

Global Alliance against Child Sexual Abuse Online

Republic of Korea

Policy target No. 1: Enhancing efforts to identify victims and ensuring that they receive the necessary assistance, support and protection

Operational Goal:	Increase the number of identified victims in the International Child Sexual Exploitation images database (ICSE database) managed by INTERPOL by at least 10% yearly
Actions ALREADY UNDERTAKEN	
<u>Description of the actions already undertaken</u>	<p>1) Overview</p> <ul style="list-style-type: none"> ● Comprehensive preparation of legal system for crime victims <ul style="list-style-type: none"> - Enacted the <i>Crime Victim Protection Act</i>(December, 2005) as the framework act for the protection and support for crime victims, and the <i>Act on the Protection of Children and Juveniles from Sexual Abuse</i> (June, 2006) for punishment of sex crimes related to children and juveniles and protection of victims, the <i>Act on the Prevention of Sexual Violence and Protection of Victims</i> (April, 2010) for the prevention of sexual violence and protection and support of victims and etc., and to make best efforts to ensure the protection of victims <p>2) Policies in detail</p> <ul style="list-style-type: none"> ● Protection of victims immediately after the crime <ul style="list-style-type: none"> - Support through One-Stop Support Center : to establish One-Stop Support Centers within hospitals to collect evidence of sexual violence victims and provide medical support in obstetrics and gynecology, conduct professional counselling for psychological stability, provide free legal aid, and conduct investigation of victims by female police officers and prompt referral of investigation by integrating health care, counseling, investigation, and legal aid - Investigation by professionals who specialize in sexual violence cases: <ul style="list-style-type: none"> to conduct investigations by prosecutors or investigators who specialize in sexual violence cases ● Protection of victims from procedures of investigations to trials <ul style="list-style-type: none"> - Presence of person(s) having reliable relations : to ease psychological burdens of victims by allowing person(s) having reliable relations such as families to be present in the process of investigation and of trial testimony - Recording of investigation process : to record the process of investigation of victims and preserve the recording in order to prevent

unnecessary double investigation and possible secondary damage resultant thereof; to grant admissibility to the recording through trial testimony by victims or person(s) having reliable relations who accompanied

- **Support for victims in the process of testimony** : to ease psychological burdens of victims by avoiding face-to-face contact with perpetrator(s) by means of setting up of facilities to support witness(s) and conducting examination via intermediary equipments, such as video(s)
- **Protection of victims' privacy** : to protect personal information and privacy of victims through private proceedings, limited publications and media exposure, use of false names in reports, punishment of secret-divulger, etc.
- **Legal service of 'public defenders for victims'** : to provide legal service to victims over the entire process from the early stages of the incident to investigation and trial by the prosecutor appointing a public defender for children and juvenile victims of sexual violence under the age of 19
- **Notification of procedures to victims** : to ensure indirect personal protection of victims by providing victims with information regarding receipt, investigation, trial, detention, execution of sentence, etc. of cases of perpetrators
- **Support for recovery of damages**
 - **Medical support** : to support victims of sexual violence and their families with medical costs for physical injuries and psychological trauma, pregnancy and STIs/STDs test, treatment for STIs/STDs, and abortion and with issuance of medical certificates
 - **Support for psychotherapeutic treatment** : to conduct treatment for sexual violence victims and their families through Sunflower Children Center and Smile Center or to provide support for psychotherapeutic counseling and psychiatric treatment by liaising with hospitals specialized in psychotherapy
 - **Financial support** : to support sexual violence victims and their families with living expenses, educational expenses, housing for victims, etc. through Crime Victim Support Center

	<div style="text-align: center; border: 1px solid black; background-color: #e6f2ff; padding: 5px; margin-bottom: 10px;"> Terminologies </div> <ul style="list-style-type: none"> ▶ Sunflower Children Center: centers where child victims of sexual violence are provided with medical support, legal aid, and psychological treatment services at one stop (8 centers nationwide) ▶ Smile Center: centers for psychotherapeutic support for crime victims where victims and their families are provided with psychotherapy, legal counselling, and rehabilitative education at one stop and with shelters as temporary housing for victims and families for whom it may be difficult to live in their residing places (2 centers nationwide) ▶ Crime Victim Center: centers where victims of crimes and their families are provided with legal counselling, treatment and financial support, etc. at one stop (58 centers nationwide) <ul style="list-style-type: none"> ● Civil and Family Law legal service <ul style="list-style-type: none"> - Support for civil and domestic cases related to sexual violence at Korean Legal Aid Corporation <div style="text-align: center; border: 1px solid black; background-color: #e6f2ff; padding: 5px; margin-top: 10px;"> Terminologies </div> <ul style="list-style-type: none"> ▶ Korean Legal Aid Corporation: institutions that provide legal service to help citizens with legal difficulties (headquarters, 18 branches, and 40 local offices nationwide) <ul style="list-style-type: none"> ● Steps after termination of execution of sentence <ul style="list-style-type: none"> - Notification of release date to victims : to provide indirect personal protection of victims, in case the perpetrators are released from correctional facilities, by notifying the victims of release date ● Promoting acquisition of authority to inquire ICSE DB <ul style="list-style-type: none"> - conducted professional education in 2012 at National Police Agency on child pornography including utilizing ICSE DB for 20 cyber crime investigating officers by inviting INTERPOL and 7 instructing personnel from the U.S.
Actions that WILL BE UNDERTAKEN	
<p><i>Description of the actions that <u>will be undertaken and timeframe</u></i></p>	<ul style="list-style-type: none"> ● Adopting public defenders system exclusively in charge of victims <ul style="list-style-type: none"> - to adopt public defenders system exclusively in charge of supporting victims to provide prompt support from the early stages of the incident in order to enhance professionalism in support for victims (June, 2013) ● Adopting the system of specialized statement intermediaries <ul style="list-style-type: none"> - to have specialized statement intermediaries participate in

	<p>investigation and trial, in cases of persons under the age of 13 or with disabilities who have difficulties with communications, to intermediate and aid with communications (December, 2013)</p> <ul style="list-style-type: none">● Expansion of 'Smile Centers'<ul style="list-style-type: none">- to expand 'Smile Centers' that provide crime victims and their families with psychotherapeutic treatment and temporary housing (second half, 2013)● Scheduled to finalize acquisition of authority to access to ICSE DB<ul style="list-style-type: none">- Scheduled to invite 5 INTERPOL instructing personnel to the Republic of Korea in March, 2013 to conduct intensive education on investigating techniques on how to utilize ICSE DB for cyber crime investigating officers and to finalize acquisition of authority to inquire ICSE DB (April, 2013)
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Policy target No. 2: Enhancing efforts to investigate cases of child sexual abuse online and to identify and prosecute offenders

<p>Operational Goal:</p>	<p>Establish the necessary framework for the criminalization of child sexual abuse online and the effective prosecution of offenders, with the objective of enhancing efforts to investigate and prosecute offenders</p>
<p>Operational Goal:</p>	<p>Improve the joint efforts of law enforcement authorities across Global Alliance countries to investigate and prosecute child sexual abuse online</p>
<p>Actions ALREADY UNDERTAKEN</p>	
<p><i>Description of the actions already undertaken</i></p>	<p>1) Overview</p> <ul style="list-style-type: none"> ● Comprehensive preparation of legal system for punishment of sex offenders and for prevention of recidivism <p>- To enact separately in efforts to strengthen punishment of sex offenders against children and juveniles and to prevent recidivism the Act on the Protection of Children and Juveniles from Sexual Abuse(June, 2006) that prescribes punishment of child and juvenile-related sex crimes and special cases of criminal procedures and disclosure of personal information and limited job opportunities, in addition to the Act on the Punishment of Sexual Violence and the Protection of Victims (January, 1994) that prescribes punishment of sexual violence crimes and special cases of criminal procedures,</p> <p>2) Policies in detail</p> <ul style="list-style-type: none"> ● Punishment for mere possession of child or juvenile pornography <p>- to punish activities such as production, import, export (sentence for a term of more than 5 years), sale for commercial purposes, lending, and distribution(sentence for a term of less than 7 years) as well as mere possession(for maximum fine of 20 million won) of child or juvenile pornography</p> ● System for disclosure of personal information of sex offenders <p>- to disclose personal information of a person who produces, imports, or exports, sells for commercial purposes, lends, distributes, possesses, or transports, or exhibits or shows child or juvenile pornography in order to raise awareness about sex offenders and prevent recidivism, and to ensure the rights of the citizens to know</p> <p>- to promote social awareness-raising and prevention of recidivism by registering and making public the name, address, occupation, physical characteristics and photos on the website and by notifying via mail, etc. neighborhoods of sex offenders and institutions related to children and juveniles such as households, schools</p> ● Limiting job opportunities for sex offenders against children juveniles

- to prohibit employment of a person who produces, imports, or exports, sells for commercial purposes, lends, distributes, possesses, or transports, or exhibits or shows pornography involving children or juveniles at child or juvenile-related organizations for ten years

● **Enforcing systems of prosecutors and court exclusively in charge of sexual violence**

- to enhance professionalism and promptness of dealing with sexual violence cases by operating system of prosecutors and justice department exclusively in charge of sexual violence crimes

● **Enforcing system for suspension of indictment on the condition of correctional education for distributor and exhibitor of child or juvenile pornography**

- to emphasize the prevention of recidivism of first-time or minor offenders (January, 2013)

※ The number of cases of 'production or distribution of child or juvenile pornography' received was 2, 473 cases and the number of cases for indictment was 120 cases, for summary indictment was 695 cases, for freedom from suspicion was 69 cases, for suspension of indictment was 366 cases, for non-prosecution(does not constitute a crime, no authority to file indictment, dismissal, and etc.) was 39 cases, and for other cases was 1,022 cases (January-December, 2012)

● **Promoting joining of VGT (Virtual Global Task Force)**

- the National Police Agency showed intention to join VGT and to cooperate by participating at VGT 2012 Conference held at Abu Dhabi, UAE in December of 2012

● **Ratifying treaties for international cooperation and building cooperation channels between experts on cooperation of each state**

- to ratify treaties on extradition with 77 countries worldwide (effective in 73 countries), to ratify treaties on mutual legal assistance in criminal matters in criminal justice with 74 countries (effective in 68 countries)

- to exchange information between experts on cooperation of each state for prompt and effective cooperation, and to build channels for consulting measures for cooperation and conduct regular working-level consultations

Examples of working-level consultation for stronger cooperation

▶ Held working-level consultation with key countries including the Ministry of Justice, the National Police Agency (Tokyo) in March, 2012, the Judiciary Branch of China (Beijing) in May, 2012, the

	<p>Ministry of Justice of the United States (Seoul) in June, 2012, and the Ministry of Justice of Netherlands (Hague) in December, 2012</p> <ul style="list-style-type: none"> ▶ Attended international conferences related to international cooperation including conference for experts on cooperation for ten ASEAN members and the Republic of Korea and Japan under the presidency of UNODC in July, 2012 and Council of Europe Committee of Experts on the Operation of European Conventions on Co-Operation in Criminal Matters (PC-OC) <p>- attended the Second General Meeting for Collective Response to Cyber Crime(Budapest, Hungary) and discussed with public and private organizations for effective measures for cooperation</p>
Actions that WILL BE UNDERTAKEN	
<p><i>Description of the actions that <u>will be undertaken</u> and timeframe</i></p>	<ul style="list-style-type: none"> ● Strengthening punishment for persons who merely possess pornography involving children or juveniles and prevention of recidivism <ul style="list-style-type: none"> - to add sentence for a term of less than 1 year in addition to fines for mere possession of pornography involving children or juveniles (June, 2013) ● Establishing personal information disclosure system and limiting job opportunities <ul style="list-style-type: none"> - to prohibit employment of a person who merely possess pornography involving children or juveniles at child or juvenile-related organizations for ten years and to disclose personal information when being sentenced(June, 2013) - to include in the scope of crimes subject to disclosure of personal information the obscene activities via recording by camera, and etc. and via communication mediums ● to strengthen education of prosecutors exclusively in charge of sexual violence and to hold workshops (2013) ● to attend the general meeting of VGT scheduled to be held at Hague, Netherlands in April of 2013 and to carry out official procedures for joining such as signing the treaty ● to hold international conference for discussions with experts on cooperation of each ASEAN member state on current issues of cooperation and measures for stronger cooperation as scheduled to be held in August, 2013 in Seoul, the Republic of Korea ● to hold the Third General Meeting of Cyberspace for Collective Response to Cyber Crime as scheduled to be held in October, 2013 in Seoul, the Republic of Korea

Policy target No. 3: Enhancing efforts to increase public awareness of the risks posed by children's activities online, including grooming and self-production of images that results in the production of new child pornography that may be distributed online

<p>Operational Goal:</p>	<p>Develop, improve, or support appropriate public awareness campaigns or other measures which educate parents, children, and others responsible for children regarding the risks that children's online conduct poses and the steps they can take to minimize those risks</p>
<p>Operational Goal:</p>	<p>Share best practices among Global Alliance countries for effective strategies to inform the public about the risks posed by online, self-exploitative conduct in order to reduce the production of new child pornography</p>
<p>Actions ALREADY UNDERTAKEN</p>	
<p><i>Description of the actions <u>already undertaken</u></i></p>	<ul style="list-style-type: none"> ● Education of parents and publicity <ul style="list-style-type: none"> - to educate parents and to introduce porn-censoring program at sessions in school, education of parents at workplaces and centers for parents' support <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p style="text-align: center;">Censoring programs against pornography</p> <ul style="list-style-type: none"> ▶ Developing censoring programs against pornography for PC and smartphones <ul style="list-style-type: none"> - for PC: provided 8 types of censoring softwares for PC including i-safer at a website called 'Green I-Net' for free - for smart phones: to develop applications for censoring illegal harmful contents for juveniles on smartphones and to allow free downloading for smartphone users </div> <ul style="list-style-type: none"> ● Strengthening education for students <ul style="list-style-type: none"> - to conduct education on internet ethics for healthy games and prevention of internet and smartphone addiction (educated 30, 847 students at 486 schools and 108 kindergartens in 2012) - to supply teaching materials on and strategies for 'the prevention of sexual violence middle and high school students' (supplied each 9, 494 copies for teachers and copies for students) ● Promoting publicization of citizens' awareness towards seriousness of pornography distribution <ul style="list-style-type: none"> - to produce and publicize educational videos for the prevention of online pornography using celebrities as honorary ambassadors
<p>Actions that WILL BE UNDERTAKEN</p>	
<p><i>Description of the actions <u>that will be undertaken and timeframe</u></i></p>	<ul style="list-style-type: none"> ● Promoting campaign on nationwide tour for raising citizens' awareness of internet ethics and expansion of perceptions <ul style="list-style-type: none"> - to hold campaign on tour of 17 cities/provinces for publicizing harmful contents censoring program and strengthening education on

	<p>information and communications ethics</p> <ul style="list-style-type: none">● Expansion of opportunities for education for office workers, parents, and etc. by expanding education opportunities such as education at workplaces, agricultural, mountain, and fishing villages, and etc. and after-work education, and enhancing the ability of parents to control pornography by including contents related to censoring pornography in the education curriculum- to build online education system for parents without time and place restrictions and to operate programs- expansion of education opportunities for vulnerable classes, future parents, and etc.● Continuing education and publicization for inducing healthy cyberspace environment- to expand children and juveniles-focused education on internet ethics for inducing proper internet usage habits- to spread healthy internet usage culture by private and public joint 'Making a Beautiful Internet World' weekly events, and etc.
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Policy target No. 4: Reducing as much as possible the availability of child pornography online and reducing as much as possible the re-victimization of children whose sexual abuse is depicted

Operational Goal:	Encourage participation by the private sector in identifying and removing known child pornography material located in the relevant State, including increasing as much as possible the volume of system data examined for child pornography images.
Operational Goal:	Increase the speed of notice and takedown procedures as much as possible without jeopardizing criminal investigation
Actions ALREADY UNDERTAKEN	
<i>Description of the actions already undertaken</i>	<ul style="list-style-type: none"> ● Strengthening of monitoring by Korea Communication Standards Commission online illegal harmful contents such as pornography <ul style="list-style-type: none"> - to increase the number of communication monitoring personnel from 30 to 60 (2013) ※ Korea Communication Standards Commission is a private and consultative organization established for ensuring equity of broadcast contents and for building proper usage environment of information and communications ● Vitalization of self-imposed restrains by information and communications service providers <ul style="list-style-type: none"> - to build 'self-imposed standards cooperative system' between Korea Communication Standards Commission and key portal providers and thereby induce prompt self-imposed measures by the providers before review by the Korea Communication Standards Commission for contents explicitly illegal such as child pornography ● Promoting distribution of harmful contents censoring services for PCs and smartphones for children and juveniles <ul style="list-style-type: none"> - to strengthen protection of children and juveniles from harmful contents such as pornography by continually expanding free distribution of censoring software for PC (2008~2012, approx. 3,140,000 cases) and by developing and distributing censoring services for smartphones (May-December, 2012, approx. 260,000 cases) ● Holding internet hard drive storage/P2P providers accountable for management of pornography <ul style="list-style-type: none"> - to obligate the adoption of filtering system of internet hard drive storage/P2P providers' pornography which has been criticized as the breeding ground for the spread of pornography, by conducting 'web hard drive registration' ● Building private and public cooperative network and strengthening capacity for online monitoring of juvenile pornography <ul style="list-style-type: none"> - to organize citizen keepers of cyberspace (9 organizations, 400 people) and to expose and report 5,132 cases of pornography
Actions that WILL BE UNDERTAKEN	

<p><i>Description of the actions that <u>will be undertaken</u> and timeframe</i></p>	<ul style="list-style-type: none"> ● Strengthening the accountability of internet hard drive storage/P2P providers regarding the management of pornography (amending the <i>Telecommunications Act</i>) <ul style="list-style-type: none"> - to clearly state regular application of technical filtering of pornography and, in case of violation, prescribe punishment provisions (promoting to propose amended bills in 2013) ● Obligating providing harmful content censoring services for juvenile smartphones (amending the <i>Telecommunications Act</i>) <ul style="list-style-type: none"> - to legalize providing pornography censoring service as obligatory when the telecommunication company is signing contract with juveniles (opinions that amend the revised act proposed by a member of the legislative body in June, 2012 have been submitted in September, 2012 and efforts are being made continually to pass the act in the future) ● Promoting vitalization of participation in online pornography clean movement for citizens <ul style="list-style-type: none"> - to induce social environment for all citizens to participate for reporting by expanding groups of civil cyberspace keepers from 9 groups in 2012 to 15 groups in 2013
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