

The 2nd Asia Pacific Expert Conference for
Criminal Justice

Promoting Human Rights in Response to
Technology-Assisted Crimes:
Tackling Violence against
Women and Children



Date Thursday, 11 August 2022

Time 15:00-16:50(KST) | 13:00-14:50(ICT) | 16:00-17:50(AEST)

Venue Online Via Zoom <https://bit.ly/3buJKpk>

BACKGROUND

Victimization of Women and Children

Women and children comprise part of the most vulnerable populations that often fall victim to crime, especially domestic violence, child abuse, and sexual offense. According to UN Women, 736 million women, almost one-third of the global female population, have experienced physical and/or sexual violence at least once during their lifetime.¹ A 2020 report from the World Health Organization (WHO) estimates that up to 1 billion children have suffered from physical, sexual, and emotional violence or neglect,² and that 300 million children aged 2-4 have experienced regular physical and/or psychological violence from their parents or caregivers.³

Technology and Changing Patterns in Crime

Recent technological advancements, while greatly improving multiple aspects of our lives, have also created opportunities for new types of crime to emerge. In 2017, Yury Fedotov, the then Executive Director of UN Office on Drugs and Crime (UNODC), declared in his speech that technology had become a critical component in criminal activities. The dark web, for instance, is used by criminals seeking access to a black market for illicit drug and firearms trade.⁴ In 2020, UNODC reported that traffickers target victims by posting advertisements of false job offers.⁵ Also, it was estimated that the total of ransomware damage costs around the world amounted to 20 billion USD in 2021.⁶ Such analysis demonstrates the variety and magnitude of technology-assisted crime.

1 "Facts and Figures: Ending Violence against Women." UN Women - Headquarters. Accessed June 28, 2022. <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures#notes>.

2 "Violence against Children." World Health Organization, June 8, 2020. Accessed June 28, 2022. <https://www.who.int/news-room/fact-sheets/detail/violence-against-children>.

3 "Child Maltreatment." World Health Organization, June 8, 2020. Accessed June 28, 2022. <https://www.who.int/news-room/fact-sheets/detail/child-maltreatment>.

4 Fedotov, Yury. "In Just Two Decades, Technology Has Become a Cornerstone of Criminality." United Nations: Office on Drugs and Crime. Accessed June 28, 2022. <https://www.unodc.org/unodc/en/frontpage/2017/October/in-just-two-decades--technology-has-become-a-cornerstone-of-criminality.html?ref=fs4>.

5 UNODC, *Global Report on Trafficking in Persons 2020* (Vienna: United Nations publication, 2021), 119-128.

6 "Ransomware Attacks, a Growing Threat That Needs to Be Counteracted." United Nations: UNODC Regional Office for Southeast Asia and the Pacific. Accessed June 28, 2022. <https://www.unodc.org/roseap/en/2021/10/cybercrime-ransomware-attacks/story.html>.

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Cybercrime: A Threat to Rights of Women and Children

Responding to these challenges, the international community is seeking multiple ways to concentrate collaborative efforts. On 27th December 2019, the UN General Assembly adopted a resolution to establish the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes.⁷ The 14th UN Congress on Crime Prevention and Criminal Justice, held in March 2021, reaffirmed the need for international cooperation in tackling cybercrime.⁸ Furthermore, the Human Rights Council adopted a resolution on “New and emerging digital technologies and human rights,” which highlighted the rise of new crimes as a threat to human rights and the need to improve existing frameworks.⁹

Women and children are disproportionately victimized by new types of cybercrime. A 2015 report by UN Broadband Commission for Sustainable Development informed that the risk of online sexual harassment and stalking is particularly high for women aged 18-24.¹⁰ In a study by UN Women Regional Office for Asia and the Pacific, online violence against women is shown to take various forms including gender-based hate speech, sextortion, and online stalking.¹¹ Moreover, children are exposed to risks of online sexual offenses such as grooming and sexual solicitation, according to a report issued by UN Children’s Fund (UNICEF).¹² Cyberbullying is also reported to be another major issue, with one-third of children in 30 countries suffering from it.¹³

7 General Assembly resolution 74/247, *Countering the use of information and communications technologies for criminal purposes*, A/RES/74/247 (20 January 2020), available from undocs.org/A/RES/74/247. See also “Ad Hoc Committee - Home.” United Nations: Office on Drugs and Crime. Accessed June 28, 2022. https://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/home.

8 *Report of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice*, UNODC, A/CONF.234/16 (26 March 2021), available from undocs.org/A/CONF.234/16.

9 Human Rights Council resolution 41/11, *New and emerging digital technologies and human rights*, UNGA, A/HRC/RES/41/11 (17 July 2019), available from undocs.org/A/HRC/RES/41/11.

10 “Urgent Action Needed to Combat Online Violence against Women and Girls, Says New UN Report.” UN Women - Headquarters, October 12, 2015. <https://www.unwomen.org/en/news/stories/2015/9/cyber-violence-report-press-release>.

11 “Online Violence against Women in Asia.” UN Women Regional Office for Asia and the Pacific. Accessed June 28, 2022. <https://asiapacific.unwomen.org/en/digital-library/publications/2020/12/online-violence-against-women-in-asia>.

12 UNICEF, Technical Report: Child Safety Online - Global Challenges and Strategies (Florence: United Nations Children’s Fund, 2012), available from <https://www.unicef.org/media/66821/file/Child-Safety-Online.pdf>

13 “UNICEF Poll: More Than a Third of Young People in 30 Countries Report Being a Victim of Online Bullying.” UNICEF, September 3, 2019. <https://www.unicef.org/press-releases/unicef-poll-more-third-young-people-30-countries-report-being-victim-online-bullying>.



PURPOSE

The 2nd Asia Pacific Expert Conference for Criminal Justice (APECCJ) aims to gather experts in the field of criminology and criminal justice to share their findings and knowledge on protecting human rights, specifically rights of women and children, from technology-assisted crimes. The Korean government has been committed to responding to such issues. As a Member State of UN Human Rights Council, it played a leading role in adopting the resolution on new and emerging crimes, and cooperated with UN Women on conducting a study of online violence against women in Asia. With new technologies and human rights emerging as important areas of interest for international community, the 2nd APECCJ aims a) to discuss changing trends in crimes against women and children, which are facilitated by information and communications technologies and b) to examine specific examples of online sexual exploitation, ICT-facilitated domestic violence, and sexual offenses in the metaverse.

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PROGRAMME AGENDA

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15:00 (KST) **WELCOME REMARKS**
13:00 (ICT) **TAE-HOON HA** (President, Korean Institute of Criminology and Justice)
16:00 (AEST)

15:05 (KST)
13:05 (ICT) **OPENING AND PARTICIPANT INTRODUCTIONS**
16:05 (AEST)

15:15 (KST) **PRESENTATION SESSION**
13:15 (ICT) **MODERATOR : JIN YU** (Deputy Director of International Cooperation Center, KICJ)
16:15 (AEST)
PRESENTATION 1 Rick Brown (Deputy Director, Australian Institute of Criminology)
PRESENTATION 2 Bridget Harris (Associate Professor of Criminology, Monash University)
PRESENTATION 3 Taegyung Gahng (Research Fellow, Korean Institute of Criminology and Justice)
PRESENTATION 4 Peabprom Mekhiyanont (Police Lieutenant Colonel, Royal Thai Police)

16:15 (KST)
14:15 (ICT) **DISCUSSION**
17:15 (AEST)

16:45 (KST)
14:45 (ICT) **CLOSING**
17:45 (AEST)



PRESENTATION 1

Rick Brown

Deputy Director, Australian Institute of Criminology(AIC)



Understanding the demand for live-streamed child sexual abuse

This presentation will outline the findings from a research program undertaken by the Australian Institute of Criminology to understand the demand for live-streamed child sexual abuse in Australia. Based on an analysis of financial transactions made by Australian consumers to the facilitators of live-streamed child sexual abuse in the Philippines, the presentation describes the characteristics of consumers and shows how consumption escalates over time. The presentation will also describe the negotiations that occur between consumers and facilitators via online chat platforms prior to a transaction being made.

Dr. Rick Brown is the Deputy Director of the Australian Institute of Criminology. He has been a criminologist for over 30 years and has worked extensively on issues associated with crime prevention, community safety, and policing in Australia, the UK and the Republic of Ireland. He was previously Managing Director of a research consultancy that focused on crime and justice issues and has also worked as a Research Manager for the Home Office in London. Rick has published over 70 government reports, book chapters and journal articles on a range of issues including antisocial behaviour, arson, burglary, CCTV, child sexual abuse, community crime prevention, community justice, domestic violence, drink driving, identity crime, illicit drugs, organised crime, policing and vehicle crime. Rick holds a Ph.D. from the London School of Economics and Political Science, a Master of Arts degree from the University of Westminster and a Bachelor of Arts (with Honours) degree from Hatfield Polytechnic in the U.K. He is also a Visiting Fellow of Policing and Criminal Justice at the University of Derby and on the editorial boards of numerous journals.

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PRESENTATION 2

Bridget Harris

Associate Professor of Criminology, Monash University



Digital coercive control: A practical and theoretical framework to understand technology-facilitated domestic violence

Digital devices and digital media are weaponised by perpetrators of domestic and family violence. There have been efforts to identify this abuse, but many initiatives are limited. Some see divisions between 'online' and 'offline' harms, though these are not separate fields. Additionally, classifications often fail to capture the everyday intrusions and context in which they occur. Importantly, definitions need to account for change. Technologies evolve and so do the tactics of perpetrators. In this presentation I offer a practical and theoretical framework - digital coercive control - to understand and address technology-facilitated domestic violence. Here, I highlight the perpetrator's method (digital), intent (coercive behaviour) and impact/effect on a victim/survivor (control and entrapment). We foreground the setting, dynamics and histories of the parties involved, and the individualised strategies deployed by perpetrators. Rather than only looking for behaviours that are problematised or illegal, we are guided by what makes victim/survivors uncomfortable, fearful, and reduces their agency. We can also capture acts which (outside of an abusive relationship) may be accepted, normalised, or legitimised, and could be missed in justice processes and safety planning. Digital coercive control therefore provides a new and adaptable mechanism to investigate and navigate violence, unfreedom and risk.

Dr Bridget Harris is an Australian Research Council 'Discovery Early Career Research Award' Fellow, Deputy Director of the Monash Gender and Family Violence Prevention Centre, and Associate Professor of Criminology at Monash University. She is also a Research Associate at West Virginia University's Research Centre on Violence and an Adjunct at the University of New England and Queensland University of Technology. Bridget works in the areas of domestic and family violence (including in non-urban locations), violence against women, technology-facilitated harm, and the use of technology in responding to and preventing violence.

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PRESENTATION 3

Taegyung Gahng

Research Fellow, Korean Institute of Criminology and Justice(KICJ)



Criminal implications of new types of harmful acts based on metaverse

In the metaverse space, various new types of harmful acts are appearing that should be regulated by criminal law. The new metaverse-based harmful acts can be divided into two categories: one is the case where the metaverse space is used as a means for real-world crimes, while the other is the case where acts similar to a real-world crimes are performed in the metaverse space. Sexual violence, such as sexual harassment- and assault-like acts against avatars in the metaverse space, is an example of the latter. The question is how to respond to the new criminal phenomenon in the metaverse era. In particular, it is important to review new metaverse-based harmful act from the criminal justice perspective, given that children and adolescents, who are major users of metaverse, may be vulnerable to these harms.

Dr. Taegyung Gahng is currently Research Fellow of the Korean Institute of Criminology and Justice (KICJ) and lecturer of the Department of Philosophy at Seoul National University. His primary areas of interest include harmonization of criminal justice policies with human rights, methodologies for interdisciplinary research on criminal justice policies, and jurisprudential grounds for criminal justice policies. He won the Young Scholar Award from the Korean Association of Legal Philosophy for his article entitled, “The Multilayered Structure of ‘the Internal Point of View,’” which addresses interdisciplinary perspectives on normativity and morality of law. His current research centers around convergence of jurisprudence and empirical science. He holds a Ph.D. in Law, a LL.M., and a LL.B from the Seoul National University and a M.A. and a B.A. in Psychology (*summa cum laude*) from the Seoul National University.

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PRESENTATION 4

Peabprom Mekhiyanont

Police Lieutenant Colonel, Royal Thai Police



Generation Alpha and self-generated child sexual abuse material

A growing problem of self-generated child sexual abuse material in Thailand becomes a devastating epidemic in Thailand's society. We are seeing Generation Alpha or sometimes what we call "Digital Native" shaping the future of the world since they are growing up in a digital environment. The advance in technology causes a great impact not only on people's lives but also on sexual behavior and attitudes. In addition, social media has a very strong impact on Generation Alpha since there are a lot of platforms that offer young people the opportunity to share sexually explicit photos of themselves online. Also, there are many Gen Alphas who engage in self-produced child pornography just to gain more "likes" and followers. Some of them are sharing self-generated sexual images and/or videos for commercial purposes. They are not aware of the negative consequence that might occur later; for example, in many cases, they do not expect the outcomes that could lead to blackmail, sextortion, and/or suicide. This presentation will talk about the related situation, laws, and dilemmas faced by law enforcement on how to respond to the production and distribution of self-produced child pornography.

Pol.Lt.Col. Peabprom Mekhiyanont is currently working as Deputy Superintendent of Cyber Crimes against Children at the Cybercrime Investigation Bureau of Royal Thai Police. She has extensive experience in various legal practices encompassing conducting child online exploitation investigations and implementing the project in areas of justice and security sector reform both at national and international levels. She completed her tour of duty as United Nations Police in Haiti and as Police Advisor in South Sudan after two years of service for the United Nations Peacekeeping Operations. Furthermore, she has worked for UNICEF as a consultancy to review and revise documents which contributed to improving the curriculum and materials for Royal Thai Police. She also has previous experience conducting research on the Review of "The National Action Plan and National Human Right Plan of Action." She obtained a master's degree in laws in International Crime and Justice from the University of Torino and successfully wrote a thesis on "The Challenges in Peacekeeping Operations to Promote the Rule of Law through the Community Policing."

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