

Disrupting Harm

Evidence from 13 countries on the context, threats, and children's perspectives of online child sexual exploitation and abuse.

Detailed Analysis of Interviews with Government Duty Bearers
Indonesia

Last updated 23/9/21

This report is a summary of preliminary data collected for this research project. The perspectives contained herein represent the individuals interviewed and surveyed. Support from the Global Partnership to End Violence against Children does not constitute endorsement.

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Introduction

Disrupting Harm: evidence to understand online child sexual exploitation and abuse (OCSEA), is a unique and collaborative research partnership between ECPAT International, INTERPOL, and UNICEF Office of Research – Innocenti. Leveraging their specific expertise, each partner sheds light on separate but interconnected areas: context, threats and children’s perspectives on online child sexual exploitation.

- Context by ECPAT International through portraying laws & policies in action;
- Threat by INTERPOL through the collection of crime and other data;
- Children’s voices by UNICEF Office of Research - Innocenti through surveys with children and their caregivers.

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

Research took place between 2019 and 2021. Up to nine separate research activities were undertaken in each country by the three project partners. Preliminary analysis for each activity was first conducted before the results across all the nine activities were consolidated into each national country report.

In Indonesia, 11 interviews with a total of 12 participants were conducted from May 2020 to August 2020. The analysis in this report also includes information from three participants from research activity four.

ID Number	Ministry/Government Agency	Position
RA1-IN-01-A	Cybercrime Unit Indonesia National Police	
RA1-IN-01-B	Cybercrime Unit Indonesia National Police	
RA1-IN-02-A	Women and Child Protection, Indonesia Police Department	
RA1-IN-03-A	Ministry of Women Empowerment and Child Protection	
RA1-IN-04-A	Ministry of Law and Human Rights	Directorate of Legislation Harmonization
RA1-IN-05-A	Ministry of National Development Planning of the Republic of Indonesia	
RA1-IN-06-A	Attorney General's Office	Senior Legal Officer in the Attorney General's Office
RA1-IN-07-A	Indonesian Child Protection Commission	Commissioner

RA1-IN-08-A	Ministry of Communication and Information Technology	
RA1-IN-09-A	Ministry of Social Affairs	Director of Child Social Rehabilitation
RA1-IN-10-A	National Cyber and Crypto Agency	
RA1-IN-11-A	Ministry of Women Empowerment and Child Protection	Assistant Deputy for The Protection Of Children From Violence And Exploitation

In Indonesia, the Interviews were conducted utilising a semi-structured interview schedule that allowed for exploration of emerging issues. Due to the COVID-19 pandemic, interviews were conducted both in-person and virtually. More information on the methodology and data analysis for this research activity can be found [here](#).

Public awareness of the threat of OCSEA

The 12 participants interviewed indicated that the general awareness level of OCSEA in Indonesia is increasing. In the past five years, there has been an increase in reports recorded by the Indonesian Child Protection Commission (KPAI) related to OCSEA. Even though the level of reporting of OCSEA has increased, there is still insufficient public awareness of this issue, with many still considering OCSEA as a taboo subject and not being aware that exploitation of children can also occur online: *“One of the aspects that is not yet understood by the people or general public is that sexual abuse against children can happen online, without the need to meet between the victim and the perpetrator”* (RA1-IN-07-A).

Although the number of reported cases of OCSEA is said to be high, participants raised that this figure could be higher if the public had a better understanding of the issue. Participants considered that this limited understanding of the threat of OCSEA applied to most of the public and was not impacted by educational status or access to education: *“People are rarely aware of OCSEA, even the people with a high educational background”* (RA1-IN-07-A). This perspective was also reflected in the Indonesian Child Protection Commission report,¹ which indicates that cybercrime crimes against children are now one of the most common forms of abuse of children: *“Five years ago, cybercrime against children was not even ranked number five. I think it is ranked number six or seven. However, for the past three to four years, pornography and cybercrime against children is the third-highest case according to the Indonesian Child Protection Commission data”* (RA1-IN-07-A).

Previous research has shown that unreliable and inconsistent data regarding the prevalence of child sexual abuse and limited understanding of its risk and protective factors contribute to a lack of understanding of OCSEA in Indonesia, making it difficult to design and implement necessary prevention and intervention programmes.² This lack of awareness of OCSEA extends to frontline welfare workers, who are considered to only have a ‘fair’ understanding of the issue.

Previous research has also identified that parents in Indonesia have a limited understanding about the use of online technology and a lack of time to educate their children about use of technology.³ In addition, the low public awareness of the threat of OCSEA occurs because parents are reluctant to report OCSEA cases to law enforcement authorities *“I say they [parents] will never report that. Rarely. Perhaps just one or two cases if there is any”* (RA1-IN-01-A&B).

Research also notes that stigma has a big impact on understanding the extent of the problem, with child sexual abuse considered by many to bring shame to the family.⁴ One respondent highlighted: *“When I visited the victim, I was asked to leave. They said, “We are so sorry that you came here because you have exposed our family to shame”* (RA1-IN-01-A&B), while another commented *“some parents consider that cases related to sexual abuse as a shame to the family either online and offline case”*

¹ Komisi Perlindungan Anak Indonesia. (2020, February). [Indonesian Child Protection Commission Report: Performance Report 2019](#) (Untranslated). Sekretariat Komisi Perlindungan Anak Indonesia.

² Wismayanti, Y.F. et al. (2019). [Child Sexual Abuse in Indonesia: A Systematic review of Literature, Law and Policy](#). *Child Abuse and Neglect*, 95.

³ ECPAT Indonesia. (2014). [The Scope and Magnitude of Online Sexual Abuse of Children in Indonesia](#)

⁴ Widodo et al. (2014) cited in: Wismayanti, Y.F. et al. (2019). [Child Sexual Abuse in Indonesia: A Systematic review of Literature, Law and Policy](#). *Child Abuse and Neglect*, 95.

(RA1-IN-07-A). These quotes also demonstrate the effect that the stigma attached to child sexual abuse has on reporting. While reporting has increased, the under-reporting of OCSEA is still a big issue and leads to limited knowledge and inadequate data as well as inadequate prevention and intervention programmes, especially at the subnational and local levels.⁵ Studies show that victims of child sexual abuse in Indonesia often do not share or report their experience until they are in adulthood, or even not at all.⁶ This attitude of shaming and blaming of child victims also affected the perception towards what is a crime and whether or not abusers were considered perpetrators.

A number of other barriers to reporting were also identified by participants. One of the participants noted that *"some people still think that they need to pay money to file a report or complaint to the Indonesian Child Protection Commission"* (RA1-IN-07-A), while another highlighted that the public needed to be made aware of reporting mechanisms: *"we think that not everyone in the society understands the procedures to file a report or complaint to the Indonesian Child Protection Commission"* (RA1-IN-07-A). Another reported barrier to reporting was that the public is not familiar with terminology: *"Moreover, the terminology of sextortion, sexting, and grooming are not familiar for the people because of the English language barrier"* (RA1-IN-07-A).

Participant's responses also suggested that discussing sex is still considered taboo and is not openly discussed in Indonesia due to cultural and religious influence. Research has consistently identified this as a major factor hampering responses to sexual exploitation and abuse of children.

Even though it was reported that the government has carried out some awareness raising on topics related to OCSEA, this has only been a small part of broader education campaigns: *"For prevention, we have Peksos (social workers) that would often go to school to give education regarding reproductive health, how one can protect themselves, etc. This education program is adjusted to the school levels, whether it is for junior high or high school students. They prevent children's interest in drugs because it can lead to other aspects such as free sex, child marriage, and so on as they are related. We also provide talks on topics about respect towards other ethnicities, although it's not directly linked to online exploitation, online matters aren't always about sexual abuse or sexual exploitation [such as online bullying]"* (RA1-IN-09-A). However, although the Child Protection Commission has started to raise awareness about OCSEA, they have created confusion by providing mixed explanations on OCSEA with the description of other online crimes. More education is required on some elements of OCSEA, such as grooming and sextortion. *"One of the aspects that is not yet understood by the people or general public is that sexual abuse against children can be happen online, without a meeting between the victim and the perpetrator. It is easily done online, mostly sextortion. The crime is firstly initiated by online grooming, and then sexting and then developed to sextortion"* (RA1- IN-07-A).

⁵ Wismayanti, Y.F. et al. (2019). [Child Sexual Abuse in Indonesia: A Systematic review of Literature, Law and Policy](#). *Child Abuse and Neglect*, 95.

⁶ Paramastri, I.& Priyanto M. A. (2010). [Early Prevention Toward Sexual Abuse on Children](#). *Jurnal Psikologi*, 37 (1).

Government Ministries/Agencies

Capacity

Although OCSEA is a rising threat in Indonesia, the state apparatus in the Indonesian government is not sufficiently dealing with it. Participants indicated in the interviews that online elements are rarely identified or specifically addressed by frontline workers and more often than not simply bundled into general abuse and exploitation cases: *“Most of the time, the cases reported to us is sexual exploitation, such as intercourse that is initiated by online activities. Then there are also trafficking victims where children are sold, etc. But we have not educated the social workers about this. Therefore, the data that we receive is still in bundles”* (RA1- IN-09-A).

Other government agencies that have a mandate to work on OCSEA cases, such as the Ministry of Women's Empowerment and Child Protection, lack the capacity actually work on these cases *“Based on the Juvenile Criminal Justice System Law, the Ministry of Women Empowerment and Child Protection is given the mandate. So, most often we collaborate with the Ministry of Women Empowerment and Child Protection. But honestly, I think because the Ministry of Women Empowerment and Child Protection is not in the technical field, they don't really know that in handling these cases, it's not just about coordination meeting, problem data, but they should coordinate what technical problems there are and then together we can find the solution. This is what's lacking”* (RA1- IN-06-A).

Participants noted that the government's efforts have mostly been limited to awareness raising and dialogue to ministries and agencies regarding cybercrime in general and have not focused specifically on OCSEA: *“Foreign platforms or social media that have the potential for child abuse, we make coordination such as whether the person has made efforts because every platform already has its policy”* (RA1- IN-10-A); *“We also give our insights regarding online learning during this pandemic because this online learning also increases the risk of the children exposed by online cybercrime risk. We gave our insight to the Ministry of Education and the Ministry of Religion that leads the Islamic-based school”* (RA1- IN-07-A).

Budget

Based on regional autonomy, there are two types of funding in Indonesia: the national income-expenditure budget and the local income-expenditure budget. In regard to the funding from the central government, participants did not indicate knowledge of any specific funding to respond to the threat of OCSEA in Indonesia. Funding related to child protection, in general, is mostly directed to the Ministry of Women's Empowerment and Child Protection. The Ministry uses this budget for three activities - 1) Drafting policy papers; 2) Coordination and outreach activities; 3) Capacity building - *“If we want to know the exact presentation, we will need to do some calculation first. However, I can inform you that for each deputy assistant in the Ministry of Women Empowerment and Child Protection, the budget portion is mostly divided into three main activities, first is for drafting policy papers, briefs, or document, the second is for coordinating activities and socialisation, third is for capacity building”* (RA1-IN-05-A). In treating cases of violence against children in general, the Indonesian government provides a limited budget for psychologists who have expertise in handling cases involving violence against children. This condition is potentially worsened when handling OCSEA cases: *“The budget for the psychologist or consultant is limited as well. So, the treatment for the victim*

is not effective due to many problems in terms of budgeting and administrative, as if we are moving backward again” (RA1-IN-01 A&B).

Good practices

Examples of good practice include the Indonesian Child Protection Commission's efforts to receive reports of cases related to OCSEA. *“we also receive the complaint or report when there is online child sexual abuse” (RA1- IN-07-A).* The representative from the Indonesian Child Protection Commission highlighted their success in handling sextortion cases: *“I think I may say that the sextortion case that is done by an inmate is one of our success stories because it is discovered first by our report. So, the parents of one of the victims report to the Indonesia Child Protection Commission and then we report it to the police so that they can do the investigation” (RA1-IN-07-A).*

In regard to child protection in general the Indonesian government, supported by UNICEF, has also initiated capacity building at the local government level regarding specific child protection development planning. This activity trains representatives of the Regional Planning and Development Agency in Indonesia. While not specifically on OCSEA, it is understood that this general child protection training does include some indirect attention on OCSEA issues – though brief: *“We do some capacity building activities at the local government level related to specific child protection development planning. We are working together with the Ministry of Women Empowerment and Child Protection to do the capacity building activity. So, the participant of the training is consisting of the officers from the Regional Planning and Development Agency and representatives from the local stakeholder and organisation (OPD –red)” (RA1-IN-05-A).*

Policies and Laws

Assessment

In Indonesia, offences relating to OCSEA, such as child sexual abuse material,⁷ are mainly addressed through a special law passed in 2008 titled Law No. 44 of 2008 on Pornography.⁸ Additionally, the Criminal Code⁹ and the Child Protection Act¹⁰ contain provisions criminalising “pornography”, albeit implicitly. However, Indonesia does not have legislation regarding sexting, online sexual harassment or sexual extortion leaving victims of these crimes unprotected. Indonesia also does not clearly define online grooming nor does it have an explicit provision which criminalises it: *“But for other criminal offences, including grooming or OCSEA which are done online, this has not yet been regulated in our Criminal Code”* (RA1-IN-01-A&B). This issue was also mentioned in an interview with a justice worker, who highlighted that another article could cover this issue as well, which was confirmed by law enforcement who handle OCSEA cases *“it was found that Indonesia has no specific law in handling OCSEA cases. Our law and regulation are standing alone. For example, the Information and Electronic Transaction Law regulates the distribution of child sexual abuse materials online. The Anti-Pornography Law talks about the pornographic act. Sexual exploitation and sexual abuse are regulated in the Anti Trafficking Law or Child Protection Law”* (RA1-IN-02-A).

The representative from the Indonesian Child Protection Commission also highlighted that legislation relating to specific manifestations of OCSEA is lacking: *“in my opinion, we are lacking in our regulations anything that directly addresses cybercrimes against children. Our regulation on Electronic Transaction Law is limited and does not specifically address the specific issues of cybercrimes against children such as sextortion. The term of sextortion is not in our regulation”* (RA1-IN-07-A). However, while legislation addressing different manifestations of OCSEA is evidently required, participants also noted that too many regulations could make it difficult for law enforcement to handle OCSEA cases: *“Since we have so many laws and regulations, sometimes there are some disagreements in understanding those criminal codes and laws among the law enforcement to determine which ones need to be applied”* (RA1-IN-02-A). Participants noted that the amendment of existing legislation could be more useful in handling OCSEA cases *“Perhaps there can be an amendment of law for the inclusion of both online and offline child protection matters. Amendments may not take much effort as making new laws, so based on the efficiency and effectivity of the process I think it can be done”* (RA1-IN-10-A). Participants suggested that these changes or additions could be in the form of using terminology that covers exploitative actions: *“The terminology can be widely used by our law enforcers or non-profit organisations to define sexting, grooming and bullying as a form of exploitation. The terminology can also be used as a benchmark or a form of consideration if in the foreseeable future changes or revisions will be made towards our laws regarding child protection or technology”* (RA1-IN-11-A). However,

⁷ ECPAT prefers the term ‘child sexual exploitation material’ or ‘child sexual abuse material’ over the often in legal context still used ‘child pornography’ in line with the recently widely adopted Terminology Guidelines. ECPAT International. (2016). [“Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016”](#). P. 39. Bangkok: ECPAT.

⁸ Government of Indonesia. (2008). [Law No. 44 of 2008 on Pornography](#).

⁹ Government of Indonesia. (1999). [Penal Code of the Republic of Indonesia](#).

¹⁰ Government of Indonesia. (2002). [Child Protection Law \(as amended in 2014\)](#) (Untranslated).

there has not been any analysis of any existing legislation and its effectiveness in relation to OCSEA: *"We haven't done any studies regarding online child sexual abuse. So, when I am asked about the effectiveness of a certain development programme, I am uncertain as it requires studies and research"* (RA1-IN-05-A).

Indonesian law does not have provisions that explicitly compel Internet Service Providers to filter and/or block child sexual abuse material and report companies and/or individuals disseminating, trading, or distributing these materials. However, Article 17 of the Law on Pornography requires the government and regional governments to prevent the production, distribution and usage of pornography,¹¹ including child sexual abuse materials. In order to do this, governmental and regional authorities are allowed to cut off networks of production and distribution of pornography products or pornography services, including blocking pornography through the Internet; supervising the production, distribution and usage of pornography; and co-operating and coordinating with other parties in and outside of the country, in prevention of production, distribution and usage of pornography.¹² Moreover, regional authorities are entitled to develop communication systems and information and education materials in the framework of preventing pornography their region.¹³ In 2014, the Minister of Communication and Information issued Regulation No. 19 of 2014 on Controlling Internet Websites Containing Negative Content.¹⁴ The regulation provides, inter alia, for the establishment of a 'TRUST+ Positif List, a database system containing names of websites with negative content, including 'pornography'.¹⁵ The regulations impose duties on Internet Service Providers to block all websites featuring in the 'TRUST + Positif List'.¹⁶ Furthermore, Internet Service Providers are required to maintain their database of prohibited websites in accordance with this list and update it on a regular basis.¹⁷ Internet Service Providers that fail to block websites on the 'TRUST+ Positif' list may incur administrative or criminal liabilities under Law No. 36 of 1999 on Telecommunications, Law No. 44 of 2008 on Pornography and Law No. 11 of 2008 on Information and Electronic Transactions.¹⁸ More recently, in 2019, the government issued the Government Regulation No. 71 of 2019 which authorises the government to block access to prohibited content.¹⁹ Prohibited content includes "electronic information and/or an electronic document that contains or promotes", *inter alia*, "pornography" and violence against children.²⁰ Further, while the Indonesian government has implemented a "trust positive" programme,²¹ namely blocking pornographic sites and efforts to

¹¹ Government of Indonesia. (2008). [Law No. 44 of 2008 on Pornography](#), Article 17.

¹² Government of Indonesia. (2008). [Law No. 44 of 2008 on Pornography](#), Articles 18 and 19.

¹³ Government of Indonesia. (2008). [Law No. 44 of 2008 on Pornography](#), Article 19 (d).

¹⁴ Government of Indonesia. (2014). [Regulation No. 19 of 2014 on Controlling Internet Websites Containing Negative Content](#).

¹⁵ Note: The database can be accessed [here](#).

¹⁶ Government of Indonesia. (2014). [Regulation No. 19 of 2014 on Controlling Internet Websites Containing Negative Content](#).

¹⁷ Government of Indonesia. (2014). [Regulation No. 19 of 2014 on Controlling Internet Websites Containing Negative Content](#).

¹⁸ Government of Indonesia. (2014). [Regulation No. 19 of 2014 on Controlling Internet Websites Containing Negative Content](#).

¹⁹ Government of Indonesia. (2019). [Regulation No. 71 of 2019 on Electronic Systems](#), Article 95.

²⁰ Government of Indonesia. (2019). [Regulation No. 71 of 2019 on Electronic Systems](#), Article 96.

²¹ KOMINFO & UNICEF [Digital Citizenship Safety Among Children and Adolescents in Indonesia](#)

remove pornographic content spread on digital platforms, participants did not report any government efforts to regulate Internet Service Providers.

Participants with law enforcement responsibilities assessed that there are different legal constructs regarding violence against children online and violence against children offline, for example, respondents noted a gap in the Criminal Code²² in Indonesia. Especially in regard to OCSEA cases, the position of the victim is perceived to be weaker in the eyes of the law because the image was taken by the victim himself, while the perpetrator looks more passive because the action taken is in the form of persuasion *“there is also something interesting. Regarding child grooming or other online crimes, there is a unique legal construct. This is because the element of the criminal act, every criminal act prohibits the perpetrator from committing a criminal act of exploiting, making children a sexual object. This means that the perpetrator must be active. But from cybercrime, especially child grooming that we handled yesterday, it is the victim who is active in making herself a sexual object. This is due to persuasion, utilisation, the perpetrator's way of building an emotional relationship so that the victim believes that the act is legitimate. The perpetrator pretended to be her teacher and ask her to provide health data by taking off her clothes and he said there will be a vaginal examination, etc”* (RA1-IN-06-A). Another participant added that existing laws need to be utilised better so that OCSEA cases can be dealt with consistently: *“My hope is that our law enforcers can better utilise all of our four laws related to OCSEA cases and not only focus on one specific law. The four laws must be fully utilised as a whole so it can create a synergy for our legal system’s mechanism”* (RA1-IN-11-A).

Participants also reported that so far, efforts made by law enforcement mainly centre around improving communication between law enforcement so that there is a common perception in handling OCSEA cases: *“Since this is the first time, it’s still in discussion. We have a group for the juvenile criminal justice system, so we help each other. In the prosecutor's office, there is a court, there's a doctor, and when we are handling this case, we discuss it together and so on. Before this case went to trial, since there is the COVID pandemic, I was introduced to the state court, where this case would be examined and put-on trial. The head of the state court was very supportive and committed. He stated, “Let me handle the case” and he also established a good relationship so we can commit ourselves to handle this case. This is what we can do as this is the first time”* (RA1-IN-06-A).

The Child Protection Online Roadmap – drafted in 2017 by the Ministry of Communication and Information - aims to guide government and law enforcement agencies, civil society groups, industries and community members (including parents and children) to promote access to safer Internet and develop an online child protection system for children and youth.²³ *“The road map will clearly describe aspects such as who-doing-what, the timeline, as well as the target of achievement”* (RA1-IN-05-A). However, concerns have been raised by other ministries/agencies regarding implementing this road map, especially for the leading sector: *“The problem might be about which ministry/agency that will become the coordinator”* (RA1-IN-05-A). No information was found about children’s participation in the development of the Child Protection Online Roadmap.

²² Government of Indonesia. (1999). [Penal Code of the Republic of Indonesia](#),

²³ Ministry of Communication and Information Technology and Indonesian Child Protection Commission. (2017). [Peta Jalan Perlindungan Anak Indonesia Di Internet](#). Retrieved from [Peta Jalan Perlindungan Anak di Internet Indonesia – literasi digital](#)

Challenges and limitations

Several challenges and obstacles were identified by participants related to the effectiveness of existing policies and laws impacting the handling of OCSEA. First, regional autonomy policies do not align with central government policies: *"In my opinion, there are problems with the regional autonomy policies, so that when the central government creates a task force, the local government can't come up with a proper budget linking to their local government budget"* (RA1-IN-01-A&B).

Additionally, law enforcement efforts are still experiencing obstacles because the existing regulations have not yet accommodated forms of OCSEA that are becoming more common, such as grooming and sextortion: *"Most of the content that we receive includes child nudity, however, most of them are not considered as child pornography or child sexual abuse context. The child nudity is not in the context of abuse or exploitation"* (RA1-IN-01-A&B). Another challenge faced is the absence of a representative from international technology service providers in Indonesia. This issue is important as when the government needs help in handling certain issues regarding providing a child friendly environment, they are engaging with people based in different countries who may not understand the context or be focused on the Indonesian context: *"The worst thing is that not all platform providers have a representative office in Indonesia There is a different policy between Indonesia and the country where the platform is from"* (RA1-IN-07-A). Another issue is with the cooperation of Internet Service Providers *"That is one of the barriers or challenges that we have. Moreover, to tackle the child pornography issue, we still depend on international cooperation, because we do not own the platform. The server of Facebook, Twitter, and Instagram are in the United States not in Indonesia. They tend to be difficult to reach out to solve the case when it is not part of the platform's priority"* (RA1-IN-01-A&B).

In regard to law enforcement, a limitation that is also faced is the low capacity of law enforcers in the smallest units, such as at the village level, regarding OCSEA. The established systems for law enforcement could be an excellent opportunity for awareness raising and for victims to access help with the right investment in training: *"We have thousands of officers called Bhabinkamtibnas that work at the village level. Bhabinkamtibnas (local police) also have the mission to do preventive measures in general. However, regarding the OCSEA, we need to know about the material for socialisation and it requires an update from time to time because online-based crime is evolving from time to time, the modus operandi is changing. This is the reason why we need collaboration among ministries/departments in Indonesia to have the same perception and goals regarding this issue. I don't think that the goals of educating the public are attainable if each ministry or department works alone based on their own programme"* (RA1-IN-01-A&B).

Another limitation is that OCSEA cases have not been categorised in detail. The cases that are often found and referred to are sexual crimes but are not specifically referred to as OCSEA cases, especially at the policy level: *"It is because the term of online child sexual abuse has not yet defined as detailed on our RPJMN. We have mentioned the issue of online child sexual abuse by including it as one of our strategic issues. However, in the policy paper we try to compact that issue into a more general protection issue"* (RA-IN-05-A).

Future Developments

The Indonesian government is developing the Presidential Regulation on a National Strategy for the Elimination of Violence against Children: *“We are currently working on the presidential regulation about the eradication of child abuse against children with the Ministry of Women’s Empowerment and Child Protection”* (RA1-IN-05-A). The Indonesian National Police are also working on improving their management systems to improve perceptions and understanding of data: *“The Indonesian National Police is currently working on building the system called e-management investigation. We need to have the same perception to build the variable construction among the directorate in the Indonesian National Police because when we talk about making certain strategy the key is in the data”* (RA1-IN-01-A&B).

Law Enforcement

Assessment

In Indonesia, the handling of law enforcement cases involving women and children is handled by the Women and Children Protection Unit at the National Police Headquarters. This unit operates at the national, provincial and sub-district level *“This unit specifically work on issues about women and children”* (RA1-IN-01-A&B). However, when crimes occur online, including OCSEA, they are handled by the Cybercrime Unit at the provincial level: *“When we talk about the case related to online it is our work at the National Police Headquarters in Cybercrime Directorate and the provincial level of POLDA. So, we have 34 Cybercrime sub-directorate in regional police all over Indonesia”* (RA1-IN-01-A&B). The police implement this because of the need for specific expertise are needed to prove cybercrime activity *“It is because it is under the jurisdiction, particularly in providing the evidence regarding its online or cyber aspect of the crime. It requires specific tools and mechanism that is only owned by the Cyber Crime Directorate”* (RA1- IN-02-A). Commonly, OCSEA cases are handled by Cybercrime units, while Women and Children Protection units focus on offline child sexual abuse and exploitation cases. Participants did not give any indication of the capacity of these units to effectively address OCSEA, nor did anyone comment on cooperation between them or with international agencies.

It is important to note that the Cybercrime Unit that handles online-related cases is not available at the sub-district police unit level, only at the Provincial Police unit level. This is unlike the Women and Children Service Unit, which is already available at the sub-district level. Although there is no formal cooperation yet, the Women and Children Service Unit are open to assisting cybercrime to investigate cases: *“If the Women and Children Service Unit needs the back-up from the cybercrime team to investigate the case, they surely will help us”* (RA1- IN-02-A).

In handling cases related to girls and women, female police officers are often involved because they are considered more able to be sensitive with female victims and thus build trust: *“Our priority is working with the policewomen because they have more sensitivity to the issue so it is naturally easier for them to build the trust with the victim”* (RA1-IN-02-A). One participant noted that the Woman and Children Service Unit is often managed by female law enforcement officers who receive training based on guidelines for women and children and interviewing child victims and witnesses.²⁴ However, the Unit also faces challenges in that it has a limited number of female police officers: *“We also need to admit that there is a limitation in the Women and Children Service Unit because of lack of policewomen in our unit”* (RA1- IN-02-A).

Integrated Service Centres for the Empowerment of Women and Children, established by the Indonesian government in 18 provinces and 113 districts/cities, provide prevention, protection, rehabilitation and reintegration services to women and child victims of violence, including OCSEA. This process ensures consistency from initial contact, judicial protection, health rehabilitation, repatriation and social reintegration, as well as aim to develop the network among stakeholders and act as a referral system: *“The provincial Integrated Service Centres for the Empowerment of Women and*

²⁴ UNICEF. (2016). [Child protection in the digital age. National responses to online child sexual abuse and exploitation in ASEAN Member States.](#)

Children also handles violence cases at cross-districts. Integrated Service Centres for the Empowerment of Women and Children at district levels have the function of preventing violence against children and handles cases of violence by coordinating with other service providers at the district level. In practice, an Integrated Service Centres for the Empowerment of Women and Children works with the Integrated Service Centre (PPT) at the hospital and the police department in prevention programmes.”²⁵ This system was confirmed by one of the research participants as occurring in practice. In the case handling process, the police also work closely with the Integrated Service Centre for the Empowerment of Women and Children and local health centres *“In the process of handling the case, we are working with the Integrated Service Centre for the Empowerment of Women and Children or we refer the victim to the Police Hospital”* (RA1-IN-02-A). This cooperation is required for the psychological needs of both the victim and the perpetrator *“We ask for the support from the Integrated Service Centre for the Empowerment of Women and Children to provide the psychologist for the victim or the perpetrator”* (RA1-IN-02-A).

Challenges and limitations

Law enforcement face difficulties coordinating with other parties such as the Integrated Service Centre for Women and Children's Empowerment due to the regional autonomy policy. Consequently, the handling of cases by the Integrated Service Centre for the Empowerment of Women and Children is limited according to their work area: *“The Integrated Service Centre for the Empowerment of Women and Children Jakarta can't handle the case because the victim is not under their jurisdiction”* (RA1-IN-01-A&B). On the other hand, the police see that OCSEA cases cannot be handled by one local government alone *“However, when it comes to the online-based violence like OCSEA which is borderless, the case cannot be handled only by one local government. It requires cross-provincial works”* (RA1-IN-01-A&B).

The lack of resources and capacity in child protection systems at district and sub-district levels is also hampered by weak cooperation among child protection workers at the local level that do provide support,²⁶ which was confirmed by some of the interviewees. Firstly, the police are facing budget constraints because the police budget is limited for capacity building. The existing capacity building budget must be shared among all directorates, not just Women and Children Service Unit: *“the National Police Headquarters has a limited budget because it needed to be divided into capacity building activities for all the directorates, not only Women and Children Service Unit but also with CyberCrime directorate as well as other directorate or unit”* (RA1-IN-02-A). In the case handling aspect, the budget is also limited for conducting *“visum et repertum”* [a written report from a forensic expert]. The Social Insurance Administration Organisation no longer covers *“visum et repertum”* and other services for victims of violence. Consequently, most costs for proof through post-mortem are paid by the victim: *“The insurance from BPJS (Social Insurance Administration Organisation) no longer covers for the visum et repertum and it is regulated by the government. The treatment for domestic violence and abuse are no longer covered in the Social Insurance Administration Organisation”* (RA1-IN-02-A).

²⁵ Ministry of Women, Family and Community Development, Malaysia (n.d.). [Good Practices: Eliminating Violence Against Women and Children \(EVAWC\). Documentation of Good Practices in ASEAN Member States on the Elimination of Violence Against Women and Children \(EVAWC\).](#)

²⁶ Wismayanti, Y.F. et al. (2019). [Child Sexual Abuse in Indonesia: A Systematic review of Literature, Law and Policy.](#) *Child Abuse and Neglect*, 95.

Further, the number of law enforcement officers who can handle cases related to children is still limited, as is the number of judges and prosecutors specialising in children’s cases compared to the number of cases involving children *“As far as I know we don’t have enough child prosecutors when we compare them with the number of cases related to children”* (RA1- IN-02-A). The juvenile criminal justice system requires judges and prosecutors who specifically handle children’s cases. One of the reasons for this limited number is because judges and prosecutors must attend training by the Agency for Development and Human Resources of the Ministry of Law and Human Rights: *“This is because of some requirements that need to be fulfilled by an officer if they aim to be a child investigator such as attending some integrated training for child criminal justice system held by the Agency for Development and Human Resource of the Ministry of Law and Human Rights”* (RA1-IN-02-A). Structural changes also often hinder law enforcers from handling OCSEA cases, for example, the change from The Integrated Service Centre for the Empowerment of Women and Children Jakarta to the Technical Service Unit for the Protection of Women and Children, which will limit the authority of the Integrated Service Centre for the Empowerment of Women and Children Jakarta: *“One of the problems in the field that I observe is that the downgrading of P2TP2A (The Integrated Service Centre for the Empowerment of Women and Children) to UPTD (Technical Service Unit for the Protection of Women and Children, which) creates the problem for them due to the limitation of budget so that they can’t work much with just limited access to budget”* (RA1-IN-01-A&B).

Increased capacity building is also required, as law enforcement face obstacles in extracting information from children: *“Since the victim is a child, it is difficult for us to interview them or investigate them”* (RA1- IN-02-A).

Law enforcement also faces challenges with the data collection system, as currently, law enforcement have to ask for specific data from the service unit for women and children manually: *“We asked the specific data manually to all the chief of PPA (service unit for women and children) all over Indonesia when we need any specific data regarding women and children through [instant messaging]”* (RA1-IN-02-A). Also, data that is collected is not categorised in detail, making it difficult for law enforcement to identify trends relating to child sexual abuse and exploitation: *“We can’t make the physical, emotional, sexual and trafficking in one table because those are different variables”* (RA1-IN-01-A&B). Further, technology companies do not store servers in Indonesia nor it is their priority to do so regarding this issue, presenting further challenges for law enforcement.

Successes

The Indonesian government has been successful in implementing general online child protection policies, but these are not specific regarding the threat of OCSEA. However, through the Ministry of Communication and Information and the Indonesian Child Protection Commission, the government has created a complaint channel that allows the public to report OCSEA cases: *“In taking precautions, the government has the authority to terminate access or to order electronic system administrators to terminate access. For example, there is content on a social media platform that violates the law, the ministry can request for this content to be taken down. What kinds of content violate the law? There are around eight categories for it, but the major ones include pornography, violence, and terrorism. Since our topic of discussion, today is related to violent and sexual content, I think this goes for the pornography category. “Our law on pornography does not differentiate between child and adult pornography”* (RA1-IN-08-A). The government has also started to initiate a draft for an online child protection policy: *“We are currently partnering with our friends over at Indonesia Child Online Protection to create an online child protection policy if I’m not mistaken”* (RA1-IN-11-A). As well as this, a child protection roadmap to define the government's duties and functions in protecting children from online risks is also being developed: *“I think when their road map is published it might be easier for us to see which ministry/agency is involved in the initiative”* (RA1-IN-05-A).

Challenges

Participants identified that cooperation between stakeholders has proved to be a significant challenge: *“When you talk about the cooperation between the Ministry of Communication and Information and National Police Headquarters as the law enforcement in terms of exchanging the child sexual abuse material or child sexual exploitation material data to be followed up by POLRI, I can say that it has not been established yet”* (RA1-IN-01-A&B). Challenges are also posed by the increasingly sophisticated and complex nature of OCSEA crimes that are being committed, for example perpetrators using encrypted networks and other methods of communication *“Well, that’s one of the cases I use when doing socialisation, the one I witnessed myself. Other cases, we use mapping through a third party. They collect data from the media related to the issue of violence against women and children, especially trafficking in persons. We found several modes used in trafficking in persons for the purpose of sexual exploitation. The media used is gadgets, offering children via the Internet, WhatsApp group, WeChat or MeChat I can’t recall”* (RA1-IN-03-A). In cases like this it is more difficult to identify the activity that is being carried out considering the system used to filter out illegal activities does not detect media platforms that come from outside America (RA-IN-01-A&B).