

Legal Protection Against Online Child Sexual Exploitation: A Comparative Study of Indonesia and the Philippines

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Abstract

Online Child Sexual Exploitation (OCSE) has evolved into a form of cybercrime in the digital era that produces, disseminates, and commercialises child sexual abuse material across jurisdictions. Indonesia and the Philippines are two countries highly vulnerable to this crime, but with different legal systems. Therefore, this study aims to analyse and compare the legal protection frameworks for OCSE victims in Indonesia and the Philippines using Lawrence M. Friedman's Legal System Theory. The study used a normative legal design with statutory, comparative, and conceptual approaches. Data sources included laws, institutional reports, and scientific literature. The results showed that the Philippines had a more comprehensive legal framework through the Cybercrime Prevention Act of 2012, the Anti-Online Child Sexual Abuse or Exploitation Act (OSAEC), and the Anti-Child Sexual Abuse or Exploitation Act (CSAEM) of 2022, supported by mandatory reporting and integrated coordination through the Philippine Centre for Internet Crimes Against Children (PICACC). Meanwhile, Indonesia did not yet have regulations that specifically and comprehensively regulated OCSE. Existing regulations were scattered across various laws, and institutional coordination remained ineffective and unintegrated. This study concluded that the effectiveness of legal protection against child sexual exploitation was determined not only by the comprehensiveness of regulations but also by institutional integration and a supportive legal culture. Therefore, harmonisation of regulations, strengthening inter-institutional coordination, and increasing awareness of digital law were strategic steps to strengthen child protection.

Keywords: child protection; legal systems theory; Indonesia; online child sexual exploitation; Philippines.

Abstrak

Eksplorasi Seksual Anak Daring (OCSE) telah berkembang menjadi bentuk kejahatan siber di era digital yang memproduksi, menyebarluaskan, dan mengkomersialkan materi pelecehan seksual anak lintas yurisdiksi. Indonesia dan Filipina adalah dua negara yang menghadapi kerentanan tinggi terhadap kejahatan ini, namun dengan sistem hukum yang berbeda. Studi ini bertujuan untuk menganalisis dan membandingkan kerangka perlindungan hukum bagi korban OCSE di kedua negara menggunakan Teori Sistem Hukum Lawrence M. Friedman. Studi ini merupakan studi hukum normatif dengan pendekatan statutori, komparatif, dan konseptual. Sumber data berasal dari undang-undang, laporan kelembagaan, dan literatur ilmiah. Hasil penelitian menunjukkan bahwa Filipina memiliki kerangka hukum yang lebih komprehensif melalui Undang-Undang Pencegahan Kejahatan Siber tahun 2012, Undang-

Undang Anti-Pelecehan atau Eksploitasi Seksual Anak Daring (OSAEC) dan Undang-Undang Anti-Materi Pelecehan atau Eksploitasi Seksual Anak (CSAEM) tahun 2022, yang didukung oleh pelaporan wajib dan koordinasi terintegrasi melalui Pusat Kejahatan Internet terhadap Anak Filipina (PICACC). Sebaliknya, Indonesia belum memiliki peraturan yang secara spesifik dan komprehensif mengatur OCSE. Peraturan yang ada tersebar di berbagai undang-undang, dan koordinasi kelembagaan yang belum efektif dan terintegrasi. Studi ini menyimpulkan bahwa efektivitas perlindungan hukum terhadap eksploitasi seksual anak tidak hanya ditentukan oleh kelengkapan peraturan, tetapi juga oleh integrasi kelembagaan dan budaya hukum yang mendukungnya. Oleh sebab itu, harmonisasi peraturan, penguatan koordinasi antarlembaga, dan peningkatan kesadaran akan hukum digital merupakan langkah strategis untuk memperkuat perlindungan anak di Indonesia.

Kata Kunci: eksploitasi seksual anak online; Filipina; Indonesia; perlindungan anak, teori sistem hukum.

Introduction

The rapid advancement of information and communication technology has created new opportunities for crimes against children in the digital environment.¹ As internet access and online engagement continue to expand, children are becoming increasingly vulnerable to Online Child Sexual Exploitation (OCSE), one of the fastest-growing forms of technology-facilitated child abuse.² Compared to the traditional concept of child pornography, OCSE comprises a wide range of abusive behaviours, including online socialising, child sexual abuse material (CSAM), live-streamed sexual abuse, sexual blackmail, and other forms of digital exploitation.³ The transnational nature of OCSE presents a particularly significant challenge in Southeast Asia, where technological advancements, expanding internet access, and socioeconomic vulnerabilities have contributed to the increasing prevalence of online child sexual exploitation. Indonesia and the Philippines are among the countries most impacted by this phenomenon, experiencing persistent cases involving child sexual abuse material, online socialising, live-streamed abuse, and other forms of digital exploitation.

According to a 2022 report by ECPAT in conjunction with INTERPOL and UNICEF, 22% of children in Indonesia encounter sexual content online without intending to, through advertisements, social media feeds, search engines, and messaging apps. In addition, 9% of children report actively seeking out sexual or

¹ Philip Jenkins, *Beyond Tolerance: Child Pornography on the Internet* (New York University Press, 2001), p. 204

² Angelo Uclaray et al., "Factors Affecting the Prevalence of Online Sexual Abuse and Exploitation of Children in Camarines Sur, Bicol Region, Philippines," *Asean Social Work Journal*, ahead of print, December 29, 2023, <https://doi.org/10.58671/aswj.v11i02.37>, p. 147

³ Max Taylor and Ethel Quayle, *Child Pornography: An Internet Crime* (Brunner-Routledge, 2003); Vitória Maria Cezário Quaresma et al., *Tecnologias e abuso sexual – o papel da tecnologia na facilitação do abuso sexual infantojuvenil: revisão sistemática*, 6, no. 1 (2024), <https://doi.org/10.52664/rima.v6.n1.2024.e249>, p. 2

pornographic material.⁴ The Indonesian National Police (POLRI) reported 8,831 cybercrime cases from January 1 to December 22, 2022. The Cyber Crime Directorate reported 143 cases of pornography via electronic media.⁵ The Indonesian Child Protection Commission's (KPAI) reports from 2017-2021 also reveal that cases involving children as victims of pornography via social media have consistently increased from 323 in 2017 to 359 in 2018, 352 in 2019, 240 in 2020, and 345 in 2021.⁶ Recently, Tempo.co published a report by the National Centre for Missing and Exploited Children (NCMEC). The survey revealed that Indonesia holds the fourth-highest global ranking and the second-highest position within the Association of Southeast Asian Nations (ASEAN) concerning the prevalence of child pornography cases.⁷

Indonesia's alarming digital vulnerability is mirrored in the Philippines, another major epicentre of OCSEA in the region. The Philippines also faces the problematic issue of online child pornography, also known as online sexual abuse and exploitation of children (OSAEC), with a variety of child sexual abuse or exploitation materials (CSAEM). The ASEAN Post stated that approximately 25% of all street sex workers are sexually exploited children. Cebu City has emerged as a notable hub for child sexual abuse, facilitated using live streaming media. In addition, has been identified as the global epicentre for child pornography.⁸ In 2018, the Philippine Department of Justice received over 3,000 reports from abroad regarding online sex trafficking cases each month.⁹ According to the United Nations (UN), cases of online sexual abuse and exploitation of children increased

⁴ ECPAT et al., *Disrupting Harm in Indonesia: Evidence on Online Child Sexual Exploitation and Abuse, Global Partnership to End Violence Against Children*. (2022), p. 7

⁵ “Kejahatan Siber Di Indonesia Naik Berkali-Kali Lipat,” accessed July 5, 2023, https://pusiknas.polri.go.id/detail_artikel/kejahatan_siber_di_indonesia_naik_berkali-kali_lipat#:~:text=TINDAK pidana kejahatan siber naik signifikan pada 2022,siber sejak 1 Januari hingga 22 Desember 2022. Accessed on August 12, 2025

⁶ *Laporan Kinerja Tahun 2019 Komisi Perlindungan Anak Indonesia* (Komisi Perlindungan Anak Indonesia (KPAI), 2019); *Komisi Perlindungan Anak Indonesia (KPAI), Laporan Kinerja Tahun 2020 Komisi Perlindungan Anak Indonesia* (Komisi Perlindungan Anak Indonesia (KPAI), 2021); *Laporan Akhir Tahun KPAI Tahun 2017* (Komisi Perlindungan Anak Indonesia, 2017); *Laporan Akhir Tahun KPAI Tahun 2018* (Komisi Perlindungan Anak Indonesia, 2018); *Laporan Akhir Tahun 2021 Komisi Perlindungan Anak Indonesia* (Komisi Perlindungan Anak Indonesia (KPAI), 2022).

⁷ Dede Leni Mardianti, “Indonesia Peringkat Ke-4 Dunia Dengan Kasus Pornografi Anak Terbanyak,” Tempo.Co, 2025, https://www.tempo.co/ekonomi/indonesia-peringkat-ke-4-dunia-dengan-kasus-pornografi-anak-terbanyak-1208838#goog_rewarded. Accessed on August 12, 2025

⁸ Hesti Septianita et al., “Online Child Sexual Exploitation And Abuse As Organized Crime: Towards a New International Legal Framework,” *LITIGASI* 27, no. 1 (2026), <https://doi.org/10.23969/litigasi.v27i1.43221>; Larissa S. Christensen and Jodie Woods, “‘It’s Like POOF and It’s Gone’: The Live-Streaming of Child Sexual Abuse,” *Sexuality & Culture* 28, no. 4 (2024): 1467–81, <https://doi.org/10.1007/s12119-023-10186-9>, p. 1468

⁹ The Asean Post Team, “ASEAN’s Dismal Child Sex Abuse Record,” The Asean Post, 2019, <https://theaseanpost.com/article/aseans-dismal-child-sex-abuse-record. Accessed on August 12, 2025>

significantly in the Philippines during the course of the pandemic. Economic factors, including lost employment opportunities and rising poverty rates in affected communities, drive this phenomenon. This problem is caused by a prevalent misunderstanding of the concept of “no touch, no harm”, which has led to the online exploitation of children.¹⁰

Curtis and Oxburgh have indicated that cybercrime has increased dramatically, with even perpetrators who previously engaged in traditional forms of crime now shifting to online criminal activities.¹¹ Within the domain of child cyber pornography, a significant proportion of victims are subjected to sexual content that is disseminated online.¹² Children's helplessness and limited literacy create vulnerabilities that perpetrators can exploit to carry out their actions online. Concurrently, the repercussions of cyber pornography and exploitation on children engender substantial suffering and harm in various domains, including physical, psychological, and economic dimensions, which can ultimately culminate in fatal consequences.¹³ In light of these serious threats and risks, Indonesia and the Philippines are working to establish a protection system for children, who are particularly vulnerable to crimes involving pornography and cyber exploitation.

Various studies on OCSEA has been conducted in recent years. Septianita and Rachmie emphasised the necessity of categorising cyber child pornography as a form of transnational organised crime by issuing international legal instruments.¹⁴ In this regard, Fauziah Ahmad has asserted that ASEAN countries must enhance their technical capabilities, fortify international collaboration, and augment accountability on digital platforms.¹⁵ In the context of Indonesia, Alisaputri et al. emphasised that the nation has strictly regulated sanctions for violations, creation, distribution, and use of pornography in cyberspace.¹⁶

¹⁰ “First Person: Philippines ‘Cyber Cops’ Tackle Explosion of Online Child Abuse,” UN News, 2024, <https://news.un.org/en/story/2024/06/1151326>. Accessed on August 13, 2025

¹¹ Joanna Curtis, “Understanding Cybercrime in ‘Real World’ Policing and Law Enforcement,” *The Police Journal: Theory, Practice and Principles* 0, no. 0 (2022): 1–20, <https://doi.org/10.1177/0032258X221107584>, p. 2

¹² Katrin Chauviré-Geib and Jörg M. Fegert, “Victims of Technology-Assisted Child Sexual Abuse: A Scoping Review,” *Trauma, Violence, & Abuse* 25, no. 2 (2024): 1335–48, <https://doi.org/10.1177/15248380231178754>, p. 1335

¹³ Bambang Sudjito et al., “Tindak Pidana Pornografi Dalam Era Siber Di Indonesia,” *Wacana, Jurnal Sosial Dan Humaniora* 19, no. 02 (2016): 66–72, <https://doi.org/10.21776/ub.wacana.2016.019.02.1>, h. 67

¹⁴ Hesti Septianita and Synthiana Rachmie, *Cyber Space: A Dangerous World For Children (Analysis on Transnational Online Child Pornography)*, 5, no. 1 (2024): 5–10.

¹⁵ Dwi Nur Fauziah Ahmad and Nucharee Nuchkoom Smith, “Digital Safety for Women and Children: Legal and Policy Challenges Indonesia, Philipines, and Thailand,” *Journal of Law and Legal Reform* 5, no. 4 (2024): 1673–96, <https://doi.org/https://doi.org/10.15294/jllr.v5i4.16539>.

¹⁶ Fransisca Medina Alisaputri et al., “Perlindungan Hukum Terhadap Perempuan Korban Tindak Pidana Pornografi Menggunakan Media Internet,” *Jurnal Dunia Ilmu Hukum (JURDIKUM)* 1, no. 1 (2023): 33–39, <https://doi.org/10.59435/jurdikum.v1i1.145>.

However, Anzward et al. argue that various factors influence the OCSEA issue, including the number of cyber law enforcement officers, financial resources, the transparency of child information, the absence of parental involvement, and the lack of victim restitution.¹⁷ Novianti and Chusairi added the following factors, namely young age, perception, communication, economy, accessibility, emotional stability, population, gender, parental supervision, and children's knowledge of the internet.¹⁸

In the Philippines, Steven Roche et al. identified poverty and inadequate social protection as key risk factors for OSEC (Cyber Sexual Exploitation of Children). The study also identified an inclusive understanding of the harms posed by OSEC, technology, social media, and financial transaction systems as contributing factors.¹⁹ Empirical evidence reviewed by Dulawan emphasised that many survivors continue to experience significant psychological consequences after exploitation, indicating the need for victim-centred recovery and long-term support.²⁰ Therefore, Hertianto argues that a multifaceted approach involving various stakeholders can serve as an effective prevention strategy for child protection in cyberspace.²¹ Arif Sugitanata outlines the importance of a holistic approach comprising the microsystem, mesosystem, ecosystem, macrosystem, and chronosystem in the context of efforts to protect child victims of pornography.²²

Based on the literature review, OCSEA remains a serious legal and social issue and requires a comprehensive review of the existing legal systems in Indonesia and the Philippines. A review found no relevant comparative studies examining OCSEA in Indonesia and the Philippines using a normative and comparative approach based on legal system theory. Therefore, this study examines and compares how Indonesia and the Philippines address OCSEA, providing theoretical and practical contributions to addressing the issue.

¹⁷ B. Anzward et al., "Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Pornografi Dalam Ruang Siber Di Kota Balikpapan," *UNES Law Review* 6, no. 4 (2024): 12473–83.

¹⁸ Novianti and Achmad Chusairi, "Online Child Sexual Exploitation and Abuse (OCSEA) of Children and Adolescents: A Systematic Literature Review," *Psikologika: Jurnal Pemikiran Dan Penelitian Psikologi* 29, no. 2 (2024): 281–306, <https://doi.org/10.20885/jstl.vol29.iss2.art7>.

¹⁹ Steven Roche et al., "Online Sexual Exploitation of Children in the Philippines: A Scoping Review," *Children and Youth Services Review* 148, no. September 2022 (2023): 106861, <https://doi.org/10.1016/j.chilyouth.2023.106861>.

²⁰ Adesty P. Dulawan and Lucila O. Bance, "Trauma and Related Psychological Outcomes of Adult Survivors of Online Sexual Abuse and Exploitation of Children (OSAEC) in the Philippines," *Philippine Social Science Journal* 7, no. 2 (2024): 127–37, <https://doi.org/10.52006/main.v7i2.993>.

²¹ Muhammad Rafifnafia Hertianto, "Tinjauan Yuridis Terhadap Perlindungan Anak Dalam Ruang Siber di Indonesia," *Jurnal Hukum Dan Pembangunan* 51, no. 3 (2021), <https://doi.org/10.21143/jhp.vol51.no3.3123>.

²² Arif Sugitanata, "Analisis Ekologi Sistem Bronfenbrenner Terhadap Upaya Perlindungan Anak Dari Bahaya Pornografi Di Era Globalisasi Digital," *SPECTRUM: Journal of Gender and Children Studies* 3, no. 2 (2023): 129–38, <https://doi.org/10.30984/spectrum.v3i2.778>.

Methods

This normative legal study used a statutory and comparative approach between Indonesia and the Philippines. Based on the literature review, OCSEA remained a serious legal and social issue and required a comprehensive review of the existing legal systems in Indonesia and the Philippines. In this study, the Philippines was selected as a comparison jurisdiction because it had a high prevalence of OCSE and cyber child pornography in the Southeast Asia region. It also implemented programs to prevent and rescue child victims from online sexual abuse and exploitation. In a survey of 40 countries, the Philippines ranked 16th, reflecting its commitment and effectiveness in addressing this pressing issue. The following countries ranked 20th, 23rd, 32nd, and 37th, respectively: Malaysia, Cambodia, Indonesia, and Vietnam.²³

Through this method, the author made efforts to synthesise rules, principles, norms, interpretation guidelines, and values that explained, made coherent, or justified legal segments as part of a larger legal system in Indonesia and the Philippines. Subsequently, all the relevant elements were combined or synthesised to form a legal statement that was true and complete regarding OCSEA.²⁴ The statutory approach analysed various legal materials related to the norms, principles, and values of cyber child pornography in Indonesia and the Philippines. The comparative approach used Lawrence M. Friedman's legal system theory to compare the 2 countries' legal systems in addressing cyber child pornography. These approaches were used to explain similarities and differences in legal substance, legal structure, and legal culture in addressing OCSEA in Indonesia and the Philippines.

The main study data in Indonesia included laws related to cyber child pornography. These laws included Law Number 1 of 2023 concerning the Criminal Code, Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, Law Number 19 of 2016 concerning Information and Electronic Transactions, Law Number 35 of 2014 concerning Child Protection, Law Number 44 of 2008 concerning Pornography. Meanwhile, the main study data in the Philippines included the following laws: Revised Penal Code of 2021, Anti-OSAEC and Anti-CSAEM Act of 2021, the Cybercrime Prevention Act of 2012, the Anti-Child Pornography Act of 2009, Anti-Violence Against Women and Their Children Act of 2004, and the Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, and for Other Purposes of 1992. For secondary data, this study used several journal articles, books, research documents, and online news. The study used library-based techniques to collect various types of primary and secondary data. This study used comparative analysis to explain similarities and differences in data related to OCSEA in Indonesia and the Philippines.

²³ *Out of the Shadows: Shining Light on the Response to Child Sexual Abuse and Exploitation: A 40-Country Benchmarking Index* (The Economist Intelligence Unit, 2019), p. 16

²⁴ Dawn Watkins and Mandy Burton, eds., *Research Methods in Law* (Routledge, 2013), p. 9

Result and Discussion

Conceptualising Online Child Sexual Exploitation

The concept of Online Child Sexual Exploitation (OCSE) was gradually replacing the traditional legal terminology of child pornography in international legal and policy discourse. International organisations, including UNICEF, ECPAT International, INTERPOL, and the WeProtect Global Alliance, were increasingly avoiding the term child pornography because it could imply consensual sexual expression, such as adult pornography.²⁵ According to the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC), child pornography was any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.²⁶ Child pornography was defined as any means that included a child in real or simulated sexual activity for sexual purposes.²⁷

The Convention on the Rights of the Child (CRC), in its Article 34, referred to “the exploitative use of children in pornographic performances”,²⁸ without specifying whether the performances occurred in a digital environment or elsewhere, and without indicating whether the performances were facilitated by technology or not. Grace emphasised that pornography, whether sexual images or videos, was deliberately produced to arouse sexual desire.²⁹ Meanwhile, the term child pornography was a visual depiction of children, obscenely or erotically. The term was limited to images designed to arouse illicit passion, so educational photos or family photos featuring naked children in non-erotic settings were not considered pornography.³⁰

The UN Convention against Cybercrime exclusively targeted actions committed through or by means of information and communications technology systems, including offences related to “online child sexual abuse or child sexual exploitation material” (Article 14), solicitation or grooming for the purpose of committing a sexual offence against a child (Article 15), and non-consensual dissemination of intimate images (Article 16).³¹ Consequently, the preferred terminology had shifted toward Child Sexual Abuse Material (CSAM) or Child Sexual Abuse and Exploitation Material (CSAEM) when referring to abusive

²⁵ *The Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse* (ECPAT International, 2025).

²⁶ The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC) (2000).

²⁷ The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC).

²⁸ Convention on the Rights of the Child (1989); Grace B. Jhe et al., “Pornography Use among Adolescents and the Role of Primary Care,” *Family Medicine and Community Health* 11 (2023), <https://doi.org/10.1136/fmch-2022-001776>; Yaman Akdeniz, *Internet Child Pornography and the Law: National and International Responses* (Ashgate Publishing Limited, 2008).

²⁹ Jhe et al., “Pornography Use among Adolescents and the Role of Primary Care,” p. 1

³⁰ Monica L. McCoy and Stefanie M. Ken, *Child Abuse and Neglect* (Psychology Press, 2014), p. 169

³¹ United Nations Convention against Cybercrime (2024).

content, while Online Child Sexual Exploitation was used to describe broader criminal behaviour involving the recruitment, coercion, abuse, and exploitation of children in digital environments. Any image, video, or digital representation depicting child sexual abuse constituted evidence of exploitation and abuse, not only pornography.

The term child sexual abuse online became a widely used term to refer both to the sexual abuse of children that was committed using technology and to sexual abuse of children that was committed elsewhere and then repeated by sharing it online. The reference to child sexual exploitation online included all acts of a sexually exploitative nature carried out against a child that have a connection to the digital environment.³² This included any use of technology that resulted in sexual exploitation or caused a child to be exploited or led to images or other material such as sexual exploitation to be produced, bought, sold, possessed, distributed, or transmitted. This notion can thus encompass but is not limited to: sexual exploitation that is carried out while the child is online, such enticing/manipulating/threatening a child to perform sexual acts in of a webcam; identifying and/or grooming children online with a view to them sexually whether any further exploitation occurs, or if any acts follow are carried out in person or in the digital environment; the distribution, dissemination, importing, exporting, offering, selling, possession of, or knowingly obtaining access to child sexual abuse/exploitation material online, even if the sexual abuse that is depicted in the material was carried out in person.³³

International Labour Organisation (ILO) Convention No. 182, in Article 3(b), stated a prohibition of “the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances”. This broader understanding suggested that OCSE must be viewed as a multidimensional phenomenon including criminal law, child protection, cybersecurity, digital governance, and international cooperation. The line between child sexual exploitation in digital environments and elsewhere was often blurred, and with the rapid development of technology, child sexual exploitation with some digital component was becoming increasingly common. While the term online child sexual exploitation could be used as a general term to describe forms of sexual exploitation related to digital environments, it was important to note that technology was a tool, albeit a powerful one.

The Landscape of Online Child Sexual Exploitation in Indonesia and the Philippines

The Disrupting Harm in Indonesia report showed that data online on child sexual exploitation fluctuated significantly in recent years. While national

³² Steven Roche et al., “Online Sexual Exploitation of Children in the Philippines: A Scoping Review,” *Children and Youth Services Review* 148 (May 2023): 106861, <https://doi.org/10.1016/j.childyouth.2023.106861>.

³³ *The Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse*, Carly Porcelli et al., *Unraveling the Complexities of Offender Strategies as Part of Online Sexual Grooming and Technology-Assisted Child Sexual Abuse: A Systematic Review*, 00, no. 0 (2026), p. 2

complaints recorded by local agencies showed a downward trend due to underreporting, international monitors reported far more digital incidents. To provide a clearer picture of the landscape, the figure detailed the specific types of cyber incidents including children reported from 2017 to 2019.³⁴

Table 1. Suspected child sexual exploitation in Indonesia

Incident Type	2017	2018	2019
CSAM, including possession, manufacture and distribution (NCMEC classification: child pornography)	727,437	1,223,972	840,191
Travelling child sex offenders (NCMEC classification: child sex tourism)	9	3	1
Child sex trafficking	4	4	7
Child sexual molestation	3	10	2
Misleading domain name	1		
Misleading words or digital images on the internet	4	4	4
Online enticement of children for sexual acts	34	14	16
Unsolicited obscene material sent to a child	2	3	
Total	727,494	1,223,972	840,221

Source: *CyberTip data provided by NCMEC*

Table 1 shows the total number of incidents of sexual crimes against children from 2017 to 2019, categorised by incident type. Overall, the total number of cases fluctuated significantly, jumping sharply from 727,494 in 2017 to over 1.2 million in 2018, before declining to 840,221 in 2019. Most of these incidents were dominated by CSAM (Child Sexual Abuse Material), which comprised the possession, production, and distribution of child pornography, and consistently reached hundreds of thousands to over one million cases annually. However, other types of incidents, such as child sex trafficking, online seduction, and child sexual abuse, recorded much lower figures, although these figures continued to fluctuate from year to year. This data was also supported by the 2017-2021 KPAI report, stating that pornography and cybercrime remained relatively high. The data found that there were 1,124 cases of child victims of online sexual crimes and child pornography on social media, with the number fluctuating annually.³⁵

In January 2025, the Jakarta Metropolitan Police Department (Polda Metro Jaya) successfully uncovered a case involving the sale of child pornography. The case included 689 videos and images of children.³⁶ In 2024, the POLRI collaborated with the Federal Bureau of Investigation (FBI) to uncover a case of child sexual exploitation and cyber pornography involving group gaming. A total

³⁴ ECPAT et al., *Disrupting Harm in Indonesia: Evidence on Online Child Sexual Exploitation and Abuse, Global Partnership to End Violence Against Children*, p. 44

³⁵ (KPAI), *Laporan Kinerja Tahun 2020 Komisi Perlindungan Anak Indonesia*.

³⁶ Anita Permata Dewi, "Eksplotasi Seksual Anak Di Era Digital, Ancaman Nyata Di Ruang Maya," *Antaraneews.Com*, 2025, <https://www.antaraneews.com/berita/4618802/eksploitasi-seksual-anak-di-era-digital-ancaman-nyata-di-ruang-maya>. Accessed on August, 14 2025

of 5 suspects were arrested, and 8 children were identified as victims of cyber pornography.³⁷ This phenomenon showed that a significant lack of understanding and literacy left them vulnerable to online crime. Parental or family supervision was crucial when children use devices for activities such as gaming or interacting on social media to prevent serious threats, such as cyber pornography. Therefore, fostering a culture of technological literacy was important for preventing cyber-crime activities, such as grooming, sextortion, and sharing sex videos, within the family environment.

According to a report by UNICEF, in 2021, approximately 2 million children in the Philippines were subjected to sexual harassment and exploitation in the digital sphere. This included behaviours such as online grooming, enticement through gifts or rewards, and coercion for sexual activities. In addition, it was reported that some children even received threats of sexual violence. However, only a small percentage of victims report these crimes, and even fewer know how to report to local authorities.³⁸

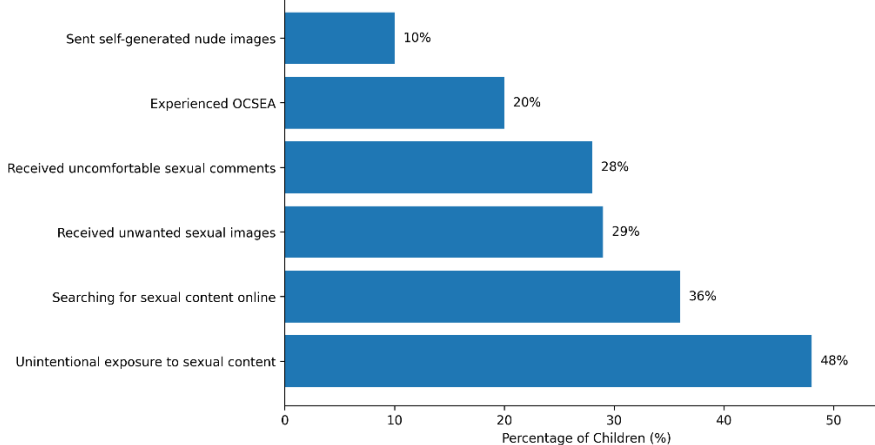


Chart 1. Online Sexual Violence and Exploitation Against Children in the Philippines
Source: ECPAT, 2022

The data in Chart 2 showed that unintentional exposure to sexual content was the most common risk faced by Filipino children using the internet (48%), followed by online sexual searches (36%), receiving unwanted sexual images (29%), experiencing uncomfortable sexual comments (28%), being victims of online sexual exploitation and harassment (20%), and sending nude photos or videos of themselves (10%). These results showed the high vulnerability of Filipino children to several forms of digital-based sexual abuse. The report on

³⁷ Isnaya Helmi, “Kronologi Kasus Pornografi Anak Jaringan Internasional: Modus Mabar Game Online, 8 Anak Jadi Korban,” *Www.Kompas.Tv*, 2024, <https://www.kompas.tv/nasional/487949/kronologi-kasus-pornografi-anak-jaringan-internasional-modus-mabar-game-online-8-anak-jadi-korban>. Accessed on August 14, 2025

³⁸ ECPAT et al., *Disrupting Harm in the Philippines: Evidence on Online Child Sexual Exploitation and Abuse*. (Global Partnership to End Violence Against Children., 2022).

child vulnerability and violence in the Philippines, unlike in Indonesia, provided a more detailed report on each type of violence. Generally, online sexual violence and cyber pornography in the Philippines were categorised as OSAEC/OCSEA. Furthermore, the annual reports in the Philippines and Indonesia differed significantly, and the discrepancy in the data used between chart 1 and chart 2 was evident.

The problem of OCSE or OSAEC in the Philippines was exacerbated by children's low literacy regarding this type of violence. As a result, 50% of children add individuals to their social media accounts, and 13% even arrange face-to-face meetings. In addition, the children were unaware of how to report this type of crime. At least 44% were unaware of how to seek help when they were victims of online sexual abuse or learned that a friend had been a victim of such abuse.³⁹ In 2022, there were nearly half a million cases of OSAEC, totalling 471,416. In 2023, telecommunications companies blocked 902,000 pornographic websites, preventing 2.16 million individuals from accessing the sites.⁴⁰ However, these cases were only the tip of the iceberg, with limited reporting and complaints from victims or the public. The high number of child cyber pornography cases showed significant social problems, including economic and educational issues as well as social and religious norms. Furthermore, family dysfunction was also a contributing factor.⁴¹

In Indonesia, advances in information technology, socioeconomic conditions, and the existing legal framework contributed to this problem. These factors contributed to Indonesia's persistently high level of child cyber pornography.⁴² While Indonesia's problem was heavily driven by rapid technological adaptation without adequate digital literacy, child abuse in the Philippines was uniquely reinforced by deeply rooted local social misconceptions, living conditions, and general beliefs. These cases arose from the misconception that OCSE and OSAEC did not involve physical contact. The prevalent 'no touch, no harm' principle often echoed in the community perpetuated this misconception. This misconception persisted, particularly in awareness, among families unaware of the dangers of digital crime. Children who were exploited typically come from economically vulnerable families. In fact, many of the OSAEC perpetrators were family members or close relatives because the transactions were simple, quick, and profitable, and their families' needs were their top priority.⁴³

³⁹ ECPAT et al., *Disrupting Harm in the Philippines: Evidence on Online Child Sexual Exploitation and Abuse*.

⁴⁰ *Human Rights Situation Report: Addressing Online Sexual Abuse and Exploitation of Children in the Philippines* (Commission on Human Rights, Republic of the Philippines, 2025). p. 8

⁴¹ Garazi Álvarez-Guerrero et al., "Online Child Sexual Exploitation and Abuse of Children and Adolescents with Disabilities: A Systematic Review," *Disabilities* 4, no. 2 (2024): 264–76, <https://doi.org/10.3390/disabilities4020017>, p. 272

⁴² Adisty Padmavati Nazwa Moha and R. Rahaditya, "Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Pencabulan," *Ranah Research: Journal Multidisciplinary Research and Development* 4, no. 1 (2024): 165–73, <https://doi.org/https://doi.org/10.38035/trj.v7i1>; ECPAT et al., *Disrupting Harm in the Philippines: Evidence on Online Child Sexual Exploitation and Abuse*.

⁴³ Roche et al., "Online Sexual Exploitation of Children in the Philippines: A Scoping Review," p. 5

Comparative Legal System Analysis of Online Child Sexual Exploitation in Indonesia and the Philippines: A Lawrence M. Friedman Perspective

Legal Substance Analysis

According to Lawrence M. Friedman, legal substance refers to the body of legal rules, statutory provisions, legal principles, and normative policies governing a particular legal issue.⁴⁴ In the context of cyber child pornography, legal substance determined whether the law clearly defined prohibited conduct, established effective mechanisms for child protection, allocated institutional responsibilities, and provided adequate sanctions capable of responding to technology-facilitated sexual exploitation. Indonesia and the Philippines were 2 ASEAN countries facing similar challenges related to cyber child pornography, which have different legal substance regarding the issue.⁴⁵

Indonesia regulates cyber child pornography through multiple legal instruments, including Law No. 44 of 2008 concerning Pornography, Law No. 19 of 2016 concerning Electronic Information and Transactions (ITE Law), Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence, Law No. 35 of 2014 concerning Child Protection, and Law No. 1 of 2023 concerning the Criminal Code.⁴⁶ Meanwhile, the Philippines has developed a more integrated framework through the Anti-Child Pornography Act of 2009, the Cybercrime Prevention Act of 2012, Republic Act No. 7610 concerning Special Protection of Children Against Abuse, Exploitation and Discrimination, and the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act.⁴⁷ The law regulates matters related to cyber pornography, including the scope of prohibited conduct, criminal liability, victim protection, and criminal sanctions.

In the scope of prohibited conduct, Indonesian legislation provides broad protection against the involvement of children in pornographic activities. However, such regulation remains distributed across several legal instruments. Article 4 paragraph (1) of Law No. 44 of 2008 concerning Pornography prohibits every person from producing, making, reproducing, duplicating, distributing, broadcasting, importing, exporting, offering, selling, renting, or providing pornography that explicitly contains child pornography.⁴⁸ In addition, Article 11

⁴⁴ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (Russell Sage Foundation, 1975).

⁴⁵ *National Study on Online Sexual Abuse and Exploitation of Children in the Philippines* (UNICEF Philippines, 2020); *Evaluation of the Programme to Prevent and Respond to Online Child Sexual Abuse and Exploitation (OCSEA) in Indonesia* (United Nations Children's Fund (UNICEF) and the Ministry of Women's Empowerment and Child Protection, 2026).

⁴⁶ Kristantyo Wisnubroto, "Komitmen Pemerintah Melindungi Anak Di Ruang Digital," Indonesia.Go.Id, 2025, <https://indonesia.go.id/kategori/editorial/9037/komitmen-pemerintah-melindungi-anak-di-ruang-digital?lang=1>, accessed on 11 August, 2025

⁴⁷ UN News, "First Person: Philippines 'Cyber Cops' Tackle Explosion of Online Child Abuse." Accessed on August 13, 2025

⁴⁸ Article 4 Undang-Undang Republik Indonesia Nomor 44 Tahun 2008 Tentang Pornografi.

prohibited including children as objects or participants in pornography, while Article 12 prohibited acts of persuading, exploiting, abusing authority, or forcing children to use pornographic products or services.⁴⁹ These provisions demonstrated Indonesia's commitment to preventing child exploitation. However, a conventional understanding of pornography was primarily adopted and did not explicitly regulate emerging forms of online exploitation, such as livestreaming sexual abuse, online grooming, sexual extortion, and child sexual abuse material distributed through digital platforms.

The Philippines developed a more specific and adaptive legal framework that responded to the changing nature of technology-facilitated child sexual exploitation. The Anti-Child Pornography Act of 2009 provided comprehensive regulation concerning child sexual abuse material by criminalising the production, distribution, possession, and dissemination of child pornography.⁵⁰ In addition, the Cybercrime Prevention Act of 2012 expanded protection within the digital environment by regulating cyber-related sexual offences. Article 4 (c) (1) of the Act criminalised cybersex, including the intentional operation or control of sexual activities through computer systems for profit, while Article 4 (c) (2) provides enhanced penalties for the dissemination of child pornography through computer systems. More importantly, the enactment of the Anti-OSAEC and Anti-CSAEM Act strengthened the Philippine legal framework by recognising online sexual exploitation and child sexual abuse materials as distinct forms of crime.⁵¹

Regarding criminal liability, Indonesia imposed criminal sanctions primarily on individuals who directly produced, distributed, or included children in pornography. Under Law No. 44 of 2008, Article 29 in conjunction with Article 4 paragraph (1) stipulated imprisonment of a minimum of 6 months and a maximum of 12 years for perpetrators of pornography including children. In addition, Article 37 in conjunction with Article 11 provided an additional one-third increase in the maximum penalty when children were involved as objects or participants, resulting in a maximum sentence of 16 years' imprisonment. The ITE Law also contributed to criminal liability through Article 27 paragraph (1), which prohibited any person from intentionally and unlawfully distributing, transmitting, or making accessible electronic information containing content that violated morality.⁵² However, this provision did not specifically mention child pornography, creating dependence on interpretation by law enforcement authorities.

The provision used the general term "content violating decency" rather than explicitly referring to child sexual abuse material or online sexual exploitation.

⁴⁹ Article 11 and Article 12 Undang-Undang Republik Indonesia Nomor 44 Tahun 2008 Tentang Pornografi.

⁵⁰ Anti-Child Pornography Act of 2009 (2009).

⁵¹ Cybercrime Prevention Act of 2012 (2012); Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act (2021).

⁵² Undang-Undang Republik Indonesia Nomor 44 Tahun 2008 Tentang Pornografi; Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik, 1 (2008).

Although this provision could be applied to cyber child pornography cases, the absence of specific terminology reduced legal certainty. Similarly, Article 407 paragraph (1) of Law No. 1 of 2023 concerning the Criminal Code regulated pornography offences by prohibiting the production, reproduction, distribution, broadcasting, importing, exporting, offering, selling, renting, or providing pornography, with imprisonment ranging from 6 months to 10 years.⁵³ However, these provisions still required further interpretation when applied to complex online environments. In comparison, Philippine legislation adopted broader criminal liability by targeting not only direct perpetrators but also other actors involved in facilitating online exploitation. The Anti-OSAEC and Anti-CSAEM Act established obligations for relevant entities, including digital platforms and service providers, to cooperate in preventing and reporting online child sexual exploitation. The Philippines demonstrated a more technology-responsive approach through the Anti-OSAEC and Anti-CSAEM Act, which directly addressed digital exploitation, online solicitation, livestreaming, and the circulation of abusive materials.

Regarding child victim protection, both countries recognised children as vulnerable participants requiring special legal protection. Indonesia provided victim protection through Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence, which emphasised prevention, handling, protection, and recovery of victims of sexual violence, including children. Similarly, the Child Protection Law provided a general framework for protecting children from exploitation and violence. However, Indonesian regulations remained spread across different legal instruments, which affected coordination and implementation. The Philippines adopted a more integrated victim-centred approach. Republic Act No. 7610 concerning Special Protection of Children Against Abuse, Exploitation and Discrimination explicitly criminalised the exploitation of children in obscene publications and pornographic materials under Article V, Section 9. The Anti-OSAEC and Anti-CSAEM Act further strengthened victim protection through mechanisms addressing prevention, reporting, investigation, and rehabilitation.⁵⁴

Criminal sanctions also differed significantly between the two legal systems. Indonesia provided relatively severe penalties for child pornography offences, with imprisonment ranging from 6 months to 16 years under the Pornography Law and additional sanctions under other legal instruments. However, multiple sanction provisions created inconsistency in sentencing practices. The Philippines applied more stringent sanctions, including the possibility of perpetual reclusion, which in the Philippine legal system reached imprisonment between 20 years and 1 day to 40 years for serious offences involving children.

⁵³ Article 407 And Article 49 Undang-Undang Republik Indonesia Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana (2023).

⁵⁴ Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act.

Table 1. Comparative Legal Substance Analysis of OCSE in Indonesia and the Philippines

Parameter	Indonesia	Philippines	Analysis
Legal framework	The Pornography Law (Law No. 44/2008), Child Protection Law (Law No. 35/2014), ITE Law (Law No. 19/2016), Sexual Violence Crimes Law (Law No. 12/2022), and the 2023 Criminal Code.	Regulated through an integrated framework consisting of the Anti-Child Pornography Act (2009), Cybercrime Prevention Act (2012), Republic Act No. 7610, Anti-Trafficking in Persons Act, and Anti-OSAEC and Anti-CSAEM Act (2022).	Indonesia's framework is fragmented, while the Philippines adopts a more integrated legal framework.
Scope of offences	Covers production, distribution, possession, and involvement of children in pornography.	Covers child pornography, OSAEC, CSAEM, online grooming, livestreaming, and cybersex.	The Philippine law provides broader coverage of technology-facilitated offences.
Criminal liability	Focuses mainly on individual offenders.	Extends liability to facilitators and other responsible entities.	The Philippine framework distributes legal responsibility across multiple actors, reflecting a more systemic approach
Child protection	Protection is provided through the Child Protection Law and the TPKS Law.	Protection integrated with prevention, rescue, rehabilitation, and recovery mechanisms.	The Philippines places stronger emphasis on victim-centred protection.
Criminal sanctions	Imprisonment ranges from 6 months to 16 years.	Penalties may reach perpetual reclusion (20 - 40 years).	Philippine sanctions reflect a stronger deterrence policy against online child sexual exploitation.

Source: Author's Framework, 2026

The comparative analysis showed that the Philippine legal system was normatively more comprehensive than Indonesia's across almost all analytical parameters. The Philippine framework provided clearer legal definitions, broader criminalisation of OCSE, stronger institutional obligations, mandatory reporting mechanisms, and more comprehensive victim protection. However, Indonesia regulated cyber child pornography through multiple fragmented statutes, creating overlapping provisions and legal uncertainty that could reduce the effectiveness of law enforcement. From Friedman's perspective, these results showed that the quality and coherence of legal substance significantly influenced the capacity of the legal system to respond effectively to cyber child pornography.

Legal Structure Analysis

Lawrence M. Friedman argued that the legal structure referred to the institutional framework responsible for implementing and enforcing the law. This comprised law enforcement agencies, judicial institutions, administrative bodies, and organisational mechanisms that ensured legal rules operated effectively in practice.⁵⁵ While legal substance determined the content of the law, legal structure determined whether those legal provisions could be translated into effective law enforcement. In the context of cyber child pornography, the effectiveness of legal regulation depended on the institutional capacity to investigate cyber-enabled offences, coordinate interagency responses, cooperate with digital service providers, and protect child victims throughout the criminal justice process.

Indonesia established several institutions responsible for combating cyber child pornography, including the POLRI, particularly the Directorate of Cyber Crime within the Criminal Investigation Agency (BARESKRIM), the Ministry of Communication and Digital Affairs (KOMDIGI), the Ministry of Women's Empowerment and Child Protection, the Indonesian Child Protection Commission (KPAI), and the Financial Transaction Reports and Analysis Centre (PPATK) in cases including financial transactions related to online exploitation. Each institution performs specific functions, ranging from criminal investigation and digital surveillance to child protection and online content management. However, these institutional responsibilities remained dispersed across different agencies, requiring coordination through interagency cooperation rather than a dedicated institutional mechanism specifically designed to address cyber child pornography. This fragmented institutional arrangement reduced operational efficiency, particularly when investigations included multiple jurisdictions or required rapid responses to online exploitation.⁵⁶

Empirical evidence further shows that Indonesia's multiple protection institutions have not yet been matched by an integrated system for tracking protection outcomes for OCSEA victims. UNICEF and the Ministry of Women's Empowerment and Child Protection reported that the number of Indonesian children accessing integrated child protection services increased from 12,242 in 2021 to 14,586 in 2022, 20,221 in 2023, and 19,112 in 2024. However, these figures cover children accessing integrated child protection services generally. They are not disaggregated to identify how many OCSEA victims subsequently received protection, psychosocial assistance, rehabilitation, legal support, or other forms of recovery. This limitation is particularly significant because reports of OCSEA submitted through SAPA 129 reached 303 cases in 2022, yet many children and

⁵⁵ Friedman, *The Legal System: A Social Science Perspective*.

⁵⁶ Laura Bartoli, "Cybersecurity and the Fight against Cybercrime: Partners or Competitors?," *European Journal of Risk Regulation* 16, no. 2 (2025): 498–513, <https://doi.org/10.1017/err.2025.31>; Paul Bleakley et al., "Moderating Online Child Sexual Abuse Material (CSAM): Does Self-Regulation Work, or Is Greater State Regulation Needed?," *European Journal of Criminology* 21, no. 2 (2024): 231–50, <https://doi.org/10.1177/14773708231181361>.

families reportedly sought only content takedown and declined follow-up support because of stigma and distrust.⁵⁷

The absence of disaggregated data therefore makes it difficult to determine how effectively reported OCSEA victims progress from identification and referral to protection and recovery. From Friedman's perspective, this data gap reflects a structural limitation in the legal system, as the effectiveness of protection institutions depends not only on their existence but also on their capacity to coordinate and produce measurable, victim-centred protection outcomes. Thus, the challenge is not merely the existence of protection institutions, but their capacity to coordinate and generate measurable, victim-centred protection outcomes across the system.

In comparison, the Philippines developed a more integrated institutional structure through the Philippine Internet Crimes Against Children Centre (PICACC). This functioned as a specialised multi-agency task force dedicated to combating OCSE. PICACC integrated the Philippine National Police (PNP), the National Bureau of Investigation (NBI), the Department of Justice, and international partners within a coordinated operational framework. The institutional model enabled simultaneous investigation, victim rescue, digital forensic analysis, prosecution, and international coordination under a unified system. By centralising institutional responsibilities, the Philippine legal structure minimised bureaucratic fragmentation and facilitated faster responses to cyber-enabled child sexual exploitation. From Friedman's perspective, this institutional integration strengthened enforcement because legal rules were implemented through coordinated, rather than isolated, institutional action.

Another significant aspect of legal structure concerns cooperation between law enforcement agencies and private-sector stakeholders. Given that cyber child pornography was predominantly facilitated through digital platforms, Internet Service Providers (ISPs), social media companies, and online communication services played a significant role in detecting and preventing OCSE. In Indonesia, cooperation with digital platforms primarily focuses on content blocking and removing illegal online material through KOMDIGI. However, collaboration generally remained administrative and reactive after unlawful content was identified.

The Philippines institutionalised stronger cooperation with ISPs, technology companies, and international organisations through mandatory reporting mechanisms and coordinated operational procedures, as well as with internet cafes, banks and money transfer centres, non-governmental organisations (NGOs), international agencies, and private individuals. In addition, most private sector entities collaborated with the government through its regulatory agencies. This collaboration enhanced early detection of cyber offences and accelerated law

⁵⁷ *Evaluation of the Programme to Prevent and Respond to Online Child Sexual Abuse and Exploitation (OCSEA) in Indonesia*, p. 4.

enforcement responses before online exploitation expanded across digital networks.⁵⁸ The effectiveness of the legal structure was also reflected in its capacity to address the transnational nature of cyber child pornography. Consequently, international cooperation became essential to institutional effectiveness.

Indonesia participated in international cooperation through mutual legal assistance mechanisms and collaboration with international organisations. However, these efforts remained largely dependent on general criminal justice cooperation. By comparison, the Philippines established long-standing partnerships through PICACC with organisations such as the International Justice Mission (IJM), the Australian Federal Police (AFP), the United Kingdom's National Crime Agency (NCA), and other international law enforcement bodies. The success of global law enforcement collaboration through PICACC was evident in the dramatic increase in rescue operations since its inception. For instance, in 2015, the Philippines rescued 12 victims of OCSE. However, in the 3 years since PICACC's inception, it has rescued 526 victims.⁵⁹ Law enforcement continued to combat child sexual exploitation in the travel and tourism industry by targeting online criminals.⁶⁰

In 2019, the Philippines engaged the private sector by bringing together businesses, telecommunications companies, and other organisations through the SaferkidsPH Consortium. In addition, in 2020, the Consortium engaged Facebook, Google, PLDT/Smart, Promontory, and Globe specifically to contribute to a policy document. This was a step in the process of developing the latest amendments to the 2009 Anti-Child Pornography Act and other relevant laws. The main goal was to create a safe and protective online environment for children in the Philippines.⁶¹ This inter-sectoral involvement showed that the OSAEC issue was transnational and must be addressed collaboratively and holistically.

The comparison showed that both Indonesia and the Philippines established institutional frameworks to combat cyber child pornography. However, they differed significantly in institutional integration and operational coordination. Indonesia possessed competent institutions with clearly defined mandates, yet responsibilities remained distributed across multiple agencies without a dedicated child-focused cybercrime coordination mechanism. The Philippine legal structure emphasised institutional specialisation, interagency coordination, and strategic collaboration with private-sector and international partners through PICACC. From Lawrence M. Friedman's legal structure perspective, these institutional

⁵⁸ *National Study on Online Sexual Abuse and Exploitation of Children in the Philippines.*, p. 76

⁵⁹ "Philippine Internet Crimes Against Children Center (PICACC) Marks Its Third Year with More than 500 Rescued," International Justice Mission, 2022, <https://www.ijm.org.ph/articles/philippine-internet-crimes-against-children-center-picacc-marks-its-third-year-with-more-than-500-rescued>., accessed on 12 August, 2025

⁶⁰ *The Philippine Internet Crimes Against Children Center* (The Philippine Internet Crimes Against Children Center, 2019).

⁶¹ *Ending Online Child Sexual Exploitation and Abuse: Lessons Learned and Promising Practices in Low-and Middle-Income Countries* (UNICEF Child Protection Team, 2021), 1–102, www.unicef.org.

characteristics contributed to more effective implementation of legal substance by enhancing coordination, reducing procedural fragmentation, and strengthening law enforcement agencies' capacity to prevent, investigate, and prosecute cyber child pornography in an increasingly transnational digital environment.

Legal Culture Analysis

According to Lawrence M. Friedman, legal culture refers to the social values, attitudes, beliefs, and behavioural patterns that shape public responses toward legal norms and legal institutions.⁶² This shows the degree to which individuals understand, accept, and comply with the law, as well as their willingness to participate in law enforcement processes. In the context of cyber child pornography, legal culture extended beyond legal awareness to encompass digital literacy, parental supervision, public reporting behaviour, community participation, and societal perceptions of online sexual exploitation. Consequently, even comprehensive legislation and well-established institutional structures could not function effectively when society lacked awareness of digital risks or failed to recognise OCSE as a serious crime.⁶³ Therefore, analysing legal culture was essential to understanding the practical effectiveness of cyber child pornography laws in both Indonesia and the Philippines.

In Indonesia, one of the principal challenges was the relatively low level of digital literacy and public awareness regarding the risks of OCSE. Rapid internet penetration and widespread access to digital technologies were not matched by equivalent improvements in digital safety education. Many parents and caregivers remained unfamiliar with emerging forms of cyber-enabled exploitation, including online grooming, sextortion, and the dissemination of child sexual abuse material through social media and encrypted communication platforms. As a result, preventive measures were often implemented only after exploitation had occurred rather than through early identification and intervention. This weakened legal protection because effective law enforcement depended not only on statutory regulation but also on families' and communities' ability to recognise risks before they escalated into criminal offences.

Another important cultural challenge in Indonesia concerned the under-reporting of cyber child pornography cases. Victims and their families frequently hesitated to report online sexual exploitation because of stigma, fear of social discrimination, concerns about victim-blaming, and limited confidence in legal institutions. Public perceptions of child pornography also influenced how the public understood the seriousness of the offence and responded to prevention and reporting mechanisms. Steel et al. showed that public perceptions, knowledge gaps, and stigmatisation significantly shaped public responses to child pornography and

⁶² Friedman, *The Legal System: A Social Science Perspective*.

⁶³ Neelam Punjani et al., "Challenges Faced by Parents in Preventing Online Child Sexual Exploitation and Abuse: A Mixed Methods Systematic Review," *Frontiers in Public Health* 14 (February 2026): 1765426, <https://doi.org/10.3389/fpubh.2026.1765426>, p. 9.

those involved in the offence, suggesting that legal effectiveness depended not only on formal regulations but also on social attitudes toward the crime.⁶⁴ These factors contributed to the “iceberg phenomenon,” in which officially reported cases represented only a small proportion of actual incidents. Underreporting limited the ability of law enforcement agencies to identify offenders, disrupt criminal networks, and provide timely protection to child victims.

The Philippines experienced similar cultural challenges despite possessing a more comprehensive legal framework. Angelo et al. showed that poverty, family vulnerability, and economic dependence continued to expose children to online sexual exploitation.⁶⁵ In some communities, the misconception that online abuse caused less harm than physical sexual abuse, commonly referred to as the “no touch, no harm” perception, had contributed to the normalisation of certain exploitative practices. This perception reduced the urgency of reporting offences and weakened community resistance to online child exploitation. Although the Philippines demonstrated stronger legal substance and institutional coordination, legal culture remained a major obstacle to fully realising child protection objectives. However, the Philippine experience also showed how sustained public engagement and multi-sectoral collaboration could strengthen legal culture. National awareness campaigns, digital safety education, partnerships with civil society organisations, and collaboration among government agencies, schools, religious institutions, and technology companies helped increase public recognition of OCSE as a serious crime.

Parental involvement was crucial to strengthening legal culture in addressing OSAEC in the Philippines. Masanda emphasised that parents and community facilitators played a crucial role in identifying risks, supporting prevention efforts, and developing protective responses to abusive sexual exploitation. This showed that legal culture was shaped not only by community adherence to legal norms but also by families' and communities' capacity to participate actively in child protection mechanisms.⁶⁶ Community-based reporting mechanisms and child protection campaigns further encouraged families and communities to actively participate in preventing abuse. These initiatives showed that legal culture was dynamic and could be gradually transformed through ongoing legal education, institutional trust-building, and public participation. These efforts strengthened the implementation of legal substance and legal structures by encouraging greater adherence to legal norms and increasing community involvement in child protection.

⁶⁴ Chad M. S. Steel et al., “Public Perceptions of Child Pornography and Child Pornography Consumers,” *Archives of Sexual Behavior* 51, no. 2 (2022): 1173–85, <https://doi.org/10.1007/s10508-021-02196-1>, p. 1174

⁶⁵ Uclaray et al., “Factors Affecting the Prevalence of Online Sexual Abuse and Exploitation of Children in Camarines Sur, Bicol Region, Philippines.”

⁶⁶ Masanda Argel B., “Understanding OSAEC (Online Sexual Abuse and Exploitation of Children) from the Parent Facilitator’s Perspectives: Two Case Studies,” *Philippine Journal of Child Sexual Abuse* 14 (2025), p. 34.

The comparison showed that legal culture remained one of the most decisive factors influencing the effectiveness of cyber child pornography regulation in both Indonesia and the Philippines. Indonesia continued to face challenges related to digital literacy, parental awareness, and underreporting, while the Philippines continued to address socio-economic vulnerabilities and persistent cultural misconceptions surrounding OCSE. These results confirmed Friedman's proposition that an effective legal system depended upon the interaction of legal substance, legal structure, and legal culture. Comprehensive legislation and strong institutional arrangements alone were insufficient to combat OCSEA unless supported by a legal culture that promoted digital responsibility, encouraged public reporting, and strengthened collective commitment to protecting children in cyberspace.

Conclusions

In conclusion, effective protection against OCSE requires not only comprehensive legislation but also an integrated legal system capable of addressing technology-facilitated child sexual exploitation. Applying Lawrence M. Friedman's Legal System Theory shows that legal protection depends on the interaction between legal substance, legal structure, and legal culture. Although Indonesia has enacted various laws addressing child protection, cybercrime, and pornography, the fragmented nature of its regulatory framework and institutional arrangements weakens the coherence and effectiveness of enforcement. By comparison, the Philippines has adopted a more integrated legal approach that combines specialised legislation, coordinated institutional mechanisms, and broader stakeholder participation, enabling a more adaptive response to technology-facilitated child sexual exploitation.

More importantly, this comparative analysis shows that legal reform must move beyond expanding criminal sanctions. Strengthening institutional coordination, integrating digital governance into child protection policies, and fostering digital legal awareness are equally essential for addressing increasingly transnational forms of OCSE. Accordingly, the Indonesian legal system can benefit from harmonised legislation, a specialised interagency coordination mechanism, and preventive strategies that place digital literacy and community participation at the centre of child protection. By applying Friedman's Legal Systems Theory as a comparative analytical framework, this study contributes to a more comprehensive understanding of online child pornography regulation and offers practical policy recommendations to strengthen Indonesia's legal response through legislative reform, institutional integration, and increased public legal awareness.

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