interviewing children with child-friendly questions and language
- Preparing children (child victims and witnesses) to reduce their anxiety and stress while in court, especially in relation to answering questions on the abuse and exploitation they experienced
- Collaborating with stakeholders and other implementing partners, such as private sector actors (internet and communication companies), to gain information and evidence, and passing it to the police
- Helping child victims and their caregivers to claim compensation
- Providing child victims and caregivers with social support services as appropriate

However, respondents noted that Centres tend to be concentrated at the provincial level and located in the provincial capital. Furthermore, staff of the One-Stop Crisis Centres can become involved only when the child is in the care of a hospital; the Centres' staff does not have the mandate or capacity to provide preventative or follow-up care to children and families, and their services typically terminate upon discharge of the child from the hospital.

Our interviews show that staff at One-Stop Crisis Centres appear to have received limited specialised training on counselling, risk assessment, and interviewing child victims. The staff has low awareness and capacity with regard to procedural guidelines outside of the hospital and coordination with external agencies and services. One exception is the successful – yet limited – coordination between the One-Stop Crisis Centres and Reception Homes for Children.[121]

In accordance with Thai law, child victims – especially in human trafficking cases – can receive comprehensive treatments and services, including mental care. However, these treatments and services are generally not available to children

who committed or were involved in committing a crime, as described by one of the interviewed lawyers: *"I used to work on a child prostitution case, and at that time, the girl admitted that she was willing to be a prostitute. However, it is not the right thing to treat her as a criminal... What we proposed to the court and other implementing partners at that time was the girl was also a victim. As a victim, she could receive the compensation provided by the government agencies."* (RA4-TH-02-A) Hence, it is important that all children involved in OCSEA crimes are recognised as victims under the law. This facilitates access to support and services that are made available to victims of crime and can reduce the likelihood of them becoming involved in such crimes in the future.

Multi-disciplinary teams responding to OCSEA must know how to communicate and build good relationships with child victims and caregivers to bring about effective participation in the justice process and make a proper assessment of the child's situation.[122]

Less "Rescuing" Victims, More Removing Offenders

While some emergency circumstances demand "rescuing" children from living in particularly harmful circumstances, the removal of a child from their family and community bears its own risks. Fear of removal may discourage children from disclosing abuse and seeking help; they may view residential care negatively or even as a punishment. Some emergency circumstances still demand removal actions, but where possible, removing the offender instead of the victim can better protect the child as it maintains the attachment to their organic support systems. If shelters are utilised, their operation must comply with appropriate international standards such as the UN Guidelines for the Alternative Care of Children.[123]

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121. Child Protection Act of 2003 (B.E. 2546) mandates the establishment of temporary shelters for children, known as Reception Homes, aiming at providing cares and shelters to a child in need of assistance and protection within a limited time period, for the purpose of investigating and observing the child and family, in order to develop assistance and welfare protection guidelines suitable for each child.
122. Department of Children and Youth. (2019). Manual and Protocol: Protecting and helping children at risk and is a victim of abuse, neglect, exploitation and violence.
123. Resolution adopted by the General Assembly [on the report of the Third Committee (A/64/434)] 64/142. Guidelines for the Alternative Care of Children.

It is worth noting that social workers do not need to hold a social work degree,[124] and even a social work degree does not guarantee that the person has knowledge and skills in counselling, risk assessment, and interviewing child victims. The Social Work Professions Council tries to confirm that social workers have enough knowledge and skills to work with clients – including child victims – by providing a special license to individuals who register as Social Work Professions Council members, pass an examination and complete an internship.[125] However, this license is not a mandatory requirement for social work positions in government agencies. The Deputy Attorney (RA4-TH-05-A) of the Office of Public Prosecution said that specialised training for social workers (and prosecutors) on how to talk to child victims is available through the Office of Civil Rights Protection. Moreover, the Office of Public Prosecution regularly conveys messages to social workers on how trauma treatments should be conducted and how to match child victims to psychologists.

According to the Child Protection Act, child protection committees should operate at national and provincial levels to implement activities and duties regarding the protection of the child.[126] However, one of the respondents, who took part in meetings of the child protection committee in Chiang Mai stated that: *"They don't have a plan on what problem they want to address and what we should do... They organise meetings because the law indicates that they have to do so to fulfil their work... But if you ask about their results, there is nothing."* (RA4-TH-01-A) Considering the new, evolving, and complex nature of OCSEA crimes, it is essential that child protection committees be properly and regularly trained and informed on the issue.

For victims, it can be hard to access services due to lack of awareness of available services, according to one frontline social support worker: *"Victims of OCSEA... are often not able to access or not aware of available support services."* (RA3-TH-49-A) There are very few psychologists in Thailand, and it takes a long time to get an appointment, according to one of the lawyers interviewed. (RA4-TH-06-A)

> **I used to work on a child prostitution case, and at that time, the girl admitted that she was willing to be a prostitute. However, it is not the right thing to treat her as a criminal... What we proposed to the court and other implementing partners at that time was the girl was also a victim. As a victim, she could receive the compensation provided by the government agencies.**

In the survey of frontline social support workers, respondents were asked to evaluate the overall availability and quality of medical, psychological, legal, and reintegration services for child victims of OCSEA. The perception of availability was rated as fair to poor by over two-thirds, with the exception of availability of medical services, which was perceived as good to excellent by 52%. When asked about the reason for the poor availability, the frontline workers named the fact that services are mostly concentrated in urban areas (64%) and that these services are simply not being offered (84%). The frontline workers perceived the quality of all services mostly as fair to poor, with the exception of medical services, which were rated as good to excellent by around half of respondents.

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124. Office of the Civil Service Commission. (2011). Job specification: operating social worker. An operating social worker is a person who "obtained a bachelor's degree or other comparable qualification in any discipline in psychology Department of Social Work Faculty of Social Sciences and Behavioural Sciences or political science or one or more of the aforementioned disciplines in a way that the government agency deems that appropriate for their duties, responsibility, and the nature of the work performed."
125. Social Work Professions Council. (2020). Social Work Licensing Process.
126. Government of Thailand. (2003). The Child Protection Act of 2003, Section 7-16.

3.4 COORDINATION AND COLLABORATION

3.4.1 Policy and government

Promising developments and initiatives

At the policy and government level, there are several promising developments and initiatives in addressing OCSEA in Thailand:

- **Increased awareness among government representatives.** The 10 government representatives interviewed *unanimously reported* that OCSEA is a fast-growing problem in Thailand and that – despite some progress – the national response is not keeping up with the pace with which the problem is growing. A majority of duty-bearers said that a large injection of funds and political attention is needed just to keep pace. Despite the growing awareness, interviews showed that the government representatives did not express an in-depth understanding of OCSEA and sometimes confused it with other issues, including addiction to online games and gambling. For example, one respondent mentioned collaboration with the mental health institute to prevent children from becoming addicted to playing online games. As noted by the ThaiHotline representative: *"There is huge room for improvement for Thailand, although I could see slow progress."* (RA2-TH-01-A)

- While multiple agencies investigate OCSEA with little coordination, Thailand is in the **process of establishing a specialised unit** in the Royal Thai Police **for investigations of crimes against children.**[127] (RA8-TH-06)

- **Intention and effort of implementing partners to develop a legal framework that better addresses OCSEA.** The interviewees from the Attorney General's office mentioned that currently, the draft bill on OCSEA is in development and should be able to support implementing partners to work more effectively on OCSEA cases. None of the interviewed participants have seen this draft bill in detail. The public hearing on this draft bill is expected to be soon.

- **Youth-targeted activities on OCSEA**

  - **Training and creating trainers.** A training on human trafficking and OCSEA was provided to children in rural areas, according to a representative from the Ministry of Social Development and Human Security: *"Children participating in the training would receive an anti-human trafficking booklet... We also organised training for local leaders to know how to protect children under their authority from human trafficking."* (RA1-TH-06-A) In addition, Training of Trainers were made available for members of the Children and Youth Council of Thailand to enable them to *later train other children at the local level.* While these trainings sound promising, the *Disrupting Harm* team was not provided with the resources mentioned despite the request, so the actual content of the training materials could not be confirmed or assessed.

  - **'18 Says No'.** An interviewee from the Anti-Trafficking in Persons Division introduced a project – called '18 Says No', launched in 2019 – to educate children and youth about online media. *"By attending the activities, participants will know how offenders create fake Facebook accounts and use it to intimidate children. So, participants will be more aware when they talk to someone via social media,"* the interviewee said. This project is implemented in the schools of OCSEA victims. (RA1-TH-05-A)

- **Integration of OCSEA into the school curriculum.** Stakeholders from the Ministry of Education, Ministry of Social Development and Human Security, and the Ministry of Public Health are considering developing a curriculum with the aim to educate and inform young people on how to protect themselves from cybercrimes. The curriculum, which is expected to be distributed to elementary and secondary schools throughout the country in 2021, will guide students and teachers on how to deal with OCSEA. (RA1-TH-09)

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127. As of August 2021, there is no additional information on the plan to set up this specialised unit.

3.4 COORDINATION AND COLLABORATION

Challenges

- **Lack of OCSEA-specific legislation.** As detailed above, there is currently no Thai legislation specifically relating to OCSEA. In OCSEA cases, law enforcement and relevant implementation partners need to rely on several legislations to prosecute OCSEA offenders, including the Child Protection Act B.E. 2546 (2003), the Thai Penal Code, the Computer Crime Act B.E. 2560 (2017) and the Anti-Human Trafficking in Persons Act. Not having a law that specifically addresses OCSEA hinders the prosecution of cases, according to one interviewee (RA1-TH-04-A). Other key respondents in Thailand have also suggested it would be better for justice actors on OCSEA cases to have one clear legislation to which they can refer and utilise.

- **Limited policy response to OCSEA.** The interviews with participants from the Department of Juvenile Observation and Protection, Ministry of Digital Economy and Society, and Department of Children and Youth, revealed that key stakeholders could not clearly and confidently talk about policies on OCSEA, nor could they confirm that victims of OCSEA or offenders would be treated the same as other child victims and offenders.

- **The primary existing framework that can guide anti-OCSEA policy, i.e., the National Strategy on Promotion and Protection of Children and Youth in Using Online Media (2017–21), will expire soon.** The key responsible agencies – including the Sub-Committee on the Protection of Children from Online Abuse, the Committee for the Development of Children and Youth, and the Child Online Protection Action Thailand (COPAT) under the Department of Children and Youth – need to set new strategies and plans for the online protection for children.

- **No agency works solely on OCSEA.** Interviews with government representatives and justice professionals revealed challenges and bottlenecks in the cooperation between the authorities and organisations addressing OCSEA. This can lead to duplication of activities and increased unnecessary budget expenditure. If stakeholders collaborated more effectively, they would have been able to scale up activities at a lower cost.

One body that could serve as a focal point in the efforts to address OCSEA is Child Online Protection Action Thailand. This body was established in December 2017 under the supervision of the Director-General of the Department of Children and Youth. It is intended to be a coordinating unit for organisations working in the child protection field and a network that promotes the protection of children and youth using online media.

- **Heavy workloads.** Most interviewees stated that they have extremely heavy workloads and therefore cannot allocate time to work specifically on OCSEA cases. The Department of Children and Youth has to look after many vulnerable children throughout Thailand, meaning staff cannot find time to provide outstanding care to meet each child's needs. *"I think the obstacle is work overload that I hardly have time to sleep."* (RA4-TH-04-A)

- **Social pressure to quickly resolve cases.** While social pressure to resolve cases might at times be beneficial to victims, it may also lead to prioritisation of cases that bring social attention shifting away the focus from the most urgent cases. As a HUG representative shared: *We also have a challenge from social pressure from online social media. I can talk on behalf of the police that they have a huge case volume and receive a lot of social media pressure, especially when a story is posted and social media people hashtag and blame them. Many times, we were in such kind of pressured situations […] For example, if you see Twitter news hashtag #mygrandchild [in Thai language], there was a guy who showed an intention to abuse his grandchild, and social media put this hashtag trying to protect that grandchild. Simultaneously, we worked on five cases, and six or seven children were exploited. Nevertheless, social media people were not aware of that and put pressure (on law enforcement officials) to prioritise the grandchild abuse case. In the end, it turned out that the grandchild abuse case was a made-up story while going back to help the actual child victims in the other abuse cases was too late. It makes us feel very discouraged"* (RA4-TH-04-A)

- **Budget.** Limited government funding is the biggest obstacle to providing adequate services to child victims of OCSEA, according to the survey of frontline social support workers. The existing budget allocates funding to other issues, such as anti-human trafficking and cyberbullying, but not specifically to OCSEA. Particularly urgent is the need for funding for long-term and comprehensive support for OCSEA victims. This was reinforced by an interviewee from the Institute of Child and Adolescent Mental Health: *"As far as I know, there is no budget allocated to work with the families of victimised children. If you ask me whether the budget that Ministry of Public Health allocates to us is enough, I will say that it is enough to pay for medical expenses... The budget allocated for proactive activities, such as home visits and school visits, to check if children [victims] can adjust to their family and school, should be increased."* (RA1-TH-09-A) In addition, some interviewees mentioned the stability of budget allocation. The budget allocated to some agencies is annual, and the agencies need to look for other financial support or donors themselves. This financial instability risks affecting the continuity of organisation's activities.

3.4.2 Civil society

Civil society organisations play a key role in responding to OCSEA by supplementing and supporting government structures in many districts throughout the country. The presence of civil society organisations in Thailand differs by location. Interviewed lawyers and social workers working in civil society organisations in the northern region mentioned they regularly collaborate with police officers and prosecutors to support OCSEA child victims to access a proper judicial process.

The local and international civil society organisations and United Nations agencies working to address cases of child abuse (including OCSEA) in Thailand include A21, UNICEF Country Office, ThaiHotline, Childline Thailand, HUG Project, ECPAT Thailand, Human Trafficking and Child Abuse Center (ATCC Pattaya), Urban lights, Lift international, Center for Girls, Alliance Anti Trafic, Center for the Protection of Children's Rights Foundation (CPCR), FOCUS Foundation, Operations Underground Railroad (O.U.R).

Collaborations between civil society organisations and other stakeholders have led to the identification of several OCSEA cases that were missed by the police. When asked to assess the collaboration on OCSEA among non-government organisations, the majority of respondents rated the collaboration between non-government actors as fair (34%) or good (30%); and 18% reported these collaborations to be poor, 16% to be excellent and 2% claimed there is no collaboration between the partners (Figure 32). All the 'poor' responses came from non-government workers.

Figure 32: Frontline social service providers' perceptions of collaboration on OCSEA among non-government organisations.
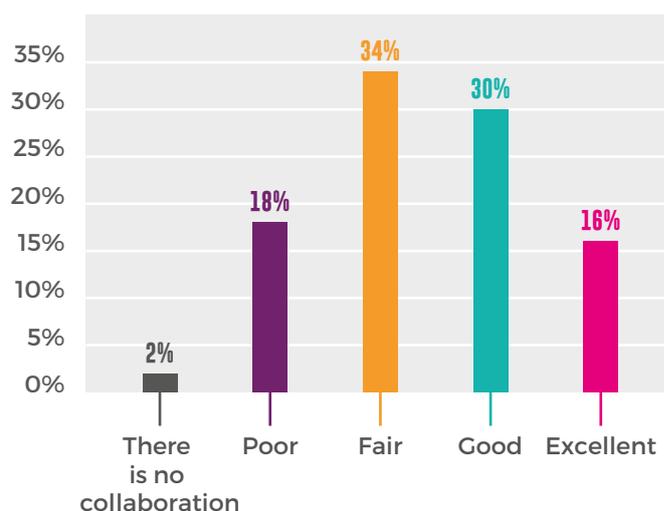
Source: Frontline social support providers, n = 50.

Support During the Justice Process

The civil society sector plays a key role in Thailand's response to OCSEA. All six OCSEA victims interviewed in Thailand for *Disrupting Harm* said they received guidance and support from these professionals, which helped them to navigate complex judicial procedures.

At the time of writing, Thai legislation does not provide free legal aid and representation to victims of OCSEA, making the role of the social workers and lawyers within the civil society sector particularly relevant for victims. However, while legal professionals can support OCSEA victims and their caregivers by informing them about the process, making questions simple, and providing legal support, they may not have the skills to address stress, worries, depression, and trauma that the children have had since the incident. This is why many of the interviewed children and caregivers felt most supported by social workers. One caregiver said: *"[The organisation] A21 supported us the most; if they did not approach us*

at the beginning, we would not have been here at this point. We would have kept everything to ourselves, suffering and would not get anything. I think we were fortunate that the organisation offered us help. They encouraged us and they coordinated for us. Anything that I did not understand, I would ask the social worker." (RA4-TH-03-A, B, Caregiver)

Two of the child victims expressed a similar experience: *"The best person may be the social worker from A21. It is because she took care of me in everything when I felt down, when I had problem with my study, and when I was bullied by friends. She is always there to support me."* (RA4-TH-04-A-child)

"I think the most helpful person is a social worker from [NGO] ECPAT Thailand. She consoled me when I was stressed and worried. She told me what kind of questions they would ask me. It made me feel relaxed. Legal officials did not support me this way. They only told me the process and let me face it." (RA4-TH-05-A-child)

3.4.3 Internet service providers and platforms

Collaboration with internet and mobile service providers and platforms is essential to investigate crimes and prevent the dissemination of CSAM. The legal requirements and practical procedures differ depending on whether these operators are Thai or global.

Domestic Internet service providers

Evidence gathering: When the law enforcement authorities need evidence from a domestic service provider – for example, to identify who was using a particular IP address or phone number at the time an offence was committed – they serve a court order on the service provider demanding this information. They can then use the subscriber information to locate and apprehend the suspect and as evidence in court.[128]

Sections 18 and 19 of the Computer-Related Crime Act provide that "competent officials" have the authority, upon court's approval and when they have reasonable grounds to believe that an offence has been or is being committed, to request service providers[129] to share relevant data on the users of their services.[130] Service providers in Thailand are required to store traffic data for at least 90 days (or in some cases longer, but not over a year) from the date in which this data was inputted into a computer system and may receive a fine if they fail to do to so (not more than 500,000 Thai baht (US$15,000)).[131] The Computer-Related Crime Act vaguely identifies "competent officials" as "persons appointed by a Minister to perform duties under this Act".[132] As reported by a Thai Public Prosecutor,

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128. This approach however ignores challenges posed by carrier grade Network Address Translation, a process by which rapidly exhausting IPv4 addresses have been assigned by ISPs to multiple users at the same time, thereby precluding definitive identification of the device and user behind an IP address in certain cases.
129. Government of Thailand. (2007). Computer-Related Crime Act of 2007, Section 3: "Service Provider" shall mean: (1) A person who provides service to the public with respect to access to the Internet or other mutual communication via a computer system, whether on their own behalf, or in the name of, or for the benefit of, another person. (2) A person who provides services with respect to the storage of computer data for the benefit of the other person."
130. Government of Thailand. (2007). Computer-Related Crime Act of 2007, Sections 18 and 19.
131. Government of Thailand. (2007). Computer-Related Crime Act of 2007, Section 26.
132. Government of Thailand. (2007). Computer-Related Crime Act of 2007, Section 3.

the fact that regulations such as the Cybersecurity Act do not mention who is classified as 'authorised persons' leads to hesitation among the police and social workers in asking communication companies to provide evidence that can be used for prosecuting OCSEA offenders. (RA1-TH-04-A)

Similarly, the Department of Juvenile Observation and Protection officials highlighted the difficulty they were facing due to the amendment of the Juvenile and Family Court and Juvenile and Family Case Procedure Act, BE 2553 (2010). The previous version of this regulation authorised them to access information related to child victims or child offenders; however, the amended version that was promulgated in 2010 revoked that authority, meaning that the Department of Juvenile Observation and Protection officials are unable to directly request information from communication companies or the private sector. The Department of Juvenile Observation and Protection has to ask the police to search for information for them, and the police are not obligated to fulfil their requests. A representative from the Department of Juvenile Observation and Protection explained: *"When I try to look for information about children, I face challenges accessing information related to online technology. I do not know when the children log in to any platform, what account they use, and so on. So, we cannot do much even though we have their phone numbers. We cannot order the phone company to check the children for us. We used to do that in the past... The law drafting committee has informed us that it overlapped with the authority of interrogators who must collect evidence related to the case, so we did not need to take such a similar role again. However, I think the committee does not understand our work. Although we do not work directly on the litigation, we need to get some evidence to support our work. The evidence is also necessary for us, not only the police."* (RA1-TH-01-A-F)

Removing/reporting CSAM: Thai law does not contain any explicit provisions imposing legal duties on Internet service providers to filter and/or block and/or takedown CSAM. They do not have any obligation to report companies and/or individuals disseminating, trading, or distributing such material. As a ThaiHotline representative shared: *If we do not have the court notice, the service provider will not delete the contents [...] companies will act only if they receive the court notice; if they receive a report from parents, they will just wait for the court notice and they will remove the content. The same professional shared that: "In Thailand, it is clear that [Internet service providers] will not [remove CSAM from their platforms] unless they receive the court notice...."* (RA2-TH-01-A)

Nevertheless, the Computer-Related Crime Act does punish service providers that intentionally support or consent to an offence under the Act to be committed on a "computer system under their control".[133] Accordingly, both Internet service providers and cybercafé owners are responsible if an offence relating to the transfer of pornographic data, including child sexual abuse material, is committed using a computer system under their control.

> ### Case Study: Example of Industry's OCSEA Awareness Efforts
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> SafeInternetForKid.com – an interactive online platform helps teachers and caregivers educate children on safe internet use and teaches children themselves about online threats. The content available on the website was developed by a large mobile phone provider – DTAC, Telenor Group, Digital Economy Promotion Agency, academic institutions, and the educational, social enterprise INSKRU. It includes lessons on creating digital resilience, information about accessing websites and online games, and educational interactive games and quizzes for children aged 7–16. Overall, DTAC has reached more than 50,000 secondary school teachers and students via online and offline activities.[134]

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133. Government of Thailand. (2007). Computer-Related Crime Act of 2007, Section 15.
134. Telenor Group. (2019). DTAC, Telenor Group and DEPA launch new interactive website to educate on safe internet use.

Global platforms

Evidence gathering: Global platforms cannot be compelled to disclose information by Thai court orders or Thai authorities since they are governed by the domestic laws in their own countries – in the case of the United States, the Stored Communications Act and Electronic Communication Privacy Act. U.S. Law expressly prohibits the disclosure of communications content such as messages and images directly to non-US law enforcement authorities. However, United States-based tech platforms may voluntarily disclose non-content data, which includes subscriber data and IP logs needed for conducting investigations, to foreign authorities.

Evidence collected in duty-bearer interviews demonstrated that private communication companies may not be consistently sharing data with TICAC.

Removing/reporting CSAM: With respect to removing/reporting CSAM, there are rarely any formal agreements between national law enforcement agencies and global platforms. The platforms would prefer to view requests from government partners as notifications of potential violations of their own terms of service. Since CSAM is contrary to the platforms' terms of service and U.S. law, it would be in the companies' interests to remove such content.

One respondent noted the process required to report and remove CSAM from U.S.-based service providers: *"I can report to the police; the police will send the case to NCMEC to enforce Facebook or Twitter to remove the content."* (RA2-TH-01-A) With services providers that do not report to NCMEC – like the instant messaging app Line, which is popular in Thailand – the collaboration is weak as an officer of TICAC said: *"Thailand does not have any regulations enhancing police capacity to ask for information from Line... I asked for the data from the company but never received information as requested... The Thai government does not regulate the laws to control foreign businesses investing in Thailand, especially ones that are popular among Thai people."* (RA1-TH-02-A)

The ThaiHotline representative said that with TikTok, another app that is popular in Thailand, the cooperation exists but is limited: *"In summary, we try to connect with as many service providers as we can. If there is any office in Thailand or any representative that is willing to work with us, we are happy to coordinate with them."* (RA2-TH-01-A)

Transparency Data

According to transparency reports of major social media platforms, in the years 2017, 2018, and 2019, the authorities in Thailand made:

- 2,695 requests to Facebook for content restriction.
- 144 requests for Facebook user data.
- 18,662 requests to Google for content removal.
- 22 requests for Google user data.
- 38 requests to Apple.
- Two requests to Twitter for user data, and three for content removal.
- One data request to Verizon Media.

While the available data do not permit the identification of the crime types on which the majority of these requests were made, the diversity of platforms addressed would indicate a certain level of engagement with U.S. technology companies.[135]

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135. Platforms were selected on the bases of high volumes of reports to NCMEC (10,000+), availability of transparency reporting, and known popularity in *Disrupting Harm* focus countries. In addition to U.S.-based companies, transparency reports for Line and TikTok were also reviewed.

4. HOW TO DISRUPT HARM IN THAILAND

Disrupting harm from OCSEA requires comprehensive and sustained actions from all stakeholders – families, communities, government duty-bearers, law enforcement agencies, justice and social support service professionals, and the national and international technology and communications industry. While children are part of the solution, the harm caused by OCSEA obliges adults to act to protect them; we must be careful not to put the onus on children to protect themselves from harm without support.

Detailed recommended actions in Thailand are clustered under six key insights from the *Disrupting Harm* research and sign-posted for different stakeholder groups. However, all these recommended actions are interlinked and are most effective if implemented together.

INSIGHT 1

In the past year alone, 9% of internet-users aged 12–17 in Thailand were victims of grave instances of online sexual exploitation and abuse. This includes being blackmailed to engage in sexual activities, someone else sharing their sexual images without permission, or being coerced to engage in sexual activities through promises of money or gifts. Scaled to the population, this represents an estimated 400,000 children in Thailand who were subjected to any of these harms in the span of just one year.

Government

1.1 Adapt national scale awareness and education programmes about sexual exploitation and abuse of children – to familiarise people with the role technology might play in this type of abuse. Adapting and contextualising existing evidence-based programmes that have proven to be effective should be prioritised and sustained. When such programmes exist, their proper implementation should be ensured, along with monitoring and evaluation measures.

It is crucial that these programmes be adapted and tested through safe and ethical consultations with children, caregivers, and teachers to reflect 'each group's unique perspectives of online risks and the techniques they use to keep themselves/children safe. This will help to create campaign messages that are relevant to children's lived experiences and therefore more likely to resonate with them.

Key objectives of these messages should include:

- Equip caregivers with knowledge and skills to allow them to foster safe and ongoing communication with children about online activities.

- Foster an environment where children are comfortable seeking advice, help and conversations about sex. Norms that limit discussions about sex or that cause children to feel embarrassment and shame when they are subjected to child sexual exploitation and abuse hinder help-seeking.

- Strengthen the skills of children to avoid or navigate risks and dangerous situations online. This could include lessons about how to block an individual, report inappropriate content or requests, and sharing information about the risks inherent to online interaction and exchange of personal information, images, and videos. Based on the household survey data, the youngest children aged 12–13 are consistently less likely than older children (aged 14–17) to acknowledge online risks; awareness campaigns should pay special attention to this younger age group.

- Prioritise teaching children how to use the internet responsibly and engage positively with others online. *Disrupting Harm* data shows that OCSEA offenders are most likely friends (both adults and peers). It is important that children and young people understand that the consequences of online child sexual exploitation and abuse can be as far-reaching as abuse that occurs in person.

This information should be disseminated through nationwide awareness campaigns. It is encouraged not to shy away from challenging discourse and messaging about child sexual exploitation and abuse, as these may help to better protect children. For example, acknowledging that in most cases, the offenders of sexual abuse are people known to the child is challenging but important. These messages can be disseminated to caregivers through their child's school, friends or family, television, and social media, which are popular sources among caregivers. There are existing reports[136] and initiatives[137] as good starting points and best practice examples of age-appropriate resource material.[138]

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136. UNFPA. (2021). My Body is My Own.
137. UNGEI. (2020). Bodily autonomy and SRHR.
138. NSPCC. (2017). Talk PANTS with Pantosaurus and his PANTS song #TalkPANTS – YouTube. While Pantosauraus doesn't specifically say offenders can be people you know, he says these are the basic rules that apply to every time someone (anyone) crosses these boundaries.

1.2 Ensure that out-of-school children and those living in marginalised and remote communities learn about internet safety and digital literacy as under 1.1, e.g., through community outreach programmes. Ensure specific actions to prevent and respond OCSEA of children with a disability.

INSIGHT 2

According to the household survey, offenders of OCSEA are most often people already known to the child. These can be friends or acquaintances of the child (both peers and adults) but also romantic partners and family members. Individuals unknown to the child accounted for around one-fifth of cases. OCSEA can happen while children spend time online or in person but involving technology.

Government

2.1 When children do not know about sex, it enables offenders to take advantage. We must ensure that age-appropriate knowledge reaches all children, and include information about sex, consent, personal boundaries, what adults or others around children can or cannot do to them, risks and responsibilities when taking, sending and receiving sexual images, and how to say no to others. This will help children to identify risky or inappropriate interactions both online and in person.

This will help children better identify risky or inappropriate interactions both in the digital environment and in person. **Child safeguarding policy and procedures in the school system** should also be strengthened to promptly prevent risks of OCSEA. See the *Keeping Children Safe Coalition* guidelines.[139]

Caregivers, teachers, medical staff, and social support services[140]

2.2 Inform children about their right to be protected from all forms of physical, sexual, and mental abuse, and on how to stay safe by setting boundaries, recognising appropriate and inappropriate behaviour from adults and those around them, and how to say no to inappropriate behaviour.

2.3 Caregivers and duty-bearers should learn about what children are doing online and offline and be vigilant about the people that their children or the children in their community interact with. Consider whether these interactions seem appropriate for children. As the *Disrupting Harm* data shows, only some threats online come from unknown individuals, yet programmes often focus on this threat, consequently downplaying the risks from adults known to them.

INSIGHT 3

Among children who were subjected to OCSEA through social media, the most common platforms were Facebook or Facebook Messenger, Twitter, TikTok, and Instagram.

Government

3.1 Impose legal obligations on and secure collaboration with Internet service providers to ensure they promptly comply with law enforcement requests for information, retain data for a minimum period, and filter and/or block and/or takedown CSAM as well as to comply promptly with law enforcement requests for information. This will assist investigations into crimes and limit the wide distribution of child sexual abuse material.

3.2 Promote awareness of OCSEA to the private sector to ensure ICT companies of all sizes have a better understanding of the risks children face and what they can do to combat OCSEA.

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139. Keeping Children Safe. The safeguarding standards.
140. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, communities, medical staff and teachers.

Law enforcement

3.3 Improve liaising and build on existing collaborative mechanisms with global social media platforms to ensure the efficient gathering of digital evidence provided by these platforms, particularly in the form of data requests and content removal procedures. In this context connecting Thailand to INTERPOL's International Child Sexual Exploitation (ICSE) database will enhance response and remove duplication of work by law enforcement.

Industry

3.4 Make formal reporting mechanisms within online platforms clear and accessible to children, and detail in child-friendly terms what the process looks like after children submit a report. Platforms and service providers must demonstrate transparency and accountability in how they make timely responses to reports made by children. Promote these mechanisms to user-audiences and the public.

3.5 Prioritise safety by design by considering children's needs in product development processes. Such safety by design must be informed by evidence on children's digital practices and their experiences of online child sexual exploitation and abuse, including this Disrupting Harm study.[141]

INSIGHT 4

Children who were subjected to OCSEA-related crimes tend to confide in people within their interpersonal networks, particularly their mothers. Caregivers and children are reluctant to turn to formal reporting mechanisms like hotlines, helplines, or the police.

Government

4.1 Establish and/or strengthen the existing internet hotline or CSAM reporting portal. This can be done in collaboration with non-governmental organisations such as ThaiHotline. Increasing capacities of ThaiHotline and other organisations would allow them to provide the data and analysis necessary to understand the types of abuse children face, as well as the challenges in responding to those cases, which could in turn help to develop necessary policy and legislation amendments.

4.2 Increase awareness-raising efforts about helplines as a reporting and help-seeking mechanism for OCSEA. *Disrupting Harm* data show that one of the main barriers to reporting among children was not knowing where to go or whom to tell, and that half of internet-using children would not know where to go if they or a friend were sexually assaulted or harassed.

Raise awareness among children – in child-friendly and age-appropriate terms – that these are safe ways for them to disclose difficult experiences. Explain to children how reports can be filed and what to expect next.

An important prerequisite is that helpline staff are adequately resourced and trained to provide good quality care and support. Even if children are made aware of helplines, if initial responses to disclosure and help-seeking are poor, the child will suffer more and be much less likely to seek help again. Other children contemplating disclosure may also observe unhelpful responses and decide not to disclose because of this.

It is encouraged that a focal agency for receiving reports of OCSEA is identified to avoid confusion between multiple channels and ensure an effective system of handling and analysing data. The government may seek partnership and support from the tech industry on the development of tools and awareness-raising efforts.

4.3 Leverage the fact that children rely on their interpersonal networks to disclose abuse by creating more community-level resources to facilitate disclosure and reporting. For example, programmes where trained community members are skilled up with what the processes are and how to listen and support (for example, via safeguarding policies in schools, sport clubs or faith-based organisations) can then assist children and their families with the reporting and help-seeking process.

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141. A good starting point is the free tools made available by the Australian eSafety Commissioner.

Law enforcement

4.4 Establish a specialised unit to address cases of OCSEA and facilitate widespread training for all law enforcement (especially local) and other duty-bearers to ensure appropriate implementation. This should be supported with resources, both human and financial, so that children and families are comfortable reporting abuse. Enhance existing child-friendly and cross-sector procedures to ensure the best interest of the child and protect their right to be heard and informed when involved in criminal proceedings.

4.5 Create formal mechanisms for the sharing of relevant data and evidence in cases of OCSEA among relevant stakeholders.

4.6 Establish clear guidelines on case referrals between agencies across sectors involved in case investigation. Establish a monitoring system to make sure the guidelines are followed, and practices are improved.

Caregivers, teachers, medical staff, and social support services[142]

4.7 Foster safe and ongoing communication with children and trusted adults about their lives online. Normalising communication about online activities will increase the likelihood of children disclosing concerns, risks, and negative experiences if they do occur.

4.8 Responses to disclosures of OCSEA should always convey that it is never the child's fault, whatever choices they have made. It is always the fault of the adult abusing or exploiting the child. The research shows that children subjected to OCSEA often blame themselves and feel that they had let their caregivers and others down or were judged by the police. Responses should be without judgment or punishment. For example, see the World Health Organization guidelines[143] on first-line response to child maltreatment.

4.9 Invest in improving the capacity of the social service workforce. Improve the capacity of frontline staff in contact with children to better identify children at risk or that have experienced OCSEA. This should include teachers/care staff in schools as well as health workers, in addition to all those providing psychosocial support

INSIGHT 5

The law enforcement, justice, and social support systems need to improve awareness, capacity, and resources to respond to cases of OCSEA.

Government

5.1 Establish/appoint a government body to lead on OCSEA response and prevention, assign tasks and allocate the resources. The Barnahus model,[144] which is a child-friendly centre where social support workers, law enforcers, criminal justice professionals, medical and mental health workers work together to support victims of abuse may be explored. Child-centered solutions like this help to ensure appropriate access to justice and care for victims of child sexual exploitation and abuse. The Ministry of Social Development and Human Security could take a lead on implementing such solutions. For more on information see the Barnahus guidelines.[145]

5.2 Foster enhanced cooperation between different stakeholders. Streamlining processes, sharing collected information and resources, and minimising the duplication of efforts, would improve the ability to respond to this specialised crime area. Work with local administration offices and consider signing Memorandums of Understanding between those involved in the investigation and data collection process, e.g., the non-governmental organisations, industry and the law enforcement.

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142. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, communities, medical staff and teachers.
143. World Health Organization (2019). WHO Guidelines for the Health Sector Response to Child Maltreatment.
144. See: Child-friendly centres for abuse victims: Barnahus.
145. Promise. Barnahus Network. (n.d.). Step 3 – Establishing a Barnahus.

5.3 Invest in enhancing the technical knowledge of police officers, prosecutors, judges/magistrates, lawyers, courtroom staff, child protection officers, medical staff and frontline social workers on OCSEA and its various manifestations. Considering the constantly evolving technological advancement, it is pertinent for all the above professionals to understand and know how to address OCSEA issues within their respective professions individually and as a community. The proposed training should be institutionalised in relevant government systems and regularly updated in line with technology developments and OCSEA trends.

5.4 Enhance cooperation and streamline the flow of information between law enforcement and industry to assist in detecting early warning signals and other intelligence, to enable timely protection of children who are under threat.

5.5 Ensure that the conditions set out in the Criminal Procedure Code Act around child-friendly justice are operationalised, as the *Disrupting Harm* data indicated that it was inconsistently applied. Financial resources, operating procedures, and training will be required to ensure consistent application of these conditions are made for all cases of CESA crimes, including those with an online element.

5.6 Provide tailored and continued psychological support to child care and protection officers working in this crime area.

5.7 Expand the mandate, capacity, and quality of services provided by multi-disciplinary teams. For example, the involvement of social workers or a psychologist during the investigation process or assistance in claiming compensation – and increase their presence across the country. As interviews with child victims showed, the involvement of multi-disciplinary teams during the investigation and court process can reduce victims' anxiety and stress as they seek justice.

> **We must be careful not to put the onus on children to protect themselves from harm without support.**

5.8 Provide child victims with the opportunity to select the gender of the police officer they want to be interviewed by. Although not required by any law, the Royal Thai Police issued a policy for female investigators to be responsible for interrogating sexual assault cases, including those under the Domestic Violence Act and the Human Trafficking Act. If not possible to fulfil, ensure the officers that children interact with are well trained in child-friendly procedures.

Law enforcement

5.9 Develop and implement standard reporting and operating procedures. Ensure that police officers, prosecutors and courts have a standard information package to inform clearly explain to all victims of CSEA (including OCSEA) and their caregivers all the relevant procedures and rights, including their right to compensation. This will enable child victims to make informed decisions as well as making them aware of the upcoming procedures.

5.10 Train all police officers and prosecutors – especially at the local levels – about the correlation between online and in-person forms of CSEA. Inform them about the provisions of law that can be used to bring charges in cases of online abuse and ensure their linkages with child protection services.

5.11 Provide an effective mechanism and adequate resources to ensure that international OCSEA referrals, including NCMEC CyberTips, are subjected to an appropriate level of investigation, with a view to minimising ongoing harm to children.

5.12 Establish a clear workflow within DSI and TICAC and create a mechanism to exchange information between the bodies. Develop a national repository of media as a database and consider connecting to INTERPOL's ICSE database. This will help focus resources and energy to detect cases, undertake pro-active investigations and enhance international cooperation.

Justice professionals

5.13 Train all justice actors, including prosecutors and judges, on how to handle OCSEA cases and deliver child-friendly justice.

5.14 Limit the duration of criminal court cases that include child victims. OCSEA cases must be processed and adjudicated without undue delays to secure digital evidence and protect the child's wellbeing. When scheduling hearings, courts could grant priority to cases involving children, or the legislation could be amended to limit the duration of cases.

5.15 Develop and implement programmes that support child victims to go through the court system process. Expand the involvement of multi-disciplinary teams during that process.

5.16 Ensure that child victims do not have to face the offender. Despite this being addressed in the Criminal Procedure Code Act, *Disrupting Harm* data showed it is not always followed in practice. Consider employing video and audio links so that evidence may be given from another room. If unavailable, it is recommended to box in the offender rather than the child.

5.17 Improve the compensation procedure, including seizing offender assets towards compensation. Consider making it mandatory for offenders to deposit some money as a lawsuit settlement in order to guarantee that victims will receive the compensation or establish a trust fund system for child victims through which offenders can pay.

Social support services

5.18 Train all staff on the frontline of social support services (not just specialist services) to recognise the risks to children posed by OCSEA and understand how these risks overlap with in-person CSEA and the unique harms caused by forms of exploitation and abuse with a digital technology element. This is a necessary first step because when children are brave enough to seek help, those they seek help from must be equipped to provide it.

5.19 Social support services need to find modern and innovative ways of being accessible to young people. Helplines are one way of achieving widespread access to a child population; these need substantial investment and resourcing – their mere existence is not sufficient. Other social support services need online means of access and support from trained staff that understand the way children engage with the digital environment.

Industry

5.20 Prioritise responding to data requests cases involving children to help reduce the duration of the investigation process. This could be done by having internet service providers appoint a law enforcement liaison officer to be responsible for handling any data requests from law enforcement to speed up the investigation and prosecution of OCSEA cases.

INSIGHT 6:

Implementation of laws pertaining to OCSEA in Thailand need to be strengthened. Awareness generation among stakeholder constituencies on international instruments and standards pertaining to OCSEA must be accelerated.

Government

6.1 Consider amending legislation to conform to other international conventions that offer good guidance for addressing OCSEA, such as the Council of Europe's Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Convention on Cybercrime (Budapest Convention). These conventions provide useful measures of national legal frameworks related to OCSEA and are open for accession by states that are not members of the Council of Europe.

6.2 Amend the legislation on CSAM in order to explicitly cover depictions of a child's body for sexual purposes and also cover materials that depict a person appearing to be a child engaged in sexually explicit conduct.

6.3 Explicitly criminalise specific OCSEA-related crimes, such as live-streaming of child sexual abuse, online grooming, and sexual extortion. This could be done by adopting and enforcing the draft law on OCSEA that was drafted by the Majestic Group, which is a sub-committee created to review OCSEA-related laws.

6.4 Amend the legislation on sexual harassment in order to explicitly cover situations where the crime is committed online and against children.

6.5. Extend the applicability of the extraterritoriality provisions related to CSAM and OCSEA-related crimes.

6.6 Advocate for OCSEA to be on the national agenda to create an appropriate budget distribution.

***Disrupting Harm* alignment with the Model National Response and the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN**

Many countries, companies, and organisations have joined the WeProtect Global Alliance to prevent and respond to online child sexual exploitation and abuse. As a member of the Global Alliance, Thailand can use the Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse[146] to help organise its response to OCSEA. The model is a valuable tool for governments to improve the level of their response. Most of the recommended actions in this report align with the 21 'capabilities' articulated in the Model National Response, but *Disrupting Harm* identifies priority areas for interventions

based specifically on the data about the Thai situation. Most *Disrupting Harm* recommended actions address legislation,[147] dedicated law enforcement,[148] judiciary and prosecutors,[149] and education programmes.[150]

More recently, the Association of Southeast Asian Nations (ASEAN) endorsed the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN[151] which includes commitments for member states to strengthen online child protection in the region. The plan includes seven focus areas ranging from awareness raising, strengthening data collection, to legislative reform. The Disrupting Harm recommendations detail sustained, practical, and evidence-based activities that can be implemented in Thailand as part of their commitment to the Regional Plan of Action.

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146. WeProtect Global Alliance (2016). Preventing and Tackling Child Sexual Exploitation and Abuse: A Model National Response.
147. Model National Response #3
148. Model National Response #4.
149. Model National Response #5.
150. Model National Response #13.
151. Association of Southeast Asian Nations. (2020). Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN: Supplement to the ASEAN Regional Plan of Action on the Elimination of Violence Against Children.

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