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A growing threat?

Online child sexual exploitation and abuse in
Ghana, Côte d'Ivoire and Cape Verde

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Summary

This report examines the prevalence of online child sexual exploitation and abuse (OCSEA) in West Africa, specifically in Ghana, Côte d'Ivoire and Cape Verde, highlighting key risk factors. Data on OCSEA is scarce due to under-reporting and weak reporting mechanisms, but preliminary data indicates an acceleration in uploads since 2019. Case studies in Côte d'Ivoire, Ghana and Cape Verde reveal gaps and shortcomings in victim identification, protection and prosecution. Urgent action is required to prevent devastating consequences for individuals in West Africa.

Key points

- Risk factors for OCSEA are prevalent and increasing across the ECOWAS region.
- Limited evidence exists regarding the regional prevalence and trends of OCSEA, but preliminary findings suggest that it is more widespread than official data indicates.
- Global trends indicate that regions with weak OCSEA identification processes and under-reporting tend to have higher prevalence of OCSEA.
- Addressing the challenges of detection, investigation, prosecution and victim support requires sustained political will and greater prioritisation of OCSEA in the policy agenda.
- This is an opportune moment for ECOWAS states to take action and implement practical measures to prevent the expansion of OCSEA and strengthen identification and follow-up processes.



OCWAR-T

Organised Crime: West African Response to Trafficking

Study background and methodology

At the 2019 Africa Child Policy Forum, research presented to the African Union (AU) called Africa the ‘new frontier for online sexual abuse.’¹ The report found that African countries with the highest internet penetration demonstrate the highest prevalence of online child sexual exploitation and abuse (OCSEA). Low levels of digital awareness, among both children and their parents, make victims particularly vulnerable to abuse, with parents having little or no control over internet use. Cumulatively, this puts Africa at high risk of becoming a growing source of OCSEA.



Women and girls showing their mobile devices in Ghana

This exploratory study outlines the dynamics of OCSEA in the Economic Community of West African States (ECOWAS) region, and seeks to empower policymakers to take action to mitigate risks. The case study countries – Cape Verde, Côte d’Ivoire and Ghana – were selected as they demonstrate distinct risk factors. All have high internet penetration rates relative to the ECOWAS region, falling within the top six ECOWAS countries.²

Offline prevalence of child sexual abuse – also a risk factor – is reportedly prominent in Cape Verde, where sex tourism involving minors has been reported in popular tourist destinations, such as the islands of Sal and Boa Vista, and reports of sexual abuse have increased over time.³ Further, the National Center for Missing and Exploited Children’s (NCMEC) CyberTipline data highlighted Côte d’Ivoire as the ECOWAS country with the second highest child sexual exploitation and abuse materials (CSEAM) reports (after Nigeria) during the period 2019–2022 (at 83 982 reports in total), and Ghana as the country with the greatest acceleration between 2020 and 2021 (Chart 6).⁴

The research sought to explore the dynamics of the OCSEA markets in the focus countries. However, the extremely limited existing data (in literature and official records), and low stakeholder awareness on OCSEA in-country, complicates market analysis. Consequently, this report leverages existing evidence to sketch market dynamics in broad strokes, and focuses on mapping regional and national structures and initiatives in place for responding to OCSEA. The report aims to support stakeholders in taking action against a criminal market that has devastating implications for victims and their families.

The study draws on both primary and secondary data. The literature review covered over 200 publications in English, French and Portuguese from public and private sources, international

African countries with the highest internet penetration demonstrate the highest prevalence of OCSEA

organisations and non-governmental organisations (NGOs), as well as media analysis in English, French and Portuguese. The primary data collection included a series of 50 semi-structured interviews and a focus group discussion conducted over a period of eight months from July 2022 to March 2023. Interviewees included representatives from law enforcement agencies, governmental institutions, telecommunications/ICT regulatory authorities, the United Nations (UN) and international organisations, and local civil society organisations, together with social workers and relatives of children across the case study countries. Research was carried out in strict compliance with ethical guidelines.⁵

The GI-TOC partnered with The Ark Foundation in Ghana and the Laboratory for the Study and Prevention of Delinquency and Violence in Côte d'Ivoire to undertake this research. Both are members of the West Africa Research Network on Organized Crime, established under the framework of the Organised Crime: West African Response to Trafficking project. The GI-TOC research team also worked with an independent expert from Cape Verde. All partners contributed to data collection, analysis and validation. A validation workshop was held in Lagos in November 2022, bringing together a range of local and international experts and civil society.

To ensure data quality, the research team carried out checks at all stages of the study to ensure the reliability of the results and the homogeneity of the data collection. All partner organisations signed a service contract containing a code of conduct in which they committed themselves to respecting the procedures for administering the interviews, and to verifying the data collected.

Key terms

Child sexual exploitation and abuse (CSEA)

CSEA refers to a wide range of exploitative and abusive activities against a child.⁶ It includes sexual abuse, which is defined by the World Health Organization (WHO) as 'the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent to, or that violates the laws or social taboos of society.'⁷ It also includes the exploitative practices of extorting, distributing and consuming the materials (i.e. videos, images) which contain sexualised depictions of children against their will or informed consent, for either commercial and monetary gains or personal sexual benefits.

Online child sexual exploitation and abuse (OCSEA)

OCSEA refers to CSEA that is facilitated or conducted either partly or entirely by ICT or digital technologies, also known as tech-facilitated CSEA.

Child sexual exploitation and abuse material (CSEAM)

CSEAM refers to the materials, including imagery and videos, which depict a child engaged in explicit sexual activity.

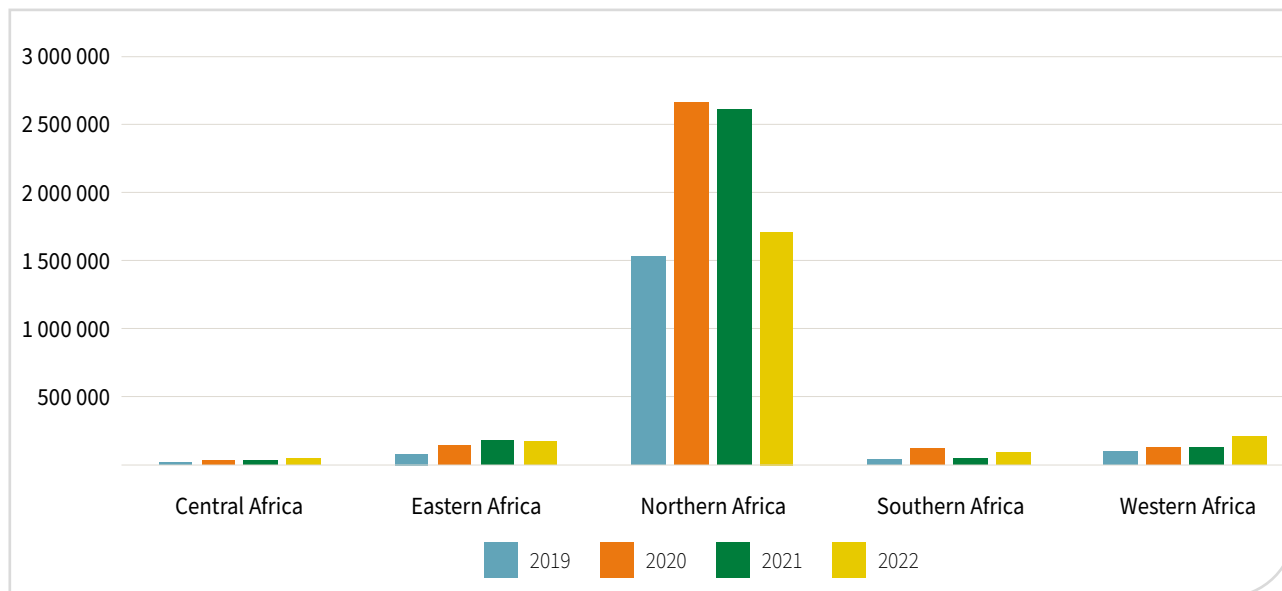
Child sexual abuse and exploitation online: A global overview

Technological advancements have not only transcended the global economic, geopolitical and social spheres, but have also transformed criminal activities and illicit markets. In the context of human trafficking, tech makes it easier and more convenient for criminals to approach and profile their potential victims, especially children. The expansion and ubiquity of the internet, mobile phones, smartphones and social media, coupled with children's early exposure to these technologies, have contributed to an alarming increase in OCSEA.

At the 2019 Global Summit to combat OCSEA, the Commissioner for Social Affairs at the AU acknowledged a clear correlation between increasing internet penetration and the rise of OCSEA in Africa, expressing concern for how this was shaping risks on the continent.⁸ These fears appear to be materialising: NCMEC confirmed an 81% increase in CSEAM uploaded from Africa between 2019 and 2020, to a total of 2.4 million reports.⁹

Across Africa, NCMEC CyberTipline reports vary significantly, with North Africa far outstripping the rest of Africa and West Africa a distant second, closely followed by East Africa (Chart 1).

Chart 1: NCMEC reports for Africa, 2019–2022



Source: NCMEC, CyperTipline Reports, www.missingkids.org/gethelpnow/cybertipline/cybertiplinedata#reports

This increase is in line with global trends. The COVID-19 pandemic catalysed a surge in the production and digital dissemination of CSEAM. The NCMEC’s CyberTipline saw CSEAM reports surge from 16.9 million in 2019 to 29.3 million in 2021 (Chart 2).¹⁰ NCMEC is a valuable source of data as electronic service providers, including internet service providers (ISPs) and social media platforms with offices in the United States, are legally required to report CSEAM on their services to the CyberTipline.¹¹

Global trends in OCSEA

The COVID-19 pandemic accelerated the digitalisation of CSEA, with significant increases in both the supply of and demand for CSEAM. As hundreds of millions of children had to switch to online schooling in a short time period, they did so without proper supervision and/or education on the digital threats and risks, and how to stay safe online.¹² At the same time, many with a sexual interest in children also switched to working more from home, finding themselves with more time and means to profile, recruit, coerce and exploit children.¹³

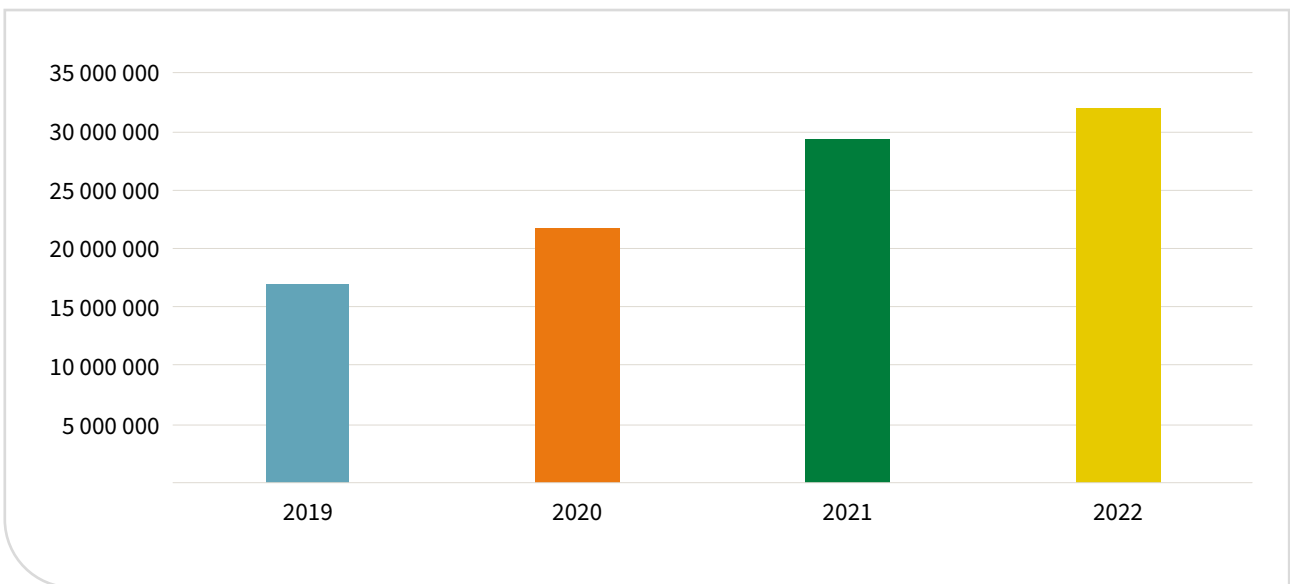
The Internet Watch Foundation (IWF), an independent online CSEAM watchdog, reported an over 1 000% increase in the number of webpages hosting CSEAM between the onset of lockdowns and January 2023.¹⁴

CSEAM has increasingly depicted ever younger children. Since 2020, the IWF has tracked sharp year-on-year increases in the number of reports they investigate depicting the abuse of children 7–10 years old – a threefold increase between 2020 and 2021,¹⁵ followed by a 60% increase between 2021 and 2022.¹⁶

Millions of children who switched to online schooling due to COVID-19 did so without proper supervision or education on the digital threats and risks



Chart 2: Global NCMEC reports 2019–2022



Source: NCMEC, CyberTipline Reports, www.missingkids.org/gethelpnow/cybertipline/cybertiplinedata#reports

Children going online at younger ages is one element of their increased vulnerability. According to a joint study by INTERPOL and ECPAT International, the younger the victim of CSEA, the more severe the abuse.¹⁷ The study, corroborated by IWF data, also found that boys were more likely to be featured in severe CSEAM than girls.¹⁸

Another alarming trend is the growing proliferation of self-generated materials that depict CSEA, nude or partially nude images, and videos of children, often created using webcams and in the child’s own room. Children may be coerced into producing these ‘self-generated’ materials, or may produce them voluntarily to share with peers or to save onto their own electronic devices, which are then leaked, used and distributed against their wishes. Self-generated CSEAM were found in 78% (199 360) of IWF reports in 2022.¹⁹

Chart 3: Age comparison for self-generated child sexual abuse imagery (1 January to 30 June of each year)

Age	2020	2021	2022	% change 2020–22
7–10	4 277	11 873	19 670	360
11–13	27 090	63 642	56 179	107
14–15	990	2 110	1 343	36
16–17	171	512	429	151

Source: Internet Watch Foundation, 20,000 reports of coerced ‘self-generated’ sexual abuse imagery seen in first half of 2022 show 7- to 10-year-olds, 8 August 2022, www.iwf.org.uk/news-media/news/20-000-reports-of-coerced-self-generated-sexual-abuse-imagery-seen-in-first-half-of-2022-show-7-to-10-year-olds/

Impact on communities

OCSEA has a life-long impact on victims and survivors.²⁰ When recorded, uploaded to the internet/cloud and distributed in digital forms such as images and videos, OCSEA is extremely difficult to remove. CSEAM will likely be circulated and shared multiple times, long after the abuse happened, thus re-victimising the survivor repeatedly, causing life-long psychological trauma and suffering.

As one survivor shared: ‘Whilst the abuse I endured as a child was horrendous, the impact it had on my adult life has been far reaching, and the impact my destructive behaviour had on my loved ones has been catastrophic. Abuse never stops when it stops.’²¹

From a survivor’s perspective, the impacts include chronic behavioural and health problems, such as depression, suicidality, memory loss, aggression, drug and alcohol abuse/addiction, anxiety, posttraumatic stress disorder (PTSD), Stockholm Syndrome, psychosexual dysfunction, reproductive health issues, child pregnancy, or even sexually transmitted diseases like HIV.²²

All of these conditions have negative health, social and economic impacts on both the victims’ families and their communities as a whole. These issues also create significant financial burdens on family members, making them more vulnerable to human trafficking and other organised criminal activities, either as a means of survival or as a negative coping mechanism.

On a community and societal level, especially in West Africa, survivors and their family members are reportedly subjected to social stigmatisation, rejection and psychological violence. It also increases the financial stress on the community in terms of increased healthcare, criminal justice and child welfare costs, as it negatively correlates to a community’s mental health status,²³ and positively correlates to its overall psychiatric cases and criminal activities.²⁴

OCSEA in West Africa: Risk factors, evidence base and focus countries

The vulnerabilities for OCSEA across West Africa mirror those around the world. Among the most important are accelerating internet penetration and expanding children’s access to the internet and electronic media, coupled with low awareness of digital threats²⁵ and widespread economic hardship. Other trends – such as fast urbanisation, growing sex tourism, political instability, conflict and natural disasters – also constitute indirect risk factors.

Regional trends

Between 2000 and 2021, West Africa’s internet usage exploded: on average, internet usage in ECOWAS states increased by 139% across this period.²⁶ By January 2022, the highest internet penetration in West Africa was in Cape Verde (61.9%) and Ghana (61.9%), alongside Nigeria (51%).²⁷

Survivors and their family members are reportedly subjected to social stigmatisation, rejection and psychological violence



Young people at an internet café in central Accra, Ghana. Due to financial hardship, many spend their days in internet cafes trying to scam people from all over the world

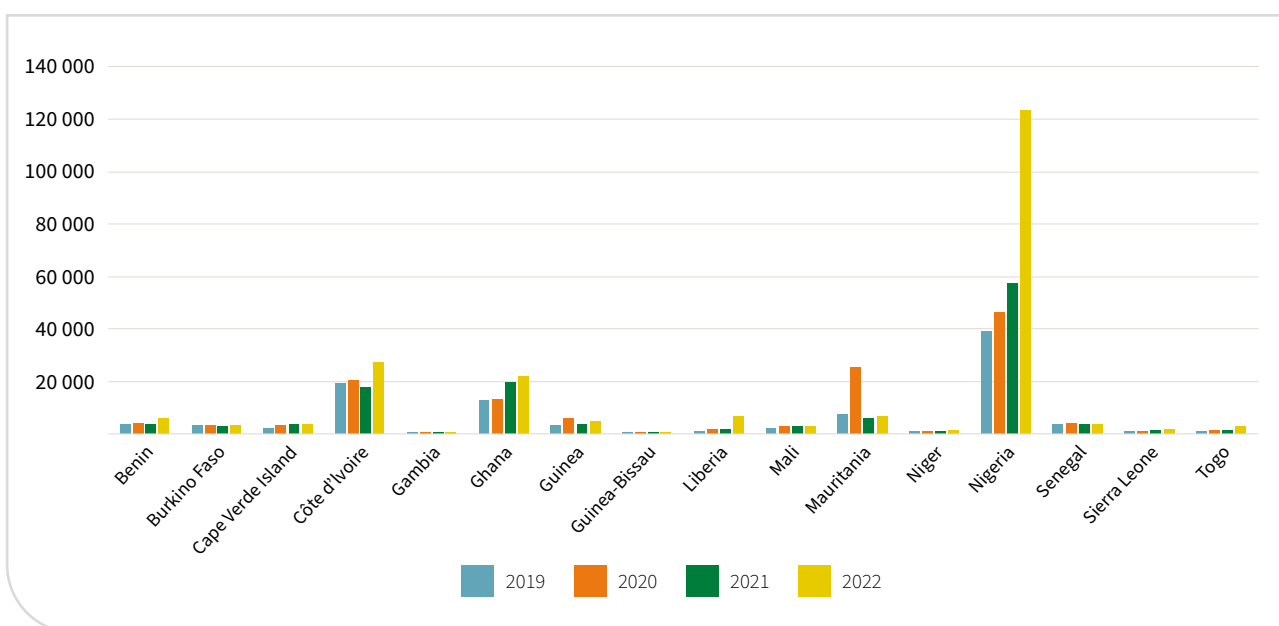
Globally, economic hardship has repeatedly been identified as a risk factor for OCSEA, as this can contribute to the enabling environment for children to be sexually exploited for financial gain by their families or other individuals.²⁸ Additional factors prominent in, although by no means exclusive to, the West African context also contribute to children’s vulnerability to CSEA and OCSEA, including:

- There is widespread gender-based discrimination, which reportedly prevents boys from being recognised as victims of CSEA and OCSEA, with many programmes addressing CSEA failing to include male victims.²⁹
- There is a high degree of violence against children, which is often normalised.³⁰
- There are local and customary practices which can enhance vulnerability, including child marriage, female genital mutilation, the superstition that men can be cured of HIV/AIDS by having sex with a young virgin girl, and ‘kayaye’.³¹ A 2019 study found that many girls from poorer northern Ghanaian regions who engaged in kayaye – working as porters in the urban centres of Accra and Kumasi to financially support their families – had been subjected to CSEA.³²
- Some of the growth in CSEA is connected to the travel and tourism sector, including reportedly in Côte d’Ivoire and Ghana.³³

Vulnerabilities are often multi-layered and consequently, in West Africa as in other regions, children with disabilities are reportedly particularly vulnerable to CSEA and OCSEA, due in part to: the lack of awareness, sexual education and health services in accessible forms to disabled children; and offenders capitalising on their disabilities, coupled with the common belief that disabled children cannot understand and control their bodies.³⁴

Up-to-date data on OCSEA in West Africa is scarce, contributing to endemic low awareness of OCSEA across the case study countries, not only among parents, guardians and caregivers, who typically did not monitor their children’s online access and activities,³⁵ but also among law enforcement, civil society organisations, social workers and judicial authorities who work on addressing CSEA.³⁶

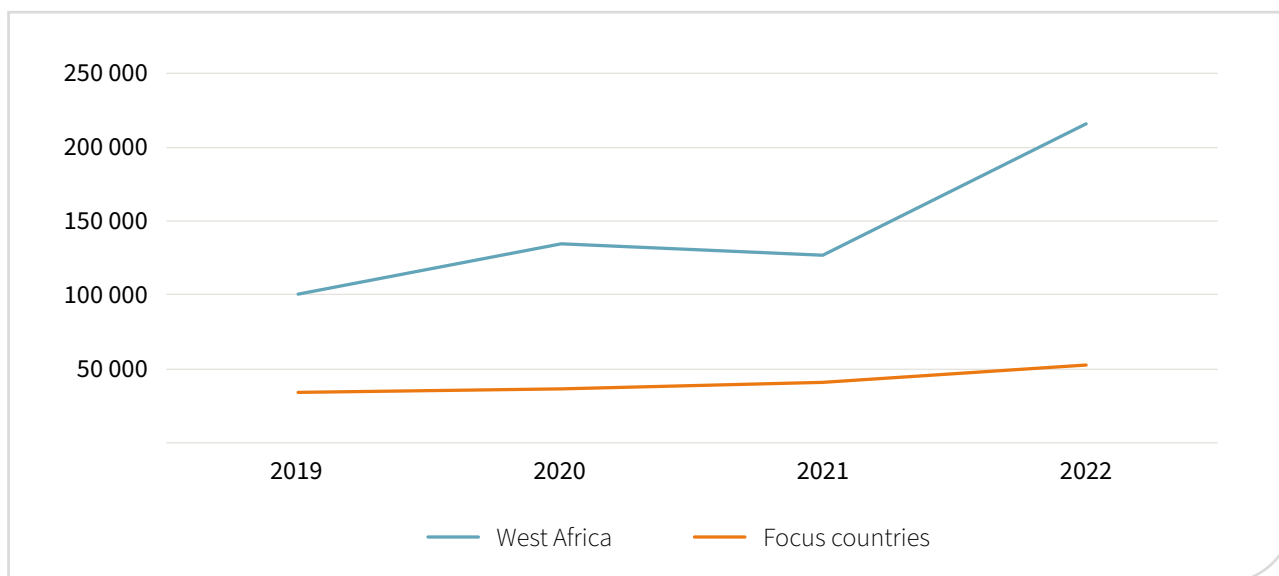
Chart 4: NCMEC reports in ECOWAS, 2019–2022



Source: NCMEC, CyberTipline Reports for ECOWAS, 2020–2022

Note: Nigeria has the largest population in ECOWAS at 206 million people – 6.6 times higher than the country with the second largest population, Ghana, which had 31 million people in 2020. Côte d'Ivoire followed third at 26 million (Worldometer, Western Africa population, www.worldometers.info/world-population/western-africa-population/). Therefore, Nigeria's large number of CSEAM reports might correspond to its population size.

Chart 5: NCMEC reports for focus countries and West Africa, 2019–2022



Source: NCMEC, CyberTipline Reports for West Africa and the three focus countries, 2020–2022

Most stakeholders in Côte d’Ivoire and Cape Verde believed that OCSEA was rare in their country, pointing to a lack of official reporting on the phenomenon as the evidence base for these conclusions.³⁷ In Ghana, the prevailing view was that OCSEA occurred and was increasing, but was still a relatively new phenomenon.³⁸

This low awareness, alongside weak reporting mechanisms, indicates that OCSEA is drastically under-reported across the case study countries. The databases that do exist point to an increase in incidents of OCSEA in the focus countries, and across the ECOWAS region more broadly, since 2019 (Charts 4 and 5).

NCMEC data points to an increase in CSEAM uploads across a number of ECOWAS countries in 2020, correlating with global online CSEAM increases over the COVID-19 pandemic. Within the ECOWAS region, the countries showing a particularly dramatic upload spike between 2019 and 2022 included Liberia (a sevenfold increase from 880 reports in 2019 to 6 375 reports in 2022), Togo (363% increase) and Nigeria (316% increase) (Chart 6).

The case study countries also belong to the top ten countries with the highest CSEAM percentage increases from 2019 to 2022 in the region, with Ghana having a 72% increase (from 12 707 reports to 21 909 reports), Cape Verde a 44% increase and Côte d’Ivoire a 43% increase (Chart 6).³⁹

The overall increase in incidents across the ECOWAS region reported by the NCMEC correlates with opinions expressed by expert stakeholders interviewed across the case study countries.⁴⁰ However, it is key to note that the increase in OCSEA reports might be driven by heightened awareness (given the many warnings from international law enforcement agencies such as Europol, INTERPOL and the FBI at the beginning of the pandemic),⁴¹ and better reporting mechanisms, rather than increases in OCSEA itself.

In parallel, the shift towards working from home during the pandemic may have triggered an increase in ‘false positives’ due to the restricted capacity of content moderators to analyse reports.⁴²

As reports of OCSEA and CSEAM surged during the COVID-19 pandemic, the capacity of law enforcement agencies to address these issues significantly decreased across many regions, including in West Africa.⁴³

In order to effectively implement the state of emergency and other pandemic-related restrictive measures, law enforcement tasked with OCSEA and other crimes was reportedly redeployed and mobilised to other thematic and geographic areas, which limited their capacity to investigate OCSEA cases and rescue victims.⁴⁴ Child protection experts and private sector representatives in West Africa reported that this redeployment appears to have persisted after the pandemic.⁴⁵

Chart 6: NCMEC reports for focus countries and West Africa, 2019–2022

	2019	2020	% difference from the previous year 2019–20	2021	% difference from the previous year 2020–21	2022	% difference from the previous year 2021–22	% difference from 2019–2022
Focus countries								
Ghana	12 707	13 178	104	19 733	150	21 909	111	172
Cape Verde Islands	2 481	3 006	121	3 855	128	3 584	93	144
Côte d'Ivoire	18 916	20 274	107	17 676	87	27 116	153	143
Other West African countries								
Liberia	880	1 926	219	1 770	92	6 375	360	724
Togo	803	1 097	137	1 391	127	2 917	210	363
Nigeria	39 052	46 610	119	57 654	124	123 256	214	316
Sierra Leone	728	958	132	1 185	124	1 676	141	230
Benin	3 480	3 977	114	3 683	93	6 203	168	178
Niger	666	700	105	828	118	1 075	130	161
Gambia	276	377	137	298	79	437	147	158
Guinea	3 438	6 277	183	3 808	61	4 559	120	133
Mali	2 258	2 942	130	2 637	90	2 930	111	130
Senegal	3 590	4 223	118	3 752	89	3 893	104	108
Guinea-Bissau	236	319	135	168	53	222	132	94
Burkina Faso	3 266	3 250	100	2 528	78	3 051	121	93
Mauritania	7 739	25 236	326	5 943	24	6 606	111	85
West Africa	100 516	134 350	134	126 909	94	215 809	170	215

Source: NCMEC, CyberTipline Reports for ECOWAS, 2020–2022

Note: Red percentages indicate an increase, whereas those in green indicate a decrease, e.g. NCMEC reports for Ghana increased 72% between 2019 and 2022, and decreased 6% between the same period for Guinea-Bissau.

Focus countries

Cape Verde

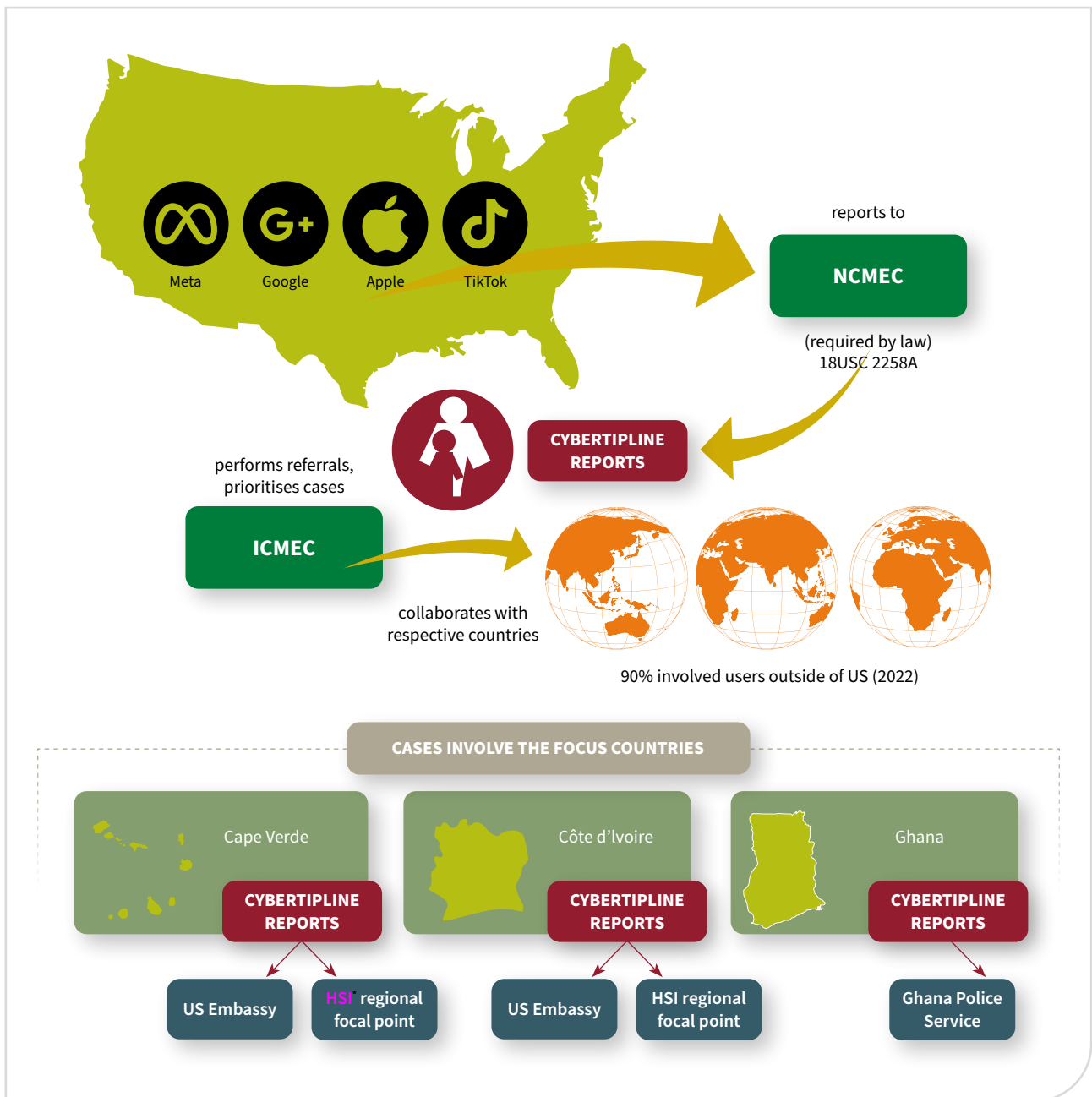
Social media use is extremely widespread across Cape Verde, with Facebook being a particularly popular platform. Facebook has repeatedly been used in reported cases of tech-enabled human trafficking in Cape Verde, predominantly for purposes of sexual exploitation.⁴⁶

Stakeholders pointed to an increase in cyber-related crimes that has tracked with increasing internet access.

The increase in OCSEA reports might be driven by heightened awareness and better reporting mechanisms

According to a retired police investigator, in 2019 there was an average of 5 to 10 internet-related cases per inspector in Cape Verde.⁴⁷ In 2022, the number increased to more than 50 cases per inspector, the majority of which were complex cases requiring international cooperation. In 2020, the Children and Youth Forum highlighted OCSEA as a concern in the country.⁴⁸ The commercial sexual exploitation of boys and girls in the tourism industry on the islands of Sal and Boa Vista may add to the risk indicator of online exploitation.⁴⁹

Chart 7: How NCMEC CyberTipline reports and the International Centre for Missing and Exploited Children (ICMEC) work



Source: GI-TOC, based on online interviews with NCMEC, ICMEC, industry actors and respective stakeholders, between January and March 2023
 Note: * HSI =

Data on registered cases of OCSEA in the country is scarce, according to stakeholders.⁵⁰ The Cape Verdean Institute of Children and Adolescents (ICCA), which is responsible for coordinating the country’s child protection policy through establishing guidelines and protocols for the public and private sectors, registered no reports of OCSEA between its establishment in 1982 and December 2022.⁵¹

The Polícia Judiciaria reported recent records of two cases of OCSEA, one in 2020 and one in 2021.⁵² Contrary to the low number of registered cases, the country’s NCMEC reports show Cape Verde was among the top five countries with the highest growth of OCSEA in the region between 2019 and 2021.⁵³

In Cape Verde, prominent among cases of OCSEA identified by stakeholders are instances of ‘sextortion’ and ‘revenge pornography’, where the offenders, both Cape Verdeans and foreign nationals, used a child’s own (often self-generated) sexually suggestive or intimate images or recordings to extort that child to obtain

Internet fax and telephone shop in the town centre of Sal Rei, Boa Vista, Cape Verde Islands



sexual favours or financial gains.⁵⁴ However, state and non-state stakeholders working on OCSEA agreed that under-reporting masked the real, materially larger scale of OCSEA in Cape Verde.⁵⁵

Côte d'Ivoire

In line with regional trends, increased OCSEA risks in Côte d'Ivoire are being shaped by a rapid expansion of mobile internet, with a threefold increase between 2016 and 2022.⁵⁶ Internet usage is prevalent and expanding among children and youth. For example, 2021 data found that 13–24 year olds accounted for one-third of Facebook and WhatsApp users, and over 40% of Instagram users in Côte d'Ivoire.⁵⁷ This enhances children's digital and OCSEA risks.

In a 2019 United Nations Children's Fund (UNICEF) survey, about a quarter of 35 000 young Ivorians between the ages of 13 and 24 reported having been harassed online. One-third reported their photos and videos had been shared without their consent.⁵⁸ In a situational analysis of Côte d'Ivoire conducted by SOS Violences Sexuelles, ECPAT France and ECPAT Luxembourg in 2016, of the 249 identified child victims of CSEA who were exploited in forced sex work, 70.8% reported using ICT to contact their sex offenders.⁵⁹

At about 21 000 reported upload incidents of CSEAM per year between 2019 and 2022, Côte d'Ivoire has the highest number of NCMEC reports among the case study countries and the second highest (after Nigeria) among West African countries between the same period (Chart 4). Nevertheless, public awareness of OCSEA and cases recorded by the Ivorian authorities are extremely low. Although difficult to triangulate given the dearth of available data, interviewed stakeholders overwhelmingly affirmed that OCSEA has been on the rise in the country.⁶⁰

Criminal networks in Côte d'Ivoire are reportedly increasingly involved in a range of tech-enabled trafficking and other cyber-related crimes, including OCSEA. Although the victim profile includes both children and adults, the increase in broader tech-enabled trafficking offences is likely to feed into increases in OCSEA.

According to INTERPOL and the FBI, criminal networks based in the country are reportedly professionalised in the use of sextortion schemes, use a range of coercion techniques (including leveraging sensitive personal information on the victims for blackmailing purposes) and are mainly motivated by financial gains.⁶¹ The FBI highlighted that networks operating in Côte d'Ivoire are part of a concerning increase in financial sextortion schemes targeting underage boys in the United States.⁶²



Business district of Le Plateau in Abidjan, Côte d'Ivoire

Ivorian networks have also used a range of techniques online to lure individuals into contexts of sexual exploitation, including in high-risk areas such as gold mines, high-risk jobs such as modelling and casting advertisements (a technique also tracked in Cape Verde) and fictitious holiday jobs. Underage girls have reportedly been lured by gangs and then been sexually abused on film, under the influence of narcotics.⁶³

Anecdotal evidence suggests that the exploitation of children in forced sex work is particularly prevalent in Abidjan.⁶⁴ Networks reportedly leverage existing recruits for further recruitment through word of mouth.⁶⁵

The increase in broader tech-enabled trafficking offences is likely to feed into increases in OCSEA

Ghana

Ghana, alongside other ECOWAS countries, experienced a 49.13% growth in internet usage between 2000 and 2021,⁶⁶ with cheap mobile devices and smartphones increasingly available. Internet use grew even more sharply among children: UNICEF figures tracked a spike in the proportion of Ghanaian children accessing the internet and subscribing to social media sites, from 10% in 2010 to 73% in 2021.⁶⁷

Yet, many young people in Ghana do not know how to stay safe online.⁶⁸ Results from a 2016 global poll carried out by UNICEF and IPSOS showed that about 63% of surveyed children in Ghana had engaged in risky behaviours online, such as adding people they have never met physically as friends, and sending videos or pictures of themselves to people they have never met.⁶⁹

The survey found that 82% are at risk of being sexually abused or taken advantage of online. These risks are materialising: in a 2018 survey, UNICEF found that sending and sharing pornographic images was among the most common forms of child abuse in Ghana.⁷⁰

According to the Country Representative of UNICEF Ghana, Anne-Claire Dufay, the numbers of CSEAM reports in the country increased from 750 to 7 000 between 2016 and 2019.⁷¹ Dr Albert Antwi-Boasiako, Director General of the Cyber Security Authority, publicly stated that over 13 000 images and videos containing CSEAM were obtained from Ghana in 2020 alone.⁷²

Ghana's NCMEC CyberTipline reports show a sustained trend – tracking a 72% increase in CSEAM uploaded or shared in Ghana between 2019 and 2022 (from 12 707 reports in 2019 to 21 909 reports in 2022), making it the ECOWAS country with the sixth highest percentage increase in NCMEC reports. Although this could

The Kejetia market in Kumasi, Ghana – the biggest market in West Africa



be driven by enhanced reporting measures, stakeholder interviews corroborated a growth in OCSEA over this period, while recognising that the evidence base underpinning these perceptions is incomplete.

For example, representatives of the Child Online Protection Reporting Portal division of Ghana's National Cyber Security Authority supported NCMEC data, and identified a relatively high risk of OCSEA in Ghana based on surveys conducted in six senior high schools in October 2022.⁷³

There is also evidence of growth in a number of recognised OCSEA risk factors in Ghana. For example, sexting is reportedly a high-risk factor which can precede self-generated OCSEA materials.⁷⁴ Since 2020, UNICEF Ghana reported an increase in sexting, confirmed by an exploratory study on sexting among high school students; almost a quarter of the surveyed students reported having sent and shared 'sexts' and self-generated sexual materials using mobile phones.

Those who possessed smartphones and/or with low self-esteem were more likely to engage in sexting, while self-gratification, and relationship and social pressures were among the main reasons why they sexted.⁷⁵ Growth in sexting in Ghana was also confirmed in a 2021 WeProtect global OCSEA threat assessment.⁷⁶

Regional challenges in responding to OCSEA in West Africa

At a continental level, the AU has recognised OCSEA as a challenge,⁷⁷ organising the first summit on OCSEA in 2019.⁷⁸ This was an important step in enhancing policymakers' focus on OCSEA. AU members additionally committed themselves to implementing WeProtect Global Alliance's Model National Response⁷⁹ framework and developing national policies to tackle CSEA.⁸⁰

However, several international and local NGOs claim that the topic of OCSEA is not high enough on the AU's agenda.⁸¹ At the 2019 AU OCSEA summit, representation from ECOWAS countries was lower than from East and southern Africa.⁸²

At the regional level, the ECOWAS Child Policy 2019–2030 recognises the vulnerability of children in the use of the internet, marking an important step in drawing attention to OCSEA. However, the associated

Sexting is a high-risk factor which can precede 'self-generated' OCSEA materials

plan of action does not provide concrete objectives or guidance for policymakers apart from advocating for the establishment of a Child Rights Desk.⁸³ Further leadership is therefore required on this key topic.

Stakeholders repeatedly highlighted the lack of collaboration between law enforcement and the private sector, both at the national and regional levels, as a key challenge. This manifested in the lack of intelligence and data sharing between government entities, law enforcement and the

private sector, especially foreign-based companies, where linguistic barriers also play a significant role. Private sector entities perceived OCSEA not to be high on the agenda of state institutions.⁸⁴

The lack of collaboration with the tech sector is problematic as it is crucial in combating OCSEA, especially in building capacity with the tech know-how needed to carry out public awareness campaigns, educational training, online investigations and prosecutions.

Ivorian legal experts reported that the differences between national and international legislation are causing challenges for cross-border cooperation and prosecution of cases.⁸⁵ These include discrepancies in evidentiary laws, which leads to variations in what is considered to count as evidence, and creates legal loopholes which criminals can capitalise on.⁸⁶

Finally, interviewed experts and stakeholders affirmed that language barriers also hinder cooperation between anglophone, lusophone and francophone countries in the ECOWAS region.⁸⁷

Focus countries: Institutional, legal and civil society responses to OCSEA

Legal frameworks

There are a number of international legal frameworks, conventions and protocols that address CSEA, both online and in general. Chart 8 provides an overview of the ratification status of these in the focus countries (for more details, see Annex I). Note that where a country has signed a convention, this typically means further domestic approvals are required before full ratification.

Chart 8: Country compliance with regional and international legal frameworks

Obligations from specific Act	Cape Verde	Côte d’Ivoire	Ghana
United Nations Convention on the Rights of the Child (CRC)	Ratified on 04/06/1992	Ratified on 04/02/1991	Ratified on 05/02/1990
United Nations Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography (CRC-OP-SC)	Ratified on 10/05/2022	Ratified on 19/09/2011	Signed on 24/09/2003
United Nations Optional Protocol on the involvement of children in armed conflict (CRC-OP-AC)	Ratified on 10/05/2022	Ratified on 12/03/2012	Ratified on 09/12/2014
African Charter on the Rights and Welfare of the Child	Ratified on 20/07/1993	Ratified on 01/03/2002	Ratified on 10/06/2005
United Nations Convention against Transnational Organized Crime (UNTOC)	Ratified on 15/07/2004	Ratified on 25/10/2012	Ratified on 21/08/2012
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo protocol)	Ratified on 15/07/2004	Ratified on 25/10/2012	Ratified on 21/08/2012
Council of Europe Convention on Cybercrime (Budapest Convention)	Ratified on 19/06/2018	Signatory and invited to accede	Ratified on 03/12/2018
African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention)	Ratified on 13/11/2020	-	Ratified on 13/05/2019
Supplementary Act A/SA. 1/01/10 on Personal Data Protection within ECOWAS (SAPDP-ECOWAS) (2010) [*]	Ratified on 16/02/2010	Ratified on 16/02/2010	Ratified on 16/02/2010
Directive C/DIR. 1/08/11 on Fighting Cyber Crime within ECOWAS (2011) [*]	Ratified on 19/08/2011	Ratified on 19/08/2011	Ratified on 19/08/2011
Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)	-	-	-

Source: Compiled by authors

Note: ^{*} Supplementary Acts and directives are legally binding to all member states. These dates are the day the Act/directive was signed.

At the regional level, in 2015 ECOWAS adopted the Supplementary Act on Cybersecurity and Data Protection, which criminalises the production, distribution and possession of tech-facilitated sexual exploitation of children. The Act is binding to all member states and encourages them to establish and enforce national legislation to combat any form of child sexual exploitation. Law enforcement experts clearly voiced the need for harmonised definitions and legal proceedings across the region to avoid room for interpretation and criminal exploitation.⁸⁸

National regulatory frameworks often lag behind OCSEA trends, hampering investigation and prosecution. Comprehensive criminalisation of all aspects of CSEA and OCSEA is key as child sex offenders, and networks producing OCSEA, are known to ‘jurisdiction shop’, moving to countries with lax legislations and leveraging legal loopholes.⁸⁹

Recognising this, in 2006, the ICMEC launched the first model legislation, and offered a ‘menu’ of recommended concepts to be considered when drafting anti-CSEAM legislation. Compliance of the focus countries with these recommended approaches – which is high overall – is outlined in Chart 9.⁹⁰

Chart 9: Penalties for various OCSEA offences

Offence/Country	Cape Verde	Côte d’Ivoire	Ghana
Legislation specific to CSEAM (If yes, penalties set out in legislation, including years of imprisonment (YI) and fine)*	Yes Article 9 of the Cybercrime Law (Law No. 8/IX/2017); Article 144 and 145 of the 4th Revision of the Penal Code (Law No.117/IX/2021); Legislative Decree No. 4/2015	Yes Penal code article 405, provisions on indecent assault articles; Cybercrime law 2013-451 of 19 June 2013, Article 18	Yes Section 62 of the Cybersecurity Act 2020
	3–8 YI (16–18 years old), 4–10 YI (under 16 years old)	1–5 YI, fine US\$33 436–66 883	5–10 YI and/or fine 2 500–5 000 penalty units, equivalent to US\$2 704–5 407**
‘Child Sexual Abuse Material’ defined (If yes, penalties set out in legislation, including years of imprisonment (YI) and fine)	Yes Article 141 of the 4th Revision of the Penal Code (Law No.117/IX/2021)	Yes Cybercrime Law No. 2013-451; Article 27 and 28 of the Law No. 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour***	Yes Section 62 of the Cybersecurity Act 2020
	4–6 YI (under 16 years old), 4–8 YI (16–18 years old) Article 150 of the 4th Revision of the Penal Code (Law No.117/IX/2021)	5–10 YI, fine US\$8 352–83 521	5–10 YI and/or fine 2 500–5 000 penalty units, equivalent to US\$2 704–5 407
ISP reporting†	No	Yes	No
Specific CSEAM offences			
Simple possession (If yes, penalties set out in legislation, including years of imprisonment (YI) and fine)	Yes Article 9 of the Cybercrime Law (Law No. 8/IX/2017)	Yes Article 27 of the Law No. 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour	Yes Same penalty for production and distribution, provided in Section 62 of the Cybersecurity Act, 2020 (1038)
	1–4 YI	5–10 YI, fine US\$8 352–83 521	5–10 YI and/or fine 2 500–5 000 penalty units, equivalent to US\$2 704–5 407

Production using a child through electronic means (If yes, penalties set out in legislation, including years of imprisonment (YI) and fine)	Yes Article 9 of the Cybercrime Law (Law No. 8/IX/2017)	Yes Article 27 and Article 28 of the Law No. 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour	Yes Section 62 of the Cybersecurity Act, 2020 (1038), penalties from 5–10 years; Domestic Violence Act, with penalties ranging up to 25 years depending on the severity; Electronic Transactions Act, with penalties ranging up to 15 years imprisonment
	2–8 YI	5–10 YI, fine US\$8 352–83 521	5–10 YI and/or fine 2 500–5 000 penalty units, equivalent to US\$2 704–5 407
Distribution (If yes, penalties set out in legislation, including years of imprisonment (YI) and fine)	Yes Article 9 of the Cybercrime Law (Law No. 8/IX/2017)	Yes Article 27 of the Law No. 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour	Yes Section 62 of the Cybersecurity Act, 2020 (1038)
	1–5 YI	5–10 YI, fine US\$8 352–83 521	5–10 YI and/or fine 2 500–5 000 penalty units, equivalent to US\$2 704–5 407
Online grooming	Yes Article 149 of the 4th Revision of the Penal Code (Law No. 117/IX/2021)	Yes Article 404 of the new Penal Code	Yes Section 63 of Cybersecurity Act, 2020 (1038)
	Under 16 years of age: 6–12 YI Between 16–18 years of age: 4–8 YI		5–15 YI

Source: ICMEC, Child Sexual Abuse Material: Model Legislation & Global Review, 2018, <https://cdn.icmec.org/wp-content/uploads/2018/12/CSAM-Model-Law-9th-Ed-FINAL-12-3-18-1.pdf> and author analysis

Notes: The term ‘child pornography’ is used as a legal definition in the three countries, despite the fact that its use is misleading. Given that children are not yet mentally or physically mature, they cannot be fully aware of the activities that they might have been coerced into. The involvement of children in such materials should therefore not be defined as pornography, but as ‘child sexual abuse or exploitation’. Inaccurate use of terminology can downplay the exploitative nature of the phenomenon, as well as imply some degree of legitimacy from the perpetrator’s side and compliance from the child victim’s side.

* Penalty unit equivalence is based on the foreign exchange rates for US dollars on 16 and 17 May 2023.

** According to the Fines (Penalty Units) (Amendment) Instrument 2005 [L.I. 1813], a penalty unit is GH¢12, www.moretaxconsulting.com/post/tax-compliance-in-ghana-interest-penalties-and-fines-can-bite-very-hard.

*** See www.coe.int/en/web/octopus/-/cote-ivoire and www.ilo.org/dyn/natlex/docs/MONOGRAPH/85243/95376/F693526342/CIV-85243.pdf.

† ICMEC, Child sexual abuse material: Model legislation & global review (9th Edition), 2018, www.icmec.org/child-pornography-model-legislation-report/.

The focus countries have amended existing regulatory frameworks to address tech-enabled trafficking and have ratified the UN Palermo Protocol on human trafficking where relevant provisions are included, although the continued use of the incorrect term ‘child pornography’, and the lack of required ISP reporting of suspected CSEAM can feed into low OCSEA awareness, and hinder investigation and prosecution of OCSEA offences.

Cape Verde

Although Cape Verde’s 2017 cybercrime law, amended in 2021 to include several new offences, penalises OCSEA (Law No. 8/IX/2017), it makes no reference to the private sector’s duty to collaborate with law enforcement, especially regarding ISP reporting of suspected CSEAM, which can significantly hinder OCSEA investigations, victim identification and rescue, and prosecutions.

Côte d'Ivoire

Although Côte d'Ivoire's penal code and cybercrime law explicitly criminalise 'child pornography', the definition of CSEAM included in the Cybercrime Act does not include the depictions of a child's sexual organs.⁹¹ Further, knowingly accessing CSEAM through any ICT devices or systems is not criminalised, which might encourage certain criminal behaviours such as only accessing the illicit materials instead of possessing/downloading them locally (e.g. via participating in certain member-only forums).

Côte d'Ivoire's laws do not include provisions which exclude the criminal liability of a child exploited in the sex industry, who might be subject to criminal prosecution if they solicit or attempt to solicit publicly, nor of those involved in the production and distribution of self-generated CSEAM.⁹² This creates a legal loophole in which criminals could shift the blame and legal liability towards the child victims.

The principle of non-criminalisation of victims

It has been found that victims of OCSEA are more likely to be re-exploited, enter commercial sex work as adults, and/or engage in criminal activities as they try to navigate through the mental, physical and social consequences of abuse on them and their families/communities.⁹³ These criminal activities, sometimes carried out as a negative coping mechanism to earn a livelihood, especially in the absence of alternative licit opportunities in their communities, can range from juvenile delinquency, abuse, smuggling or trafficking of illicit substances, to engagement in the production and distribution of CSEAM, especially self-generated materials.⁹⁴ Victims may even become traffickers themselves, thus trapping the victim-survivors in a vicious circle. OCSEA victims and survivors should therefore be treated as such, instead of being criminalised and prosecuted for the behaviours and activities which their exploitation has inextricably led to.

Ghana

Ghana's Cybersecurity Act 2020 (Act 1038) provides that the production, transmission and distribution, sale and possession of tech-facilitated CSEAM are considered criminal offences (s62). However, these criminal offences are underpinned by the term 'sexually explicit conduct', which is not itself defined in law. In order to ensure appropriate application of the law, these terms should be defined.

While the Ghana Cybersecurity Act does not explicitly mention cyberbullying or sexting, these activities can, however, be prosecuted on the basis of the infringement of a child's safety, dignity and development under other laws and regulations, such as the Criminal Offences Act, 1960 (Act 29) and the Children's Act, 1998 (Act 560). The provision of therapeutic support, including emergency psychological care for children, as required by the Lanzarote Convention, is not provided for in the Cybersecurity Act, restricting the institutional care and protection required for OCSEA child victims.

Institutional infrastructure

The three focus countries have different institutional approaches and mandated governmental entities to respond to CSEA, OCSEA and CSEAM. While Côte d'Ivoire and Ghana have dedicated digital forensics laboratories to detect and investigate OCSEA and remove CSEAM,⁹⁵ Cape Verde responds to OCSEA through several governmental institutions that work independently.⁹⁶ For more detail on the institutional infrastructure in each country, see Annex II.

Overall, government stakeholders need to lead national efforts to address the prevention, protection and prosecution of sexual crimes against children. Experts from the three countries, as well as from international UN and law enforcement agencies, called for increased leadership from the governments to engage in closer

and stronger partnership with the private sector and civil society.⁹⁷ Some praised current collaboration efforts, such as that between the IWF and several ministries of Ghana and Côte d'Ivoire in establishing and running an IWF Reporting Portal for their countries.

Hotlines and helplines

All three countries have infrastructures that support child protection mechanisms. In particular, they all have technical procedures in place in the form of national child helplines and hotlines to assist and remove abusive content, and maintain multi-sectoral cooperation between national entities and departments.

None of the focus countries, indeed none of the ECOWAS member states, are members of the INHOPE member hotlines, a global network of hotlines combating online CSEAM.⁹⁸ As a result, the ECOWAS region is missing out on experience and intelligence sharing from the other 50 hotlines in 46 countries (as of December 2022).⁹⁹

Differences between OCSEA/CSEA hotlines and helplines

Child helplines:

- provide children, vulnerable youth, (potential) victims of (O)CSEA and their families with support and counselling services, contacts to legal services, and other youth-related assistance such as online safety issues;
- specialise in providing support related to self-generated sexual materials and CSEAM; and
- provide support to professionals working with children and (potential) victims of (O)CSEA.

OCSEA hotlines:

- provide an anonymous and safe place for the public/civil society/law enforcement to report and remove CSEAM;
- focus on reporting and removing the illicit contents of OCSEA and CSEAM, or on investigation and victim identification/rescue, rather than victim assistance; and
- often employ a team of analysts who monitor, assess and classify whether the content is legal or illegal – CSEAM or non-CSEAM.



Cape Verde

Through the ICCA, Cape Verde provides the toll-free number 800 1010 or 132 (police number) for reporting all violations of children's rights, including situations of OCSEA. However, there is no specific, mandated national hotline for OCSEA and the commercial sexual exploitation of children (CSEC), or an institutional helpline dedicated to OCSEA victim assistance.

Given the size of Cape Verde, an isolated OCSEA hotline might not be favourable, especially if a lack of coordination between the public entities leads to a duplication of report numbers. In line with this, it is key to ensure that staff at the broader hotline are sufficiently trained in identifying and supporting OCSEA victims, and coordinating with the authorities for investigation and removal of the content.

Côte d'Ivoire

The toll-free number 116 '*Allô, enfants en détresse*' (Hello, children in distress), managed by the Ministry of Women, Family and Children, acts as both a child helpline and a national hotline to report and denounce violations of children's rights.

In 2018, the 116 line received more than 3 000 calls related to a variety of violations (e.g. abuse, child forced marriage, neglect, disappearance, abandonment, economic exploitation, denial of schooling or physical violence), of which more than 2 000 were investigated.¹⁰⁰ From 2021, the line also reportedly included a web form and mobile application to allow geolocation sharing, so that children in need could be located and supported.¹⁰¹

In addition, aiming to facilitate OCSEA reporting by international internet users and/or foreigners living in the country, the IWF, in collaboration with several Ivorian ministries, including the Ministry of Women, Family and Children and the Ministry of Digital Economy and Post, launched the IWF Côte d'Ivoire Reporting Portal, which allows for both French and English reporting.¹⁰²

While this is a welcome initiative, having multiple isolated reporting channels might duplicate reports, complicate investigations and delay victim rescue or intervention. A good practice is to have one central, dedicated hotline for different forms of exploitation, if necessary to combine with child trafficking.

Ghana

The Domestic Violence and Victims Support Unit Helpline of the Ghana Police Service receives and coordinates action for reports of abuse against women and children. Although there is no specific focus on OCSEA, it is included in this channel.¹⁰³

Similar to Côte d'Ivoire, aiming to encourage OCSEA reporting which involves Ghanaian children by international internet users, the IWF, in collaboration with several governmental institutions, including the Ministry of Communications and the National Cyber Security Centre, runs the IWF Ghana Reporting Portal, which allows for reporting of OCSEA and CSEAM in multiple languages including English, French, Arabic and Spanish.¹⁰⁴

Gaps in protection and prevention

Across the three countries, there are significant gaps in protection and prevention, including a lack of awareness and understanding of the problem, inadequate resources, poor coordination between agencies and organisations, insufficient training for frontline workers, limited policy enforcement and limited access to support services for victims.

Against this backdrop, neither Côte d'Ivoire nor Ghana has a national action plan to combat CSEA specifically.¹⁰⁵ Further, their national strategies and action plans to enhance child protection and combat trafficking and child labour do not specifically focus on CSEA.¹⁰⁶

According to the 2022 Out of the Shadows Index for overall child protection against CSEA, Ghana and Côte d'Ivoire were ranked 42nd and 54th, respectively, out of 60 countries (Cape Verde was not included in the

index), highlighting the urgent need for the countries to prioritise efforts to prevent and respond to OCSEA.¹⁰⁷

The COVID-19 pandemic has aggravated challenges facing victim identification, protection and prosecution. Stakeholders in the region shared that, in addition to the decreased law enforcement and policing efforts, the lack of physical meetings brought about by the COVID-19 pandemic led to a disruption of informal information sharing and cross-country/regional collaboration.

Victim identification and crime reporting

Victim identification and reporting across the three focus countries is hampered by four central gaps and shortcomings.

Low awareness and persisting stigmatisation of OCSEA victims

In general, the extremely low awareness of OCSEA among the public, law enforcement and governmental authorities, and even among the families of victims and survivors themselves, is a major barrier to victim identification, intervention and rescue. It also hinders survivors' rehabilitation after abuse. Victims' parents/guardians are reportedly unwilling to report OCSEA cases, or are unaware of what was happening to their children, partly due to their own low understanding of the digital risks and threats that their children are exposed to.¹⁰⁸

The lack of appropriate and informed support from family members, coupled with low awareness of OCSEA and associated social stigma, has likely led to victims and survivors feeling further trapped, isolated and alone.

Under-reporting and lack of aggregated data to assess prevalence and trends

Low awareness and victim stigmatisation have led to OCSEA cases being under-reported. If victims do not identify themselves as such, they do not report.¹⁰⁹ In all three case study countries, according to the interviews with stakeholders working on OCSEA,¹¹⁰ there are significant discrepancies between numbers of reported and actual cases.

The absence of a standardised, central reporting mechanism and database, for example in Cape Verde,¹¹¹ has led to a lack of aggregated OCSEA data, making it challenging to depict trends and assess prevalence, which are required to design effective strategies across the relevant illicit markets of OCSEA and cyber-related crimes.¹¹² National statistical data does not reflect the reality on the ground. For example, in the Cape Verdean database at the Polícia Judiciária, only two cases were registered in total for 2020 and 2021, but stakeholders report that there are more.¹¹³

Low responsiveness to OCSEA reports

Between the NCMEC CyberTipline, INTERPOL's International Child Sexual Exploitation (ICSE) database, and the various reporting portals of the IWF, the focus countries have access to a number of national and global reports on OCSEA and CSEAM.¹¹⁴ However, due to a lack of human and financial resources, stakeholders are not able to act on these reports in an adequate and timely manner.¹¹⁵

This is partly also a structural challenge: only Ghana currently has a designated unit (the Ghana Police Service) to act on the CyberTipline and ICSE reports. It is therefore crucial that Côte d'Ivoire and Cape Verde also designate specific national units and focal points (such as a cybercrime unit or specialised national police force) to act on OCSEA reports timeously.

Lack of adequately capacitated human resources and funding

Experts from the government, law enforcement and civil society in all three countries indicated that the lack of funding, human resources and tech know-how significantly hampered OCSEA victim identification and reporting in their countries.¹¹⁶ Despite the specialised technical training and equipment provided to

Neighbourhood watch, Nigeria



their national police force and investigators, the rapid speed of technological development, including new social media platforms and the ever-changing modus operandi of perpetrators, reportedly renders technical training largely outdated.

Experts from the multilateral organisations that provide specialised technical training to criminal justice practitioners expressed concern that high turnover of personnel (particularly through redeployment to other units/roles) undermines the impact of training.¹¹⁷ This leads to a loss of expertise in addressing OCSEA.

Illustratively, Côte d'Ivoire's Platform for Combating Cybercrime is responsible for analysing, mapping and investigating OCSEA-related data and social media accounts, as well as infiltrating criminal networks. They had only 15 police officers mandated to deal with an average of 5 000 reports annually.¹¹⁸ In Ghana, the head of Child Online Protection at the national Cyber Security Authority signalled the need for further training on the NCMEC database and its CyberTipline reports to enhance their usage and action by personnel.¹¹⁹

Lastly, interviewed experts expressed concerns¹²⁰ over the centralisation of funding, operations and policy debate in capital cities, as well as the concentration of human resources in urban areas, which has likely led to the neglect of child protection necessities in rural and remote regions.

Victim protection and support

Legally mandated procedures for victim protection and support are reportedly lacking. Government entities across the case study countries mostly rely on under-resourced and under-funded NGOs and civil society organisations working on trafficking to provide victim support services.¹²¹ The referral process is often carried out through personal contacts between the respective parties, rather than institutionalised processes, and operates outside a legal framework.¹²²

The focus countries lacked common elements of victim support across the process of identification, legal investigations and rehabilitation. Experts from Côte d'Ivoire pointed to the lack of systematic legal assistance for child victims, noting that this gap needs addressing, and that a lawyer must automatically be assigned to the victims at the expense of the state. The country's child protection system mandates a public prosecutor to take care of CSEA

Low awareness and victim stigmatisation have led to OCSEA cases being under-reported, with significant discrepancies between numbers of reported and actual cases

cases. However, due to lack of resources, in reality there is no designated lawyer for CSEA (including child sexual exploitation online and offline) cases.¹²³ Social workers expressed concerns that victims are not guaranteed protection, confidentiality or discrimination-free practices.¹²⁴

The Lanzarote Convention requires intervention programmes to be put in place and monitored for both potential and convicted sex offenders. Such programmes were not in place in the case study countries. In Ghana, according to the Domestic Violence and Victim Support Unit, the unit is planning to introduce a sex offenders register to its crime prevention activities to serve as a deterrent.¹²⁵

Prosecution

Low technical capabilities among law enforcement and criminal justice officials are a key challenge hampering prosecution. While laws governing the admissibility and use of evidence are in place, law enforcement lack knowledge about how to preserve digital evidence, and judges and prosecutors often are not capacitated to recognise, understand and accept digital evidence.¹²⁶

High stigma attached to sexual offences has also contributed to few cases of OCSEA being prosecuted. Parents reportedly do not want cases of their children to be investigated and prosecuted in court.¹²⁷

In some instances, the victim's parents allegedly agreed to negotiate with the perpetrators. Perpetrators reportedly offered them a large sum of money, and deceived the parents into thinking that the CSEAM would be destroyed/removed, in order to get parents to drop the case and charges. These out-of-court settlements sometimes hindered the legal process.¹²⁸ Law enforcement in Ghana, recognising these constraints, reported being more focused on removing the CSEAM from the internet than in prosecuting offenders.¹²⁹

Common obstacles preventing victims and witnesses of OCSEA from cooperating in criminal proceedings reportedly include slowness of the judicial process, bureaucracy leading to a prolonged investigation and prosecution, and the absence of a victim-centred approach. For example, survivors often have to appear in court several times for hearings, which heightens the risk of re-victimisation. Foreign victims often prefer to return to their country of origin instead of filing a complaint without knowing the timeframe of the process.

Promising practices

This section outlines promising practices undertaken in Cape Verde, Ghana and Côte d'Ivoire to combat sexual violence against children and adolescents, including OCSEA.



Togolese children playing with an iPad

Raising awareness

Governments in the three focus countries have increasingly implemented awareness-raising campaigns for children and caregivers on the signs of child sexual exploitation, internet security, protection of personal data as well as services in online social networks.¹³⁰ In Ghana, the National Cyber Security Authority created a children’s advisory page highlighting the different forms and types of cybercrime such as cyberbullying, cyber grooming and revenge porn, and other guidelines for children, parents and guardians.¹³¹

Many campaigns have adopted a multi-stakeholder approach: the 2022 ‘Help Children be Children’ campaign and launch of the Child Safety Online Africa Portal in Ghana was one such example, constituting a partnership between the United Nations Office on Drugs and Crime (UNODC), the MTN Foundation, IWF, Meta, ICMEC and Child Helpline International.¹³²

Leading involvement of the tech sector is a particularly promising element. Cape Verde’s 2021 ‘Do Not Touch My Body Campaign’ was also a joint initiative, between the Association of Disadvantaged Children and the government’s ICCA, to raise awareness among children and teachers on the signs of child sexual exploitation. However, there was no clear reference to online exploitation and vulnerabilities.

In Côte d’Ivoire, the 2021–2022 ‘Reimagining Côte d’Ivoire without Violence against Children’ campaign similarly engaged multi-stakeholder actors, including government, the private sector, and traditional and social media, to collaborate and provide innovative solutions in eliminating violence against children. Further, the Ivorian government signed formal agreements with the mobile operator MTN to increase public awareness of OCSEA in the country through several digital campaigns targeting parents, teachers and child internet users.¹³³

Hosting workshops and learning opportunities

Growing engagement on OCSEA awareness in educational institutions is also promising. For example, Cape Verde has introduced training on the protection of personal data, safe internet behaviour and safe use of social networks to high schools and universities.¹³⁴ In Ghana, the Cyber Security Centre organised a workshop for parents and guardians on cyber security for children in 2020.¹³⁵ With support from UNICEF, Ghanaians Against Child Abuse developed the Child Protection Toolkits for community-level awareness raising and a digital literacy package.¹³⁶

Jointly with MTN Ghana, a national cyber-security challenge was introduced in October 2022, in which six selected senior high schools competed, further helping children build their capacity on how to navigate safely on the internet, and to introduce them to courses or careers in cyber security.¹³⁷

Upskilling personnel

There are platforms for countries to upskill their personnel to combat OCSEA. For law enforcement representatives, ACAMS (the largest international membership organisation for anti-financial crime professionals) offers a free online course to better understand CSEAM and the evolving technology that enables it.¹³⁸ The training provides a comprehensive overview of crypto assets and open-source intelligence techniques for enhanced investigations, and practical knowledge from case studies to stop OCSEA.

Since November 2022, the UNODC has deployed a forensic expert, a former Homeland Security Investigations officer in Accra, to ensure close coordination with the Ghanaian Cyber Crime Unit and provide mentoring on proper handling and follow-up of cybertips. As a result, the Ghanaian cyber unit was able to increase their technical abilities and make a number of arrests. The US State Department’s Security Governance Initiative has also supported Ghana with technical assistance, study visits to the United States, training, workshops and material support.¹³⁹

High stigma attached to sexual offences has contributed to few cases of OCSEA being prosecuted



Building national infrastructure

The Ghanaian government is leading West Africa in the development of dedicated infrastructure for combating OCSEA. It was the first to launch a Child Online Protection Reporting Portal in 2020 to report cases to platforms such as Facebook for image takedown, and to facilitate collaboration with international NGOs such as the IWF.¹⁴⁰

However, the Child Online Protection framework, which is a crucial element for enabling collaboration between law enforcement and the tech industry, is still to get the government's cabinet approval.¹⁴¹ It spells out ICT sector guidelines and aims for the National Cyber Security Centre to engage with tech actors to install a policy that will: (i) prevent people from using their services to perpetrate child online abuse; (ii) report an incident and take down CSEAM; (iii) raise awareness around OCSEA; and (iv) develop innovative solutions to monitor and track CSEAM.

Also in 2020, the Ghana Police Service, in collaboration with key international organisations such as UNICEF, IWF, UNODC and the US State Department, launched the Child Protection Digital Forensic Laboratory in West and Central Africa, the first of its kind.¹⁴² To ensure continuous technical assistance, UNODC has deployed a dedicated staff collaborating with the Cyber Crime Unit and the Lab to work on the investigation of OCSEA reports.

On the criminal justice side, in 2019, the Ghana Judicial Service, with support from UNICEF, announced a set of standard operational guidelines containing a provision for the creation of child-friendly gender-based violence courts to meet the needs of child survivors and also to protect their safety, privacy and identity.¹⁴³

Building coalitions

At a regional level, the Regional Child Protection Working Group was established in 2019 as a coalition of 15 civil society organisations and international NGOs with a common objective of strengthening child protection measures in the West Africa region.¹⁴⁴ According to experts, the regional working group is more of a coordinating mechanism, rather than a vehicle for implementing joint projects.¹⁴⁵

In Cape Verde, the Child Protection Network Against Abuse and Sexual Exploitation (REDE), an NGO network, has been operating since 2017 in each of the Cape Verde islands and in close partnership with the West African Network for Child Protection,¹⁴⁶ ECPAT Luxembourg and the International Social Service of West Africa.¹⁴⁷

Their main objective is to consolidate the online protection of migrant children and youth in Cape Verde by strengthening the national network of actors and their training on the mechanism and standard tools. The Cape Verdean multi-stakeholder project OBSERVE aims to create mechanisms to combat human trafficking, as well as facilitate identification and protection of victims, including victims of OCSEA.¹⁴⁸

Global good practices in responding to OCSEA: Drawing from Asia's experience

Globally, responses have lagged behind the acceleration of OCSEA, and it is key to draw from international emerging best practices. To date, WeProtect Global Alliance's Model National Response (MNR) is one of the most relevant and sophisticated frameworks designed to guide national responses to OCSEA. The framework consists of 20 capabilities necessary to address OCSEA. They are sorted into six thematic areas: policy, legislation and governance; criminal justice; victim support and empowerment; society and culture; industry; and research and data.¹⁴⁹

According to UNICEF's survey on global responses to OCSEA, very few countries have a specialised unit; instead, most mandate their cybercrime units to investigate child sexual exploitation.¹⁵⁰ This contributes

to a lack of awareness of OCSEA and an absence of child- and gender-sensitive approaches.¹⁵¹

With regards to criminal justice, the MNR further recommends specialist training of prosecutors and the judiciary on OCSEA, an offender management system that offers rehabilitation programmes to offenders and the use of INTERPOL's ICSE database.¹⁵²

One of the regions that suffers disproportionately from child sexual exploitation is Southeast Asia. Technological developments, the rise of the internet and large tourism flows have created a breeding ground for OCSEA, child sex tourism and child sex trafficking.¹⁵³ The live streaming of child sexual abuse and self-generated images has been especially prevalent in the region over the past few years.¹⁵⁴

Faced with the scale of OCSEA in Southeast Asia, several Association of Southeast Asian Nations (ASEAN) member states have drawn on the WeProtect Global Alliance's MNR framework in strengthening their response frameworks. In November 2019, ASEAN ratified the Declaration on the Protection of Children from All Forms of Online Exploitation and Abuse and drafted the Regional Plan of Action, which listed specific actions to be adopted into national law.¹⁵⁵ This includes points on strengthening their legislative framework, national policies and offender management systems, and enhancing the capabilities of the judiciary and law enforcement.¹⁵⁶

The Regional Plan of Action is an example of the successful implementation of the MNR framework as it promotes a multi-stakeholder and sectoral approach to tackling OCSEA. Another example of an innovative research programme is the Disrupting Harm project funded by the End Violence Fund.¹⁵⁷ The aim is to generate high-quality evidence on how technology might facilitate sexual exploitation of children, and design tailored roadmaps for countries to strengthen their prevention and response systems. Countries like Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Vietnam contribute to this research project by directly involving the parents and victims of abuse.

The Philippines has taken important steps to strengthen the OCSEA criminal justice chain by creating a specialised law enforcement unit that deals with OCSEA – the Philippine Internet Centre for Computer Crimes Against Children¹⁵⁸ – and forming the Philippine Judicial Academy, which provides a multidisciplinary curriculum to prosecutors and the judiciary on online child sexual exploitation.¹⁵⁹

Role of tech sector in responding to OCSEA

The tech sector plays a crucial role in the prevention, detection and prosecution of OCSEA, including by developing and implementing measures to detect, report and remove CSEAM from their platforms. In general, this includes preventing CSEAM by enforcing centralised safeguarding mechanisms and policies; implementing 'safety by design' approaches that tailor products to the needs of the user; investing in artificial intelligence and machine learning technologies to identify and flag potential new CSEAM; sharing intelligence, experience and lessons learnt with other private sector and civil society actors; and collaborating with international law enforcement agencies such as INTERPOL to track down and prosecute offenders.

The role of the private sector is under-developed across the ECOWAS region. Interviews with representatives from regional government and the tech companies operating in the region identified four key trends.

Globally, responses have lagged behind the acceleration of OCSEA



The tech sector plays a crucial role in the prevention, detection and prosecution of OCSEA, including by removing CSEAM from their platforms





‘Safety by design’ features could automatically block strangers from connecting with underaged users on social media platforms

Increasing regulatory requirements

Many ICT companies operating in West Africa with headquarters or offices in other countries that have regulatory requirements to prevent, detect and report OCSEA need to comply with those regulations. Compliance efforts made centrally also enhance measures taken at an ECOWAS level. However, a lack of national laws diminishes local accountability.¹⁶⁰ The lack (or limited enforcement) of national legal requirements on electronic service providers to report OCSEA to national cybercrime units is one key challenge.

In Cape Verde, such a legal requirement exists, but the process is complex. For instance, the two electronic providers, Cabo Verde Telecom and Unitel T+, need to send a request to obtain the abusive online content from social media platforms like Facebook before reporting.¹⁶¹ In Ghana, the Cyber Security Act 2020 lacks this provision, although this is reportedly being reviewed.¹⁶² In order to hold the local electronic service providers accountable, it is thus essential to establish a nationally mandated reporting mechanism, such as that of NCMEC CyberTipline reports and the US law 18USC 2258A.

Furthermore, the lack of structures required under global reporting frameworks, such as designated units under the NCMEC reporting framework in Cape Verde and Côte d’Ivoire, could hamper the impact of global regulatory frameworks on online safety in the ECOWAS region.

Insufficient personnel

Private companies operating in the region often lack sufficient personnel to identify OCSEA, and Africa is typically not prioritised in resource allocation – only one person or a small team from a large multinational enterprise or international financial institution is often responsible for the entire African region, hampering the monitoring, identification and intervention of OCSEA cases and the removal of CSEAM.¹⁶³

Poor cooperation with law enforcement

Cooperation between private sector and law enforcement agencies is limited. Multinational enterprises expressed frustration that many industry reports have not been properly actioned by the local police. Meanwhile, law enforcement finds it difficult to collaborate with the private sector due to incorrect identification of access providers, bureaucracies and long delays in obtaining legal permits to access a platform user’s personal information from a public prosecutor.¹⁶⁴

Multi-stakeholder engagement is lagging

Broader multi-stakeholder engagement on OCSEA – with government, the private sector, civil society and international UN and law enforcement organisations – is improving in the ECOWAS region, but lags behind developments in other regions.¹⁶⁵ For example, Meta, Western Union and other multinational enterprises operating in the region reported close collaboration with other private sector entities such as LinkedIn, meeting regularly via a global tech coalition to exchange and share hashes, experiences and cross-industry collaboration.¹⁶⁶

Child sexual exploitation online is a crime that falls at the nexus of two weaknesses – that of online awareness and response capacity; and that of human trafficking and sexual and youth-based exploitation awareness and capacity to respond. It is therefore particularly crucial to strengthen the role of civil society in contributing to both response areas.

Investing in NGOs to strengthen their role builds on existing strengths. NGOs often have specialised knowledge and expertise in responding to child sexual exploitation online and offline, and can be well positioned to provide holistic and direct support services to survivors. Further, NGOs are often deeply rooted in local communities and have established trust among vulnerable populations, facilitating engagement with children, families and communities to raise awareness, provide education and encourage reporting of online exploitation.

Finally, NGOs are often more flexible and agile in responding to emerging challenges in the online space. With the support from private sector, they could also adapt quickly to new technologies and tactics employed by offenders and develop prevention strategies.

By investing in NGO-led responses to child sexual exploitation online, international stakeholders can contribute significantly to the prevention, detection and mitigation of online exploitation, ultimately protecting vulnerable children and youth.

Conclusion and policy recommendations

Across the ECOWAS region, the risk factors for OCSEA are rife and increasing. Although evidence regarding the regional prevalence and trends of OCSEA is scarce, preliminary findings, based on existing industry reporting and interviews with government and non-government stakeholders in-country, indicate that OCSEA is more widespread across the focus countries of Cape Verde, Côte d'Ivoire and Ghana than official data suggests. This would align with global trends, particularly in regions with weak OCSEA identification processes and high levels of under-reporting.

Across the case study countries, challenges hamper detection, investigation, prosecution and victim support. Addressing these challenges will require sustained political will and commitment – and greater prioritisation of OCSEA in a crowded policy agenda. It will also require the development of effective strategies to promote trust and collaboration among all stakeholders involved in fighting organised crime in West Africa.

Fortunately, there is a wide range of good practices implemented by states which have the data to fully recognise the scale of the challenge in their geographies. This is a key moment for ECOWAS states to take action and implement practical measures for preventing the wholesale expansion of OCSEA, and strengthening identification and follow-on processes.

Recommendations

For ECOWAS

- Develop a directive addressing the fight against tech-facilitated child sexual exploitation, including the harmonisation of laws, penalties, terms and statistical definitions across the member states, and the formalisation of cross-border collaboration and investigation channels and pathways.¹⁶⁷



African children playing with a tablet

- Support regional and international capacity-building efforts to improve policy and operational measures that consider the best interests of children in the digital environment, including sharing of successful learning and awareness-raising tools.
- Ensure effective coordination of work between the various international and regional organisations and bodies that play a role in supporting government efforts, including by holding regular cross-sectoral regional roundtables.

For member states

- Continue to improve digital literacy of children, schools and adults, including regarding digital hygiene and OCSEA risks.
- Set up regional working groups to facilitate the exchange of good practices and work on concrete initiatives to generate tangible results. The working groups could be organised by profession (such as healthcare practitioners, social workers, education practitioners, law enforcement, judicial authorities, prison authorities, policymakers and researchers).
- Become a member of the INHOPE member hotlines.

For law enforcement and criminal justice bodies

- Develop and deliver specialised training curricula on OCSEA across the criminal justice chain, including police academies and centres of education for judges and prosecutors.
- Perform a training needs assessment and establish special annual plans for professional development of all relevant stakeholders included in the child prevention and protection infrastructure.
- Develop national protocols on how to access, identify, investigate and remove abusive material since most of the regional intelligence comes from external sources and expertise (NCMEC, INTERPOL's ICSE, IWF, etc.).
- Establish a single national database recording reported OCSEA cases with unique case numbers to avoid duplications, and appropriate disaggregated data.
- Complement national strategies with local action plans.
- Engage children, including child victims, in the drafting and implementation process of various national action plans.
- Improve direct communication lines between police officers, prosecutors and cybercrime unit laboratories.
- Organise regular joint meetings for law enforcement and prosecution representatives on national and regional levels.

For international donors

- Invest in developing the capacities of NGO and civil society groups, given that awareness raising, helpline and reporting, de-stigmatisation, victim support and safeguarding are community-based activities which civil society and local NGOs are best placed to deliver.
- Enhance donor coordination and follow-up capacity-building initiatives. Focus on specialised modules rather than generic training and support establishment of a structured knowledge management mechanism to ensure institutional expertise is retained through individual rotations.
- Support the provision of regional training on CSEC, specifically for cybercrime units, prosecutors and law enforcement personnel instead of targeting individual countries.
- Encourage ECOWAS countries to participate in collaborative efforts between ECOWAS, the AU and international groups to identify children at risk in the NCMEC CyberTipline reports, or the INTERPOL ICSE, IWF and INHOPE databases.

For the tech sector

- Have a reporting mechanism (e.g. a hotline) that allows for the monitoring, receipt and recognition of URLs that have CSEAM and/or CSEAM transmitted through their networks, platforms and/or electronic communication devices and services. This mechanism should allow for coordination with the authorities for investigation and removal of the content.
- Ensure that online platforms have enhanced safety and safeguarding measures, and promote and facilitate child safety referral services and helplines.
- Collaborate more proactively with local NGOs, especially regarding sharing knowledge, experience and information, raising awareness among ICT employees, safeguards and victim protection mechanisms.
- Develop and implement ‘safety by design’ features, such as automatically blocking strangers from connecting with and messaging underaged users on social media platforms, to help underaged users protect themselves and report suspicious activities.
- Work closely with the government to develop a framework that helps achieve consistency in cross-sector collaboration and responses, share good practices and agree on what should be expected of service providers to protect their users from abusive behaviour and content online.
- Improve the limited liability regime of intermediary service providers, along with the unregulated area of notice and takedown procedures. ICT companies should establish protocols and clear procedures and policies regarding removal of illegal or inappropriate materials from the platforms and services which they provide.

For civil society organisations and NGOs

- Collaborate with the private sector and government in addressing OCSEA.
- Contribute to multi-stakeholder public awareness-raising campaigns to address and reduce the stigmatisation of OCSEA victims/survivors and sexual offences at different levels: with children and parents, as well as in the communities and among society in general.
- Train staff on child-centred and trauma-informed approaches when working with OCSEA victims and survivors.
- Promote the training of child protection and health professionals on the integration of content relevant to their main themes, such as mental health and psychosocial support, risk communication and life skills materials.

For focus countries

We outline below a series of country-specific recommendations for law enforcement, the criminal justice system and policymakers.

Cape Verde

Cape Verde has adequate legal instruments in place; however, there remains a large gap in enforcing and implementing these policies and legal standards, which the government should address and prioritise. Recommendations are:

- With respect to the private sector's duty to collaborate with law enforcement, include provisions in the cybercrime law (Law No. 8/IX/2017) which specifically require ISP reporting of suspected CSEAM.
- Promote the harmonisation of records on OCSEA, especially between the Judiciary Police and the National Data Protection Commission.
- Develop media campaigns on OCSEA, including via TV, from young people for young people.
- Operationalise the National Cybersecurity Strategy which was established and approved in 2016.
- Harmonise the various existing mandated institutions' work on (parts of) OCSEA which are currently operating independently, and/or mandate a specific governmental institution to address CSEA, OCSEA and CSEAM.
- Equip specialised units and provide tools/equipment for the Judiciary Police for investigation and prosecution of OCSEA.
- Build the capacity of existing peer educators, such as members of the Youth Action Movement – working with the Cape Verdean Association for the Protection of the Family (VerdeFam) – to better investigate and intervene in OCSEA reports.
- Ensure that staff at the broader hotline (the toll-free number 800 1010) are sufficiently trained in identifying and supporting OCSEA victims, as well as coordinating with the authorities for investigation and removal of the content.
- Establish a dedicated helpline to provide support, legal and counselling services, and other related assistance to OCSEA and CSEC victims.
- Appoint a designated unit to action the country's OCSEA reports by international stakeholders such as the NCMEC CyberTipline reports, reports from the INTERPOL ICSE database and IWF-MTN Child Safety Online Africa Portal.
- Activate the necessary measures to accede to the Lanzarote Convention.

Côte d'Ivoire

Currently, human trafficking frameworks are not applied to prosecute OCSEA. Instead, laws relating to cybercrime, such as Law No. 2013-451 of 19 June 2013, are applied. Child protection legal frameworks should be used in responding to OCSEA cases as they typically adopt a more victim-centred approach and increase the chances of identifying cases of human trafficking. Recommendations are:

- Continue specific training on OCSEA for law enforcement, investigators and criminal justice practitioners to develop and strengthen their capabilities and capacities.
- Conduct multi-stakeholder public awareness-raising campaigns to address and reduce the stigmatisation of OCSEA victims/survivors and sexual offences, and monitor impacts on behavioural change.

- Include provisions in the Cybercrime Act that:
 - address the depictions of a child’s sexual organs in the definition of CSEAM, and
 - exclude the criminal liability of a child involved in the production and distribution of self-generated CSEAM.
- Criminalise knowingly accessing CSEAM, or soliciting or obtaining sex from children.
- Accede to the Lanzarote Convention.
- Ratify the Budapest Convention on Cybercrime.
- Develop and implement a specific national action plan to combat CSEA and OCSEA.
- Appoint a designated cybercrime unit to manage and action the country’s OCSEA reports from the NCMEC CyberTipline, the INTERPOL ICSE database and the IWF-MTN Child Safety Online Africa Portal.

Ghana

With the growing use of the internet across Ghana, it is imperative to shape internet-related policies to meet and protect the interests of all stakeholders, particularly children. There must be a review of relevant legislation in order to align it to international treaties that the country has signed and ratified. Recommendations are:

- Define or clarify the meaning of ‘sexually explicit conduct’ in Article 136 of the National Electronic Transaction Act.
- Legally require ISP reporting of suspected CSEAM in the Electronic Transaction Act.
- Include the provision of therapeutic support, including emergency psychological care for children, in the Cyber Security Act.
- Develop and implement a specific national action plan to combat CSEA and OCSEA.
- Ratify the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography.
- Activate the necessary measures to accede to the Lanzarote Convention.
- Approve the Child Online Protection framework and ensure its full implementation by the Ministry of Communication for proper coordination of all stakeholders and players identified in the framework.
- Introduce government-led actions to ensure that the capacity needs of the key implementation partners, particularly the Cyber Crime Unit of the Ghana Police Service, are addressed.
- Decentralise the Cyber Crime Unit of the Ghana Police Service to regions other than Accra.
- Continue to encourage public–private partnerships in addressing child online protection issues to encourage self- and co-regulation by industry players who are critical in restricting children’s access to potentially harmful and inappropriate content without compromising their right to information and freedom of expression.

Annex I. Legal frameworks addressing CSEA and OCSEA in the focus countries

Law		Child abuse	Online child exploitation	Commercial sexual exploitation of children
	Article	Criminal offence	Penalties	
Legal provisions and national legislation Côte d'Ivoire				
Constitution of 8 November 2016	Article 34 provides that youth shall be protected by the state and public authorities against all forms of exploitation and neglect.	N/A	N/A	
Law No. 2021-893 of 21 December 2021 amending Law 2019-574 of 26 June 2019 on the Penal Code in its Title 2 (Crimes and offences against persons) and Section 1 (Rape)	Article 403	<p>Any act of vaginal, anal, oral or any other kind of penetration for sexual purposes, imposed on another person without his or her consent by using a part of the human body or an object, by violence, threat, coercion or surprise, constitutes rape. Any act of vaginal, anal, oral or any other kind of penetration for sexual purposes committed on or obtained from a minor of fifteen years of age, even with his or her consent, shall also constitute rape.</p> <p>Rape is constituted in the circumstances provided for in the preceding paragraphs, regardless of the nature of the relationship between the perpetrator and the victim. However, if they are married, the presumption of consent of the spouses to the sexual act is valid until the contrary is proven.</p>	<p>Anyone who commits rape is punished by imprisonment of five to twenty years.</p> <p>The penalty is life imprisonment where the rape has resulted in permanent mutilation or disability or death of the victim.</p>	
	Article 404	<p>Rape is punishable by life imprisonment when committed :</p> <ol style="list-style-type: none"> 1. on a minor ; 2. on a person whose vulnerability is due to his age, illness, infirmity, physical or mental deficiency or a state of pregnancy apparent or known to the perpetrator; 3. by an ascendant or by any other person having authority over the victim; 4. by a person who abuses the authority conferred on him by his functions; 5. by several persons; 6. with the use or threat of a weapon 7. by a person acting in a state of obvious drunkenness or under the influence of drugs. <p>Rape is punishable by the same penalty:</p> <ol style="list-style-type: none"> 1. when the perpetrator, for this purpose, has used an electronic communication network for the dissemination of messages to an undetermined public, having made it possible to meet the victim; 2. when it is preceded, accompanied or followed by torture or acts of barbarism. 		

Law No. 2016-1111 of 8 December 2016 on the fight against trafficking in persons	Article 22	Article 22 of this law states that the state 'shall ensure the establishment of national assistance programmes for victims of the offences provided for in this law, taking into account [...] the specific social and psychological needs of victims.' The action plan of the national child protection policy also provides for the direct care of child victims of violence, including CSE, by specialised services.	With regard to other forms of online sexual exploitation of children, the Ivorian legislative framework does not contain any specific provision prohibiting the online solicitation of minors for sexual purposes, also known as 'grooming'.
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Protection of minors in Côte d'Ivoire

Law No. 2020-348 of 19 March 2020	on measures to protect victims of domestic violence, rape and sexual violence other than domestic violence.		
Law No. 2013-450 of 19 June 2013	on the protection of personal data.		
Law No. 2010-272 of 30 September 2010	on the prohibition of trafficking and the worst forms of child labour, a 'child' is considered to be any human being under the age of eighteen years.		

Legal framework for combating cybercrime

Law No. 2013-451 of 19 June 2013	on the fight against cybercrime.	The purpose of this law is to combat cybercrime. The provisions of this Act shall apply to offences relating to cybercrime, as well as to criminal offences the detection of which requires the collection of electronic evidence. This law is not explicit about cases of online child sexual exploitation (OSE).
Law No. 2013-546 of 30 July 2013	on electronic transactions.	
Order No. 2012-293 of 21 March 2012	on telecommunications and information and communication technologies.	
Prosecutors' offices at the courts	Victims can also file lawsuits in the public prosecutors' offices of the courts and through bailiffs.	

Law		Child abuse	Online child exploitation	Commercial sexual exploitation of children
	Article	Criminal offence	Penalties	
Legal provisions and national legislation Ghana				
Electronic Transactions Act 2008, Act 772 (ETA 2008)	Article 136 of the Act defines child sexual exploitation although there is no clarification of what 'sexually explicit conduct' means.	Apart from promoting electronic communications and related transactions in the public interest, it was also to protect vulnerable groups such as persons with disability and children (ETA, 2008).		
Legal framework for combating cybercrime				
Cyber Security Act 2020 (Act 1038)		Directly targets all activities in cyberspace including activities affecting children and measures towards child online protection. The Cyber Security Act 2020 has specific provisions to protect children online with reference to indecent images of children, sexual extortion and cyberstalking of children, among others.		
	Section 62 (Indecent image or photograph of a child) defines indecent images and photographs as 'material images, visual recordings, videos, drawings, or texts that portray children explicitly or suggestively engaged in sexual conduct, and other sexual activity considered an offence under the Criminal Offences Act 1960 (29).' It further explains that a person publishes an indecent image or photograph if they 'part with its possession; or expose or offer it to be acquired by another individual.'	The production, possession and distribution of an indecent image or photograph of a child through a computer or an electronic device.	Anyone who violates this section is liable to pay a fine of 2 500–5 000 penalty units, equivalent to US\$2 704-5 407 and/ or five to ten years of imprisonment.	
	Section 63 (Dealing with a child for purposes of sexual abuse) stipulates the medium through which these indecent depictions are disseminated and the intent of the sender to children.	An individual that seduces, solicits, lures, grooms, entices or attempts to seduce a child in order to facilitate, encourage, offer or solicit unlawful sexual conduct of or with any child or the visual depiction of such conduct. An individual that uses a computer online service, an internet service, a local bulletin board service or any other device capable of electronic data storage or transmission to carry out the already mentioned criminal offence.	Anyone who violates this section is punished by five to fifteen years of imprisonment.	
	Section 64 (Aiding and abetting of child dealing for purposes of sexual abuse)	An owner or operator of a computer online service, weblog, internet service or internet bulletin that aids or abets another individual in facilitating or encouraging the online solicitation of a child; or permitting any person to use their service to facilitate, encourage, offer or solicit unlawful sexual conduct from a child, or the visual depiction of such conduct.	Anyone who violates this section is punished by five to fifteen years of imprisonment.	

	Section 65 (Cyberstalking of a child) gives definitions of cyberstalking and engaging in 'unlawful sexual activity.'	An individual that uses an internet service or an electronic device to compile, transmit, publish, reproduce, buy, sell, receive, exchange or disseminate the identifying information of a child such as their name, telephone number, main address, etc. in order to arrange a meeting with the child to engage in unlawful sexual activity.	Anyone who violates this section is punished by five to fifteen years of imprisonment.
	Section 66 (Sexual extortion) defines an intimate image of a child as exposing the 'genital or anal region or the breasts below the top of the areola.'	An individual that threatens to distribute an intimate image of a child engaged in sexually explicit conduct with the purpose of harassing, threatening, coercing or intimidating them to extort money or pressure them to engage in unwanted sexual activity.	Anyone who violates this section is punished by ten to twenty-five years of imprisonment.

Protection of minors in Ghana

Children's Act, 1998 (560)	Directly relates to children and seeks to promote and provide for the rights of children including protecting against sexual exploitation and sexual abuse, maintenance and adoption, and regulating child labour and apprenticeships.
Criminal Offences Act, 1960 (Act 29)	The purpose of this Act is to consolidate and amend the law relating to criminal offences. Chapter 6 covers sexual offences including rape, defilement of a child, encouraging the seduction or prostitution of a child and others. Chapter 7 concerns offences against public morals such as facilitating child prostitution.
Juvenile Justice Act, 2003 (Act 653)	This Act provides a juvenile justice system to protect their rights and contains procedures for the processing of juvenile offences with respect to criminal procedures (arrest, court, sentencing, incarceration).
Domestic Violence Act, 2007 (Act 732)	The purpose of this Act is to provide women and children with protection from domestic violence. It covers the meaning of domestic violence, police assistance and arrest, protection orders as well as miscellaneous provisions.

Law		Child abuse	Online child exploitation	Commercial sexual exploitation of children
	Article	Criminal offence	Penalties	
Legal provisions and national legislation in Cape Verde				
Bill on Crimes of Aggression, Abuse and Sexual Exploitation of Children and Adolescents	This Bill includes new legal types of crime: sexting (sending or sharing with minors under 16 written or audio messages of a sexual or sexually suggestive content, namely depicting nude photographs, videos or images) as well as child sex tourism.	An individual that commits sexual crimes against adolescents aged 14 to 16 years old. Imputation of responsibility not only to the active agent of the crime, but also to whoever instigates, assists or leads the child to suffer the crime.	Anyone who violates this bill is punished by four to sixteen years of imprisonment, without the possibility of suspension of actual prison time.	
Legal framework for combating cybercrime				
Cybercrime Law (Law No. 8/IX/2017)	Article 9 defines child pornography as pornographic material that visually represents 'a child under 14 years of age, between 14 and 18 years of age and under 18 years of age that is engaged in sexually explicit activities or has their sexual organs exposed for sexual purposes.'	An individual that produces, offers, makes available, disseminates, transmits, obtains or possesses child pornography through a computer system.	Anyone who produces child pornography is punished by two to eight years of imprisonment. Anyone who offers or makes available child pornography is punished by one to five years of imprisonment. Anyone who disseminates or transmits child pornography is punished by one to six years of imprisonment. Anyone who obtains or possesses child pornography is punished by one to four years of imprisonment. Anyone who produces, possesses or disseminates pornography featuring minors aged 14 to 19 years old is punished by up to three years of imprisonment.	
Protection of minors in Cape Verde				
4th Revision of the Penal Code (Law No. 117/IX/2021)	Article 141 (Definitions)	A 'sexual act' is an act performed to satisfy the sexual desires of the individual, including any form of sexual activity that limits the self-determination of the victim. 'Sexual assault' is defined as any sexual act carried out through violence, coercion, threat, intimidation, blackmail, fraud or by deliberately placing the victim in an unconscious state and unable to resist the assault. 'Sexual penetration and intercourse' for the practice of sexual acts or used in circumstances of sexual involvement. 'Child pornography' is considered as any pornographic material that visually depicts a child engaging in sexually explicit behaviour and their sexual organs.		
	Article 144	An individual that performs a sexual act with a minor under the age of 16 years old.	Anyone who performs a sexual act with a minor under the age of 16 years old is punished by four to ten years of imprisonment. Anyone who has sexual intercourse with a minor under the age of 16 years old is punished by five to twelve years of imprisonment.	

	Article 145	An individual that performs a sexual act with a minor aged between 16 and 18 years old.	<p>Anyone who performs a sexual act with a minor aged between 16 and 18 years old is punished by three to eight years of imprisonment.</p> <p>Anyone who has sexual intercourse with a minor between 16 and 18 years old is punished by four to ten years of imprisonment.</p>
	Article 149	An individual that encourages, entices, facilitates, negotiates, transports, accommodates or welcomes minors in a foreign country to perform sexual acts or prostitution.	<p>Anyone who entices a minor under the age of 16 years old to perform a sexual act or prostitution abroad is punished by six to twelve years of imprisonment.</p> <p>Anyone who entices a minor between the ages of 16 and 18 years old is punished by four to eight years of imprisonment.</p>

Annex II. Institutional infrastructure in the focus countries

Cape Verde

The Cape Verdean Institute for Children and Adolescents (ICCA), belonging to the Ministry of Family, Inclusion and Social Development, is the governmental institution responsible for promoting and defending children's rights, which includes responding to OCSEA cases. The ICCA has also developed social programmes such as Emergency and Social Integration Centres for children, which provide social, psychological and medical assistance to children who are victims of sexual abuse on Santiago and Mindelo islands. The Ministry of Family, Inclusion and Social Development also introduced and promoted the National Action Plan to Prevent and Combat Sexual Violence Against Children and Adolescents 2022–2024.¹⁶⁸ From the civil society side, the Child Protection Network Against Abuse and Sexual Exploitation (REDE) has been established to mainly address the issues of CSEA.

Although ICCA has been mandated to respond to CSEA, there is no single Cape Verdean government institution mandated to be primarily responsible for responding to, and preventing, OCSEA or CSEAM. This was identified as a gap by policymakers. Illustratively, in January 2023, the Cape Verdean prime minister appealed to the European Union for assistance to support the creation of an effective National Cyber Security Centre.¹⁶⁹

Another relevant governmental agency is the Ministry of Youth, Employment and Development of Human Resources, which in July 2014 approved the Code of Ethics Against the Sexual Exploitation of Children and Adolescents. Among other things, this code requires the tourism industry in Cape Verde to play an active role in reporting and fighting against child sex tourism, a key risk factor also linked to OCSEA.¹⁷⁰ Other institutions with relevant mandates include the Ministry of Education, Ministry of Family and Social Inclusion, Ministry of Health and Social Security, Ministry of Justice, the Judicial Police and the National Police.

Côte d'Ivoire

The Directorate of Information and Technological Traces manages Côte d'Ivoire's Technological Project Management for Security, including the Platform for Combating Cybercrime (PLCC) and the Digital Forensics Laboratory. Created in 2011 by the national police and the Côte d'Ivoire Computer Emergency Response Team, the PLCC manages and responds to complaints from individuals and companies that have become victims of cyberattacks, including children sexually exploited online.

Other key stakeholders mandated to respond to (O)CSEA and CSEAM in Côte d'Ivoire include the Directorate of Judicial Protection of Children and Youth of the Ministry of Justice; the Directorate of Child Protection of the Ministry of Women, Family and Children; and the Directorate of the Fight against Child Labour of the Ministry of Employment and Social Protection.

Within police stations and gendarmerie brigades, there are offices dedicated to gender-based violence to facilitate the filing of complaints by victims of violence and sexual exploitation. The Directorate of Child Protection promoted the adoption of a new National Child Protection Plan, which came into effect on 15 December 2022, to ensure protection of children from all forms of violence, abuse and sexual exploitation.¹⁷¹ Further, the government plans to adopt the National Cybersecurity Strategy 2021–2025. However, it remains unknown whether provisions on OCSEA will be included in this strategy.¹⁷²

Ghana

The Cyber Crime Unit was established by the Ghana Police Service at the Criminal Investigations Department in 2015. The unit has three divisions: (i) the Child Protection Digital Forensics Laboratory (CP-DFL), (ii) investigations and (iii) cyber intelligence. The CP-DFL, which equips the Ghana Police Service with tools to detect and investigate OCSEA, remove CSEAM and link them with the INTERPOL ICSE database, was considered the ‘first of its kind in the West and Central Africa region’ by UNICEF in 2019.¹⁷³

In October 2021, the Cyber Security Authority (CSA) was established to regulate cyber-security activities in the country and promote the development of cyber security. The CSA, through its Child Online Protection Unit, is mandated to handle all online child-related issues. The Ghanaian Cyber Crime Unit collaborates with the National Cyber Security Authority and other international agencies and civil society organisations to carry out sensitisation campaigns, investigations and support for victims of cybercrime, especially sextortion and self-generated abusive material.

The CSA is mandated to work collaboratively with other institutions, including the Department of Social Welfare and Community Development, the Ghana Education Service and NGOs on OCSEA and CSEAM cases.

Other key stakeholders mandated to respond to (O)CSEA and CSEAM in Ghana include the Department of Social Welfare and Community Development under the Ministry of Gender, Children and Social Protection; the Ghana Education Service; and the Ministry of Communications, Economic and Organized Crime Office.

Importantly, the Cyber Crime Unit is the only mandated law enforcement agency handling cybercrime issues in the country. All cases from the other regions outside the Greater Accra region are usually reported to either the Domestic Violence and Victim Support Unit; regular police stations, as they are more accessible; or NGOs for victims’ psychosocial support services. This might lead to a lower reporting number of OCSEA cases outside of Accra, since the staff has to cover additional forms of sexual exploitation.

Notes

- 1 African Child Policy Forum and OAK Foundation, Sexual exploitation of children in Africa: A silent emergency, 2019, <https://app.box.com/s/6hfgneeuupeenyws7fcy63ygyaflzfwf>.
- 2 ECOWAS, Regional and national internet penetration indicators 2021, <https://sigtel.ecowas.int/internet-penetration/>.
- 3 Children have also been trafficked for sexual exploitation in Santa Maria, Praia and Mindelo. Reports of child sexual abuse in Cape Verde increased fourfold between 2009 and 2014. InfoGreen, Child sexual exploitation – Focus on Cape Verde, 12 May 2017, www.infogreen.lu/Child-sexual-exploitation-Focus-on-Cape-Verde.html.
- 4 National Center for Missing and Exploited Children, 2020 CyberTipline reports by country, 2021, www.missingkids.org/content/dam/missingkids/pdfs/2020-reports-by-country.pdf.
- 5 The GI-TOC research team and the country consultants specifically avoided any risks of re-traumatisation by not engaging with child victims of human trafficking. The country consultants were given an ethical training session provided by the GI-TOC research team prior to their fieldwork.
- 6 Usually persons under 18, or depending on the local laws.
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