



# Children's Participation to Combat Online Child Sexual Exploitation in Medan

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**Abstract.** *What strategies can children use to deal with the phenomenon of online sexual exploitation which is increasingly common among them? Violence against children in Indonesia is a never-ending phenomenon. This article will discuss the resistance efforts of the Hero of Digital Protection (HEDIPRO) Medan children's community in dealing with online child sexual exploitation. This article uses the child participation approach proposed by the United Nations Committee on the Rights of the Child by General Comment No. 25 (2021) on children's rights in the digital environment and Article 12 of the Convention on The Rights of The Child (CRC) that highlighted meaningful participation and child-centered approaches as part of the proposed interventions to help prevent online abuse and exploitation. To combat Online Child Sexual Exploitation (OCSE), the resistance of the HEDIPRO is carried out by increasing knowledge and raising awareness of children and the community about the risks of OCSE, as well as advocating for local governments to provide better policies and implement the programs that protect children from OCSE. Despite facing various challenges in its participation, the advocacy process carried out by the HEDIPRO Medan children's community is slowly starting to show positive impacts.*

**Keywords:** Medan, children's participation, online child sexual exploitation.

## 1. Introduction

*"If online child sexual exploitation did not happen, we would not be here, as a group of children who are trying to advocate to the government and all levels of society to take on the role of child protection actors."*

*Statement by children of the HEDIPRO Medan at the Regular Children Consultation II 2024*

Child rights experts have come to recognize that participation by children can play an important role in protecting them from abuse, violence, and sexual exploitation. Adults play a key role in helping children protect themselves. Through their participation, girls and boys can highlight the violation they experience, and as agents of change, take action to prevent and address abuse and exploitation. They can therefore be effective advocates for realizing their protection rights.

Participation also offers opportunities to strengthen children's capacities to address discrimination and access the means to improve their lives and the lives of those around them. Children's participation is an essential principle that informs the Center of Child Studies and Protection's way of working, cutting across all arenas of child online protection projects. Child participation is a right, a general principle of the Convention on the Rights of the Child (CRC), and a part of the general measures of implementation of the CRC.<sup>1</sup>

This paper presents an overview of government communities to strengthen participation by children to protect them from online child sexual exploitation and abuse. It also considers concrete recommendations about what is needed to realize the General Comment of the United Nations Number 25 2021. Other useful inputs include case studies that offer new perspectives on children's participation to combat online child sexual exploitation. This research undertaken for this paper aims to deeply know one of the child-

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<sup>1</sup> Thomas, N., & O'Kane, C, 1998

led agencies that the organization assisted in participating in child online protection in Medan through the children's community Hero of Digital Protection (HEDIPRO) Medan. This research illustrates the effectively meaningful children's participation in HEDIPRO Medan to prevent and advocate the decrease of online child sexual exploitation in Medan, as well as the difficulty of accessing good examples of government-led initiatives to strengthen children's participation to protect them from sexual exploitation. This report therefore highlights the gap in many parts of the world between what is said and what is done concerning children's participation and government efforts to act upon children and adolescents' recommendations paper. There is still a need for support from governments so that they can place children's participation more clearly and systematically on their agendas.

## 2. Literature Review

Article 12, UNCRC states that:

“State parties shall assure to the child who is capable of forming his or her views the right to express those views of the child being given due weight and accordance with the age and maturity of the child. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.”

It is important to recognize that children's right to participation is both a right of the child and also of the general measures of implementation of the CRC. When a State ratifies the CRC, it takes an obligation under international law to implement it, to make the rights of children a reality.<sup>2</sup> As a result of the trend toward children's participation and the acknowledgment of its positive influence, several countries have incorporated children's right to participation into their welfare policies and legislation.

The right to participation of children specifically regulated in Article 12 of the CRC was adopted by Indonesia in Article 10 of Law No. 23/2002. To guarantee children's participation, various regulations related to children's participation were formed. These regulations include the Regulation of the Minister of State for Women's Empowerment and Child Protection of the Republic of Indonesia Number 4 of 2011 concerning Guidelines for the Implementation of Children's Participation Policy in Development, namely PermenPPPA No. 4 of 2011. In its implementation, children's participation in Indonesia is shown in the Children's Forum whose purpose is to facilitate children to associate and gather. In this forum, children are then given space in development forums, such as the Development Planning Deliberation (Musrenbang), especially at the sub-district, district, and city levels.<sup>3</sup>

Children's participation in online issues is also mentioned in General Comment 25 2021. This document explains how state parties should implement the Convention about the digital environment and guides relevant legislative, policy, and other measures to ensure full compliance with their obligations under the Convention and the Optional Protocols thereto in the light of the opportunities, risks, and challenges in promoting, respecting, protecting and fulfilling all children's rights in the digital environment. To achieve this goal, the general comment mentioned the participation of children and their digital environment: first, participatory processes that directly relate to internet governance; second, access to internet-related activities; and third, access to real-world activities that are mitigated through the internet. This broad understanding of participation also includes access to important aspects

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<sup>2</sup> *Ibid.*

<sup>3</sup> Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, Profil Tematik Pemenuhan Hak Anak dan Implementasi KLA, (Jakarta, 2021), page 21-25.

of societal life, which, in many instances, is a prerequisite for engagement. This is the case when children are directly included in governance issues.

### 3. Methodology

The research for this working paper was conducted through a literature review of material on children's participation in child online protection specifically child online sexual exploitation and the CRC and General Comment 25/2021 commitments related to this participation. In addition, the researchers analyzed reports on various forms of participation carried out by the HEDIPRO Medan children's community. An analysis of recommendations made by children based on their participation in online child protection initiatives on relevant cases was also compiled and integrated. The subject of the children's community in this research is the members of HEDIPRO Medan, who are the representatives from schools and the children's communities in Medan with a total of 40 children.

## 4. Findings And Discussions

### 4.1 Online Child Sexual Exploitation in Medan

During the discussion with all members of HEDIPRO, they tried to map all of the issues of cybercrime against children, they chose online child sexual exploitation as the priority issue. After that, they identify the roots of the problem to gain the solution for the problem. The roots of the online child sexual exploitation that they discussed are the unstable economy of the family, lack of assistance from parents because parents are too busy working, lack of communication between parents and children, children consuming excessive pornographic content, the children don't understand about the moral values, child pornography videos that spread massively in society even many people selling and sharing these videos, and the last is because lack of self-protection of the children to against strangers in social media.<sup>4</sup>

The factors that cause sexual deviation in children are very diverse. Some modern social and psychological studies tend to limit it to one factor, namely a damaged environment. Poverty, lack of housing, cramped houses, bad friends, and wrong educational guidance are factors that cannot be denied.<sup>5</sup> In the Medan context, HEDIPRO members found various forms of online child sexual exploitation experienced by children, who are friends at school or in their home environment. These forms of online child sexual exploitation are sexting and sextortion carried out by close friends or those who are also in a romantic relationship with the child.

"A school friend of mine was invited to have a sex video call or send nude photos to her partner. After the relationship ended, the boyfriend would threaten to spread the photos and videos to social media. At one time the photos and videos that had been spread, the child made a complaint and reported to the school. This case was not reported to the police due to lack of evidence because the perpetrator's identity was not visible in the photos and videos, and the perpetrator did not admit his actions. The school did not dare to take this case to the legal process." Statement from one of the HEDIPRO members regarding the case of online child sexual exploitation of her school friend.<sup>6</sup>

Regulations related to violence against children and online gender-based violence have not been regulated in the Criminal Code (KUHP), because it does not define criminal acts in the form of gender violence, especially in online media. Meanwhile, to help with the absence of legal regulations in the Criminal Code, the legal norms that can be used are Law Number 11 of 2008 concerning Information and Electronic Transactions, Law Number 44 of 2008 concerning Pornography, and Law Number 19 of 2022 concerning Criminal Acts of Sexual

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<sup>4</sup> Regular Children Consultation of HEDIPRO III in 2023, they discuss about the advocacy plan.

<sup>5</sup> Tisna Syafnita, 2023

<sup>6</sup> Statement from children when Regular Children Consultation of HEDIPRO II in 2023

Violence.<sup>7</sup> Analysis of government policies shows that there is still much to be improved, including the mechanism for reporting cases of online exploitation and government efforts to deal with perpetrators of online exploitation. With a multidisciplinary approach and comprehensive support, children who experience online exploitation can be helped to overcome the negative impacts and build a healthy future.<sup>8</sup>

The regulation of legal protection for child victims of online sexual exploitation is contained in Article 34 of the Convention on the Rights of the Child; the Law on the Protection of Witnesses and Victims; the Law on the Child Criminal Justice System; the Law on Child Protection; and the Law on Sexual Violence. In its handling, this practice is provided by the Medan City Integrated Service Unit for the Protection of Women and Children by receiving complaints followed by consultation; legal assistance; and psychological recovery of child victims.<sup>9</sup>

Meanwhile, the practice of legal protection for child victims of online sexual exploitation is at the North Sumatra Regional Police which is handled by two different units, namely the Cyber Unit for cases of distribution of sexual photos or videos and the Youth, Children, and Women Unit for investigation and examination of cases of sexual violence and molestation. However, in the implementation of its services, HEDIPRO Medan found that there were obstacles faced in carrying out legal proceedings against cases of online child sexual exploitation. Namely photo/video evidence; messages; and the perpetrator's number that has been deleted by the child victim because they feel ashamed and afraid. Another obstacle faced is that child victims still do not want to report to the police because they feel ashamed and disgraced, and are often re-victimized by law enforcement officers who do not have a child and victim perspective.<sup>10</sup>

Meanwhile, the prevention practices carried out by the Women's Empowerment, Child Protection, Population Control, and Family Planning Service are collecting data on cases of child sexual exploitation in Medan City; making efforts to prevent child sexual exploitation. Based on data reported to the Integrated Service Unit for the Protection of Women and Children in Medan City, from 2021 to 2024, 191 cases of sexual violence against children were found in Medan City.

Unfortunately, the data owned has not been classified based on online or offline media, so the service has not been able to make efforts to prevent emergency alerts for child sexual exploitation in communities and schools. With several obstacles faced by Government Agencies in providing legal protection for Child Victims, it is necessary to form a Task Force Unit (SATGAS) specifically for handling Child Victims to provide stable legal assistance and provide ideas for preventive efforts so that no more children become victims of sexual exploitation, especially those carried out online.<sup>11</sup> However, in its membership structure, there is no participation from children to provide consultation for the other children.

#### **4.2 Meaningful Children's Participation of HEDIPRO to Eliminate OCSE**

Children's participation is about children having the opportunity to express their views, influence decision-making, and achieve change. Children's participation is a human right, clearly articulated in Article 12 of the CRC. Children's participation is the process and means by which they access and secure other rights to survival, protection, and optimal development. These rights apply to all children in all contexts, including children who are victims of online child sexual exploitation and abuse.

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<sup>7</sup> Fawwas, 2023

<sup>8</sup> Maranay, dkk

<sup>9</sup> Dialogue Children with Medan City Integrated Service Unit for Protection of Women and Children on World Children's Day on 2023

<sup>10</sup> Dialogue Children and Law Enforcement of North Sumatra on National Children's Day Celebration on 2023

<sup>11</sup> Fawwas, 2023

Participatory experiences can build children's capacity to become active citizens and engage in social accountability for good governance and sustainable development in their communities. When children, especially the most marginalized, such as victims of sexual exploitation, have the opportunity to express their views, access information, form associations, participate in decisions that affect them, and take action to fulfill their rights, they are often better able to protect themselves, claim their rights, and hold adults to account.

Participation can therefore help change adult-child power relationships and end children's 'silent status', which has led to children being marginalized, exploited, and abused. Decisions influenced by children are often more effective and sustainable, and can better protect children. Children's protection could be promoted by ensuring their participation in all the stages of the processes meant to protect them.

Yet, one cannot ignore the inherent conflict that may exist between the right to protection and the right to participation. Some concerns involving children in the child protection process may be potentially harmful, e.g., by exposing them to hostility during meetings.<sup>12</sup> There are standard practices or principles for implementing meaningful child participation. The Center of Child Studies and Protection, which in this case is an institution that accompanies the HEDIPRO child community, supported a broad consensus that child participation should meet nine basic requirements.

These were adopted into a General Comment on Article 12 of the UNCRC. The requirements include that participation is transparent and informative; voluntary; respectful; relevant; child-friendly; inclusive; supported by training; safe and sensitive to risk; and accountable. These practice standards can and should be applied in participatory planning and evaluating processes.

"A healthy participation environment because of the basic guidelines for involving children in every activity, making us feel appreciated and not disadvantaged in participating. During our time in the HEDIPRO children's community, our parents and school have been very supportive of us being actively involved in these online child protection advocacy activities. We are happy to be able to participate happily and can't wait to do other positive activities. Therefore, we want to invite more children to participate with us." Statement from HEDIPRO member when Children Consultation I 2024.

These principles of meaningful participation have a linear positive impact on children's advocacy. Advocacy is the deliberate process, based on demonstrated evidence, to, directly and indirectly, influence decision-makers, stakeholders, and relevant audiences to support and implement actions that contribute to the fulfillment of children's rights.

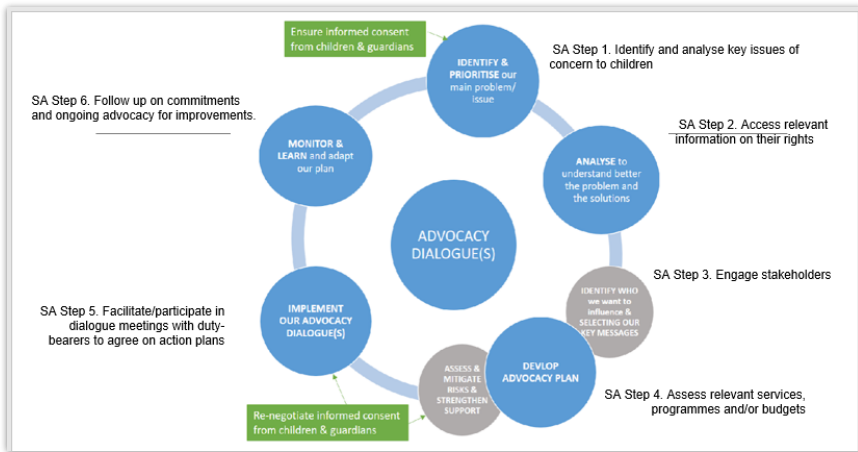
In The Dialogue Works's module the module for meaningful child participation in advocacy works, there is a tool named advocacy cycle that helps the children to make their advocacy plan from the planning to the monitoring in the child-friendly ways. Through these tools, the children can achieve the purpose of they to do advocacy works such as having clear messages, meeting the right people, targeting the message to a particular audience, focusing on solutions not just problems, and sharing their views and messages respectfully within the assessment and mitigation of the risks.<sup>13</sup>

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<sup>12</sup> Koshier, 2020

<sup>13</sup> O'Kane, C & Bross, O. "Training Module Social Accountability". Dialogue Works Publication

Figure 1. Advocacy Dialogues Cycle



Source Training Module Social Accountability Dialogue Works

HEDIPRO Medan continues to carry out all of the stages of the advocacy dialogue cycle. Some of the advocacy activities that they have carried out are advocacy to fellow children by conducting socialization in schools, communities, and orphanages in the city of Medan. It is estimated that almost more than 30 schools and 3000 children have become the targets of their socialization. They also carry out various campaign activities through social media, podcasts, and radio and TV talk shows to share their key points for addressing the campaign of OCSE, which are:

1. Enforcing good regulations and mechanisms in handling cases of online child sexual exploitation
2. Ensure the children can participate in every positive activity and program related to OCSE prevention,
3. Institutions such as schools and communities becoming a forum for complaints and reporting,
4. Children being educated about OCSE and forming children's communities/children's consultation forums to be the center of information about the OCSE.

Peer support in the form of information exchange is useful in dealing with cyber grooming which is the initial mode of online child sexual exploitation. Research findings have shown that adolescents use social media platforms as a means to engage in grooming and bullying behaviors, resulting in potential risks of sexual harassment and exploitation. Peer information support interventions are effective in providing emotional support, assessment, and information to individuals with mental health.

Therefore, peer support can play an important role in dealing with cyber grooming and other forms of online child sexual exploitation with understanding and relevant information to child victims.<sup>14</sup> For prevention advocacy, the formation of children's groups in schools such as change agents, Intra-School Student Organizations (OSIS), PIK-R, Child-Friendly School Teams, Roots, and others have the potential to increase children's knowledge and understanding of the dangers of sexual exploitation and prevention of online child sexual exploitation, both for group members and other students.<sup>15</sup>

Because of that, various activities have been carried out by HEDIPRO Medan through campaigning in disseminating information and education to other students in the school,

<sup>14</sup> Venty, V., Rakhmawati, D., Yuliejatiningsih, Y., & Mujiono, M, 2023

<sup>15</sup> Rahman, N. N., Handayani, N., Wahyuni, R., & Rahmah, D. D. N., 2024

becoming role models and also reporters if they encounter cases of online child sexual exploitation in their schools. Through the children's consultation and forums, the new trend of the OCSE issue is also being recognized. In celebration of Safer Internet Day 2024, HEDIPRO held a children's dialogue with the children's community attended by 80 children from various schools and communities in Medan City.

In the panel discussion of the dialogue, the children found out that recently, financial service providers, which is a positive aspect of technological developments, have become one of the means used by perpetrators to carry out their methods for the benefit of child grooming.<sup>16</sup> Again, this issue still has not been recognized by the duty-bearers. It's become the chance for HEDIPRO Medan to blow up the result through their follow-up dialogue with the government.

After conducting many dialogues with the government, especially at the local level, Unfortunately, there has been little response from governments, which need to increase their accountability to children. The most fundamental reason is that the written regulations or main tasks and functions do not force the involvement of children in their tasks. They need to find more systematic ways to involve girls and boys, particularly the most marginalized as partners in the process and mechanism to monitor and implement government commitments to children. The most critical challenge is to create a better dialogue between adults and children about how the adult world can meet its responsibilities to fulfill, respect, and protect children's rights through their evolving capacities. One of the good responses in the dialogue with governments held by HEDIPRO given by the Medan City Regional Development Planning Agency to the declaration of children's voices is that they realize that until now the involvement of children's participation through children's forums at city development monitoring and planning meetings (Musrenbang) has not been effective.

"Children are afraid to express their opinions because they are intimidated by adults and the government who are present at the meeting. In addition, the disproportionate number of child representatives allows children's aspirations not to be conveyed and not fully represented," said Suluh Aulia Harahap, the head of the division.

In particular, the government has developed a legal children's forum for children's participation in every level of children's environment. But, for the implementation, the participation of the Children's Forum as a whole has not shown a substantial role and content of aspirations. This is shown in the context of the Children's Forum at the sub-district level where several sub-district governments have involved the children's forum in Musrenbang activities, but only to fulfilling the formalities of the requirements for implementing development planning.

This means that the children's forum has not met adequate capacity to convey its aspirations.<sup>17</sup> The pressure and the tokenism of the adults make the children's forums from every institution not have a big impact. Because of that, the HEDIPRO Medan, as a children's forum that advocates the meaningful participation of children has tried to collaborate with every children's community including the Children's Forum and marginalized children to have the same pathway to addressing the advocacy campaign to protect the children, specifically from online child sexual exploitation.

## 5. Conclusions

The HEDIPRO Children's Community has carried out a mass movement in Medan City as a forum for children's participation in online child protection. This is related to General Comment 25/2021 which states about children's rights in the digital world and how children's participation can promote a digital world that is safe for children. This can be an example and reference for the government to involve meaningful child participation in government policies and programs. Active participation of all children, including children affected by

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<sup>16</sup> Children Dialogue on Safer Internet Day Celebration 2024

<sup>17</sup> Rahmalia Rifandini, Bunga Pertiwi Tontowi Puteri, Akil Fitra Sholakodin (2024) 236-248.

sexual abuse and exploitation in all decisions that affect them, and in society as a whole must continue to be encouraged. This includes making them advocates, peer educators, and peer support to protect other children from exploitation. To support the children's participation, the government must allocate resources to build programs for their participation in all issues affecting their lives.

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