PARLIAMENT OF INDIA
RAJYA SABHA

REPORT OF THE ADHOC COMMITTEE OF THE RAJYA SABHA TO STUDY THE ALARMING ISSUE OF PORNOGRAPHY ON SOCIAL MEDIA AND ITS EFFECT ON CHILDREN AND SOCIETY AS A WHOLE

(Presented to the, Chairman, Rajya Sabha on 25th January, 2020)
(Laid on the, Table of Rajya Sabha on 3rd February, 2020)

Rajya Sabha Secretariat, New Delhi
January, 2020/Magha, 1941 (Saka)

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सत्यमेव जयते

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C O N T E N T S

PAGES

*to be appended at printing stage.

COMPOSITION OF THE COMMITTEE
(*Constituted on. 12th December, 2019*)

1. Shri Jairam Ramesh   **- Chairman**

    MEMBERS

2. Dr. Amar Patnaik

3. Dr. Amee Yajnik

4. Ms. Dola Sen

5. Shrimati Jaya Bachchan

6. Shrimati Kahkashan Perween

7. Shri Rajeev Chandrasekhar

8. Prof. M. V. Rajeev Gowda

9. Shrimati Roopa Ganguly

10. Shri Sanjay Singh

11. Shri Tiruchi Siva

12. Shrimati Vandana Chavan

13. Shrimati Vijila Sathyananth

14. Dr. Vinay P. Sahasrabuddhe

    SECRETARIAT

1. Dr. Shikha Darbari, JS&FA

2. Sh. Rajiva Srivastava, Director

3. Sh. Sammer Kapoor, Deputy Secretary

4. Smt. Himanshi Arya, Deputy Secretary

5. Sh. K. Sudhir Kumar, Deputy Director

6. Sh. Mohit Mishra, Committee Officer

7. Smt. Suman Khurana, Committee Officer

INTRODUCTION

I, the Chairman of the Adhoc Committee of the Rajya Sabha to study the alarming issue of pornography on social media and its effect on children and society as a whole having been authorised by the Committee to present the Report on its behalf, do hereby present this report on the subject.

2.   The Committee considered the documents and relevant papers received from various stakeholders who appeared before it.

3.   The Committee held three meetings in all.

4.   The Committee heard the Secretary, MeitY, Chairperson, NCPCR, Representatives of Tik-Tok and Facebook in its first meeting held on 20th December, 2019. In its second meeting held on 6th January, 2020, the Committee heard the representatives of Twitter, Google, Sharechat and HERD Foundation.

5.   The Committee considered and adopted the report in its third meeting held on 13th January, 2020. The Committee, thereafter, authorized the Chairman to seek the convenience of the Hon'ble Chairman, Rajya Sabha for presenting the Report.

6.   For the facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in the body of the Report.

NEW DELHI   **JAIRAM RAMESH**
January,13, 2020   *Chairman*
Magha 24, 1941 (Saka)   *Ad-Hoc Committee to study the alarming*
issue of pornography on social media and its
effect on children and society as a whole

ACRONYMS

CSAM-	Child Sexual Abuse Material
HERD Foundation-	Health, Education and Rural Uplift Development
ISP-	Internet Service Provider (ISPs)
IT-	Information Technology Act
MAT-	Mutual Legal Assistance Treaty
Meity-	Ministry of Electronics and Information Technology
MHA-	Ministry of Home Affairs
MWCD-	Ministry of Women and Child Development
NCPCR-	National Commission for Protection of Child Rights
NCRB-	National Crime Records Bureau
OCSAE-	Online Child Sexual Abuse and Exploitation
POCSO-	Protection of Children from Sexual Offences
SCPCR-	State Commission for Protection of Child Rights
TRAI-	Telecom Regulatory Authority of India

Jairam Ramesh

Member of Parliament (Rajya Sabha)
Chairman
Parliamentary Standing Committee on Science
& Technology, Environment, Forests,
and Climate Change

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Dear Chairman Sir:

On December 12th, 2019 you announced the creation of an Ad Hoc committee to study the growing problem of child pornography on the social media. You gave the committee a *non-extendable* deadline of one month to submit its report and asked me to serve as its chairman.

On behalf of the Committee, I am now sending you our report *exactly 31 days after your announcement*. Members certainly wished for more time but I was very conscious of the deadline you had set. We have, within the time available, studied the problem in some detail, interacted with a number of people and prepared a comprehensive set of recommendations.

Members were agitated on the broader issue of easy availability of pornographic material and its effect on criminal behaviour. They were also concerned with the larger issue of sexual abuse of children in rural areas especially. But I have kept our report focused sharply on what you had wanted us to examine—namely, child pornography on the social media.

Our recommendations will need to be followed up by the Ministry of Women & Child Development, Ministry of Home Affairs, Ministry of Electronics and Information Technology, Ministry of Law & Justice and the Ministry of Human Resource Development.

Members wish to express their appreciation for the initiative you took to constitute the Ad Hoc Committee. It is a good model that can be followed from time to time to get members of the Rajya Sabha to deliberate on pressing social and other issues and submit recommendations for the consideration of the Government.

With respectful regards,

Jairam Ramesh

12/1/20

Shri M. Venkaiah Naidu
Chairman, Rajya Sabha

Report of the Ad-hoc Committee in the Rajya Sabha to study the alarming issue of pornography on social media and its effect on children and society as a whole

Submitted to Chairman, Rajya Sabha, January 25, 2020

INTRODUCTION

1.   On December 12, 2019, Chairman, Rajya Sabha announced the formation of an 'Ad-hoc Committee in the Rajya Sabha to study the alarming issue of pornography on social media and its effect on children and society as a whole' with the following Membership: -

                1.   Shri Jairam Ramesh
                2.   Dr. Amar Patnaik
                3.   Dr. Amee Yagnik
                4.   Ms. Dola Sen
                5.   Smt. Jaya Bachchan
                6.   Smt. Kahkashan Perween
                7.   Shri Rajeev Chandrasekhar
                8.   Prof M.V. Rajeev Gowda
                9.   Smt. Roopa Ganguly
                10.   Shri Sanjay Singh
                11.   Shri Tiruchi Siva
                12.   Smt. Vandana Chavan
                13.   Smt. Vijila Satyanath
                14.   Dr. Vinay P. Sahasrabudhe

The Chairman, instructed that the Committee to submit its report to the Rajya Sabha within one month from the date of its constitution.

2.   The Committee concerned itself with two main issues:
   a. Access of children to pornographic material on social media; and
   b. Circulation of pornographic material on social media in which children are abused.

3. The Committee met with the following Ministries/organisations of the Government of India:

   i.   Ministry of Women and Child Development (MWCD).
   ii.   Ministry of Electronics & Information Technology (MeitY)
   iii.   Ministry of Home Affairs (MHA)
   iv.   Telecom Regulatory Authority of India (TRAI)
   v.   National Commission for Protection of Child Rights (NCPCR)

These Ministries/organizations submitted their analysis to the Committee.

4. The Committee met with the following private companies:
   i.   Google
   ii.   Facebook (including Whatsapp)
   iii.   Bytedance (including Tik Tok)
   iv.   Twitter
   v.   Sharechat

These companies submitted their reports to the Committee.

5. The Committee received representations from three NGOs:
    i.   HERD Foundation (Health, Education & Rural Uplift Development), Nagpur; and
    ii. Centre for Child Rights, New Delhi.
    iii. Internet Freedom Foundation, New Delhi.

The Committee had five meetings in four weeks.

6.   Based on the analysis, reports and representations it has received, based on a detailed research paper prepared for it by the HERD Foundation and based on its own deliberations, **the Committee has made recommendations on**
    1. **Legislative Measures**
    2. **Technological Measures**
    3. **Institutional Measures**
    4. **Social and Educational Measures**
    5. **State-level Initiatives**

7.   The Committee would like to underscore the seriousness of the prevalence of the horrific social evil of child pornography, especially the creation and distribution of pornographic material in which children are abused and exploited. It is a challenge to our collective conscience and the quick implementation of the recommendations contained in this report, the Committee believes, is a first step to demonstrate our seriousness and will to combat this menace.

RECOMMENDATIONS

1.   LEGISLATIVE MEASURES

The Committee has come to the conclusion that important amendments need to be made to the POCSO Act, 2012 (and associated guidelines) and the IT Act, 2000 (and associated Rules). Corresponding changes will also have to carried out in the Indian Penal Code.

1.1   Broaden definition of child pornography

The Committee recommends that in Section 2, in sub-section (1), after clause (da) of the Protection of Children from Sexual Offences (POCSO) Act 2012, the following clause be inserted:

> *(db) any written material, visual representation or audio recording that advocates or counsels sexual activity with a person under the age of eighteen years that would be an offence under this Act;*

(dc) any written material whose dominant characteristic is the description, for a sexual purpose, of sexual activity with a person under the age of eighteen years that would be an offence under this Act;

(dd) any audio recording that has as its dominant characteristic the description, presentation or representation, for a sexual purpose, of sexual activity with a person under the age of eighteen years that would be an offence under this Act;

(de) any written material, visual representation or audio recording that depicts or describes a person who is, appears to be or is implied to be, a child in the presence of another person who is engaged or apparently engaged in a sexual pose or sexual activity.

The Committee is of the view that sexually explicit conduct does not require that an image depict a child engaging in sexual activity. A picture of nude or semi-nude child may constitute illegal child pornography if the posture is sufficiently sexually suggestive also called 'erotic posing'.In addition, the Committee feels that there is need to define the term "sexually explicit" referred to in Section 2 (da) of the POCSO Act, 2012.

1.2 Include provision on cyber-grooming

The Committee recommends introducing a new provision in the POCSO Act, 2012 under Section 11 after clause (vi), namely:

(vii)   knowingly persuades, coerces, entices, grooms, communicates, arranges a meeting with a child for oneself or another person and/or meets with a child with the intent of sexually abusing the child, and even if the actor thinks he/she is communicating with a child but is actually talking to an adult.

Additionally, the definition of cyber-grooming should also be included into the POCSO Act, 2012 for specificity towards the introduction of penal provisions.

'Grooming' needs to be explicitly recognised as a crime in India- to avoid any ambiguity in the meaning of the term. In June 2016, the International Labour Organisation issued *Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse* defines 'grooming' as "the process of establishing/building a relationship with a child either in person or through the use of the Internet or other digital technologies to facilitate either online or offline sexual contact with that person." India could adopt this definition to ensure that country's understanding of 'grooming' is in line with international standards.

1.3 Safeguards for minors engaged in sexting and selfies

The Committee recommends for debate that in the POCSO Act, 2012 after Section 15(3), the following clause be inserted namely:

(4) Exceptions under this Act include (a) minors who cannot be prosecuted for child pornography offences if the child takes or stores or exchanges with another minor, indecent images of oneself; (b) if the individual is under 18 years and (i) no person in the image is more than two years younger than the individual; (ii) the image does not show an act that is a serious criminal offence.

The issue of exceptions has proved contentious. Some members feel that young adults between the age-group of 16-19 years should also be covered under this exception. Some members feel that the possession of any sexual material of whatever kind by minors must be banned outright.

The Committee recommends MWCD engage in a widespread campaign through schools and community organisations to discourage risky online behaviour amongst children.

1.4   Protection for individuals reporting Child Sexual Abuse Material (CSAM)

The Committee recommends partially amending Section 15(1) of POCSO Act, 2012 by inserting after the words "ten thousand rupees." the following sentence, namely:

(1b) Individuals downloading, storing or possessing pornographic material in any form involving a child solely for the purposes of mandatory reporting will not be considered as committing an offence under the Act.

Under the POCSO Act, 2012, school management should be responsible for safety of children within schools, transportation services and any other programs engaged by the school; and therefore, accountable to the law.

1.5   Specify national portal under reporting requirements in POCSO Act, 2012

The Committee recommends addition of an additional clause in Section 19 (1) of the POCSO Act 2012 after clause (b), namely:

or, (c) in case of electronic material, the National Cybercrime Reporting Portal.

1.6   Prepare Code of Conduct for social media platforms for strict adherence

The Committee recommends the addition of a clause after Section 46 of the POCSO Act, 2012

47. The Central government shall prepare a Code of Conduct for use of intermediaries laying down the general principles and practical guidelines for maintaining child safety online, ensuring age appropriate content and curbing use of children for pornographic purposes.

1.7   Amend IT Act, 2000 to plug gaps relating to CSAM

The Committee recommends to two specific changes in the Information Technology Act, 2000 to deal with the proliferation of Child Sexual Abuse Material.

a) A new Section 67B should be added to deal with punitive measures for those who provide pornography access to children and also those who access, produce or transmit CSAM.

b) Section 69A should provide for powers to the Union Government through its designated authority to block and/or prohibit all websites/intermediaries that carry CSAM.

1.8   Require reporting by intermediaries to Indian and not just to foreign authorities

The Committee recommends the addition of another requirement in the Information Technology (IT) Act (Intermediaries Guidelines) Rules 2011, namely:

13. The intermediary shall report Child Sexual Abuse Material (CSAM) to and also share information relating to missing children with Indian law enforcement authorities both at the central and state levels.

The Committee stresses that there should be a non-violable time-frame specified for reporting and taking down the CSAM. Penalties should be specified for the violations of this time-frame.

1.9   Enhance scope and powers for dark-web investigator

The Committee recommends the insertion of a new section in the IT Act, 2000 after Section 69B, namely:

69C. Power to authorise law enforcement authorities to use cyber-generated and existing pornography for purpose of investigations.

The Committee is of the view that if some NGOs/activists want to investigate the sites for the purposes of finding the abusers of children, then with the approval of the nodal agency they should be allowed to do their investigation. But if they are found misusing the privilege then the strict action must be taken against them too.

1.10   Require Internet Service Providers (ISPs) to proactively monitor and take down CSAM

The Committee recommends modifying the IT (Intermediary Guidelines) Rules 2011 to include after Section 12, the following provision:

a) *Intermediaries shall be responsible for all measures to pro-actively identify and remove Child Sexual Abuse Material (CSAM) as well as report it to Indian authorities under the National Cybercrime Portal. Gateway ISPs must bear a significant liability to detect and block CSAM websites.*

b) Intermediaries shall also be responsible to report to the designated authority IP addresses/ identities of all those searching/ accessing child porn/ CSAM keywords.

The Committee is of the firm opinion that all Intermediaries should compulsorily adhere to precedents on proactive monitoring such as the Supreme Court orders in the *Sabu Mathew* case (2017) and the *Prajwala* case (2018).

1.11 Prohibit misleading domain names leading to obscene content

The Committee recommends that changes may be made to make misleading domain names an offence in the IT Act, 2000 after Section 67B (e) to insert the following clause, namely:

(f) knowingly uses a misleading internet domain name with the intent to deceive a minor into viewing material that is obscene or harmful.

2. TECHNOLOGICAL MEASURES

2.1 Require ISPs to proactively monitor and take down Child Sexual Abuse Material (CSAM)

The Committee recommends modifying the IT (Intermediary Guidelines) Rules 2011 to include after Section 12, the following provision:

a) *Intermediaries shall be responsible for all measures to pro-actively identify and remove Child Sexual Abuse Material (CSAM) as well as report it to Indian authorities under the National Cybercrime Portal. Gateway ISPs must bear a significant liability to detect and block CSAM websites.*

b) *Intermediaries shall also be responsible to report to the designated authority IP addresses / identities of all those searching/ accessing child porn/ CSAM keywords.*

c) *All search engines must ensure that CSAM websites are blocked during the search and should be obligated to report any website along with gateway ISPs to the appropriate authority.*

2.2 Permit breaking of end-to-end encryption to trace distributors of child pornography

The Committee recommends modifying the IT (Intermediary Guidelines) Rules 2011 to include the ability to trace the originator or sender of the message shared on end-to-end encryption platforms in cases where CSAM that has been shared has come to the attention of law enforcement agencies.

2.3 Mandatory apps on all devices sold in India that monitors children's access to pornographic content

The Committee recommends that MeitY mandate existing screen-monitoring apps and/or encourage industry partnerships to develop the same through hackathons etc. Google's Family Link App or similar solutions should be developed and made freely available to ISPs, companies, schools and parents.

2.4 Conclude MOUs with industry for AI tools in dark-web investigations

The Committee recommends that MeitY/MHA sign MOUs with industry partners to develop technological solutions for proactive monitoring of CSAM.

2.5 Partner with blockchain companies to track crypto currency transactions

The Committee recommends that MeitY/MHA increase their liaisons with block chain analysis companies to trace identities of users engaging in crypto currency transactions to purchase child pornography online.

2.6 Increase liaison with financial services industry

The Committee recommends that MeitY/MHA may increase liaison with financial services companies like credit card providers to prevent online payments systems from being used for purchasing child pornography. The Committee recommends that online payment portals and credit cards be prohibited from processing payments for any pornographic website.

2.7 Offer filters for parental control

The Committee recommends that MeitY may require ISPs to provide family friendly filters with an opt-out option. The IT (Intermediary Guidelines) Rules 2011 should be modified to include the following:

> *Internet Service Providers (ISPs) are required to offer opt-out family friendly filters to parents at the point of sign-up.*

2.8 Require ISPs to provide information to parents about online safety topics

The Committee recommends that the IT (Intermediary Guidelines) Rules 2011 be modified to include the rule, namely:

> *ISPs are required to provide an Online Safety Portal on their homepage containing all necessary information for parents on how to use family friendly filters, how to opt-in/opt-out if so desired, methods of supervising and managing children's access to Internet Content. ISPs should also provide options for age verification of end users e.g. through credit card payment options or proof of identity such as passport.*

2.9 Require social media platforms to issue warning against underage use at the point of sign up

The Committee recommends that the IT (Intermediary Guidelines) Rules 2011 include the following rule:

> *Social media sites and apps are required to issue age restriction warnings at the point of account creation/sign up that advises parents not to assist minors in the creation of underage accounts.*

2.10 Require social media platforms to adhere to uniform benchmark practices in regulating and taking-down content

The Committee recommends that social media platforms follow uniform benchmark practices:

a) Targeting Bulk/Automated Behaviour- ban user accounts engaging in automated behaviour by identifying phone numbers known to be involved in spam messaging

as well as by tracking users who send high volumes of messages soon after registering.

b) Employ Photo DNA to target profile pictures of groups with CSAM content or prevent content from being uploaded at source.

c) Take down posts depicting child exploitation and ban user accounts reported or flagged instead of simply blocking such content from users who report such content.

d) Target encrypted content to identify CSAM content and explicitly state measures being taken with regards to the Indian context to curb the formation of groups, pages and other fora for the exchange of such material.

e) Provide information on community guidelines and illegal content to users in multiple languages.

f) Encourage awareness and use of reporting mechanisms by providing a warning when an unknown number messages a user.

g) Providing warning message on search engines as well as parental filters across platforms.

h) Programmes and Campaigns for increasing awareness on online safety of children.

i) Mandatory reporting of CSAM content to Indian authorities.

j) Incorporation of Trusted Flagger Programmes across social media platforms with elements such as bulk-flagging tool, Prioritized flag reviews for increased actionability, etc.

k) Creating and sharing online safety booklets for users where the content specifically focuses on best practices to use to stay safe on the internet like creating strong passwords, two step verification along with understanding privacy setting and reporting content and users.

l) Hosting Online Safety workshops with planned outreach and viewership numbers by partnering with organisations which use the platforms.

m) Build industry-wide coalitions such as Google's Technology Coalition and providing mentorship to smaller companies working to increase their ability to detect CSAM.

n) Provide online videos or warning messages at the time of logging into social media platforms stating a zero-tolerance policy towards such content.

2.11   Age Verification and restriction of access to children
The Committee recommends that similar requirements may be placed under either the nodal agency or in social media guidelines to bolster age-verification mechanisms and restrict access to objectionable/obscene material.

2.12   Preventing spread of CSAM across common platforms

All Social Media Platforms should be mandated with minimum essential technologies (which provide minimum required capacities) to detect CSAM. Regular (quarterly or monthly) reporting to law enforcing agencies in India should be

mandated. Good practices of sharing of technologies relating to child safety should be promoted by the Government.

The Committee would like to suggest that on streaming platforms like Netflix and social media platforms like Twitter, Facebook, etc, there should be separate adult sections where the entry of underage children could be disallowed.

2.13   Deterring predatory behaviour

The Committee recommends incorporation of the following measures to prevent and deter predatory behaviour on platforms:

a) Deterrence messaging - such as that Google provides to organizations to surface 'redirect' messaging (through advertisements) to those who may be searching for CSAM on Google Search.

b) Limiting search queries- such as those involving any which seek CSAM content.

c) Product Policies to explicitly bar the posting of CSAM in any form.

d) Limiting comments and discoverability to minors which may provide objectionable content.

e) Prohibition on monetization of CSAM- including measures to block ads, or suspend/terminate an account if it violates this policy

3.   INSTITUTIONAL MEASURES

3.1   Create national nodal agency to combat child pornography in social media

The Committee recommends that a substantially upgrade NCPCR be designated as the nodal agency to deal with the issue of child pornography. It should be empowered suitably to deal with the added responsibilities. The capabilities required in the NCPCR should include technology, cyber policing and prosecution. It will also need to work in close coordination with other agencies in the Central and State governments, particularly the Online Child Sexual Abuse and Exploitation (OCSAE) Prevention/Investigation Unit that has been set up by the CBI. The Committee also recommends that an inter-ministerial task force be created to be serviced by NCPCR. This will have representatives of MHA, MeitY and other Ministries/Departments/Agencies. If need be, the task force can be given statutory backing.

3.2   Create one-stop window for awareness materials and reporting mechanisms

The Committee recommends that a major awareness campaign be launched by the MOWD on the initiatives already taken to combat the menace of child pornography lost notably the POCSO e-box and the National Cybercrime Reporting portal. A centralised roster of cyber-volunteers can also be created to encourage reporting of CSAM to the nodal agency. Additionally, NCPCR may also provide for a hotline for reporting or getting images removed from the Internet.

The Committee is of the opinion that the newly set up Online Child Sexual Abuse and Exploitation (OCSAE) Prevention and Investigation venture by the CBI can serve as a one-stop solution to cases of child abuse content that run risk of slipping through the crack of technical and logistical loop holes.

3.3   Simplify process for take-down of content in foreign jurisdictions

The Committee recommends that MeitY employ liaisons in priority countries whose sole job would be to fast-track requests for take-down of content under the Mutual Legal Assistance Treaty (MLAT). The Committee recommends an executive agreement with the US under the US's Clarifying Lawful Overseas Use of Data (CLOUD) Act, 2008 in order to remove bottlenecks for speedy and effective action.

3.4   Increase International co-operation for curbing child pornography

The Committee recommends that MeitY/MHA conclude MOUs with countries other than existing one with the U.S. for information sharing in dark web investigations e.g. Australia, Germany, and U.K. In addition, MeitY and MHA should engage with transnational initiatives like the Virtual Global Task Force which comprises a group of law enforcement agencies from twelve countries plus Interpol and which operates to stop child pornography online.

3.5   Build ties with research institutes and academia

The Committee recommends that MeitY build partnerships with research organisations to map out existing AI tools and conduct research on solutions that can be used to detect, measure and counter child abuse. MeitY may also explore global collaborations on bilateral and multilateral levels with specialised NGOs and Academia and national collaborations to collect disaggregated data on children's internet usage habits. One initiative that can be replicated nationally through the CBSE/NCERT is the Goa Government's tie-up with Google to deploy basic and enhanced e-safety modules as part of the school curriculum.

3.6   Strengthen data collection and reporting

The National Crime Records Bureau (NCRB) must mandatorily record and report annually cases of child pornography of all kinds. It should record the number of cases reported, investigated, disposed off and other relevant information. In addition, a national Tipline Number should be created where child sexual abuse as well as distribution of child pornographic material can be reported by concerned citizens.

4.   SOCIAL AND EDUCATIONAL MEASURES

4.1   Nationwide campaign for parental awareness

The Committee would also suggest that a structured study be undertaken at the earliest pertaining to restrictions imposed in other countries on use of smartphones by underage kids. Learnings from other countries may help us design a proper and practicable policy.

The Committee recommends that MWCD/Ministry of Information and Broadcasting introduce a campaign for greater awareness among parents to recognise early signs of child abuse, on online risks and how to improve online safety for their child. It should be mandatory for schools to undertake training of parents—at least twice a year--making them aware of hazards for children of free access to smartphones and the Internet at an early age.

4.2   Training

The Committee recommends that MHA/MeitY increase training programmes for responders in child abuse investigations and dispatch agency officials to training conducted by the Federal Bureau of Investigation (FBI). Other organisations such as the International Centre for Missing and Exploited Children (ICMEC) provide support, training and expertise to governments, law enforcement, policymakers, and others. Training modules for public prosecutors and judges too must be instituted.

4.3   Guidelines for media in POCSO Model Guidelines, 2012

The Committee recommends including a new section in POCSO Model Guidelines, 2012 providing guidelines for media professionals on reporting on child exploitation and on how to inform the public about online safety measures. Further, any violation of such guidelines such should be compiled and reported by the Ministry of Information and Broadcasting along with any action taken against such media houses or platforms.

4.4   Guidelines on online addiction

The Committee recommends including a new section in POCSO Model Guidelines 2012 on providing advice to schools for dealing with harmful effects of

pornography on children, including treatment of children with online addiction and recommending every school to have at least one male and one female counsellor.

4.5 Provide positive alternatives to children

The Committee recommends specifying alternative activities in POCSO Model Guidelines 2012 which can channel children's energies to dissuade them from online games including provision of playgrounds, as well as encourage face-to -face quality time with parents.

4.6 Increase online safety awareness among children

The Committee recommends that the Ministry of Women and Child Development engage in a nationwide campaign to increase awareness of the risks of online addiction, cyber-bullying, explicit content and other online safety issues.

4.7 Nationwide campaign in educational institutions for regulations

The Committee recommends that it should be mandatory across all educational institutions, such as schools, colleges, etc. to have 'Social Media Regulations' addressing all social and legal requirements to ensure increased awareness and compliance. Institutions must also formulate penalties and actions corresponding to violation of the guidelines.

5. STATE-LEVEL IMPLEMENTATION

5.1 State-Level Comparative Analysis of implementation mechanisms instituted by each State Government
  The Committee recommends that states and UTs consider the adequacy of:
- their current policies on, and responses to, allegations of sexual abuse perpetrated by children within schools; and
- the training on child protection matters provided to individuals employed in, or preparing for employment in, roles that could involve children.

5.2 State Commission on Child Protection Rights (SCPCR)
  The Committee recommends that each state/UT ensure that it has a duly constituted and empowered State Commission for the Protection of Child Rights to mirror the capabilities and capacities of the NCPCR. The SCPCR must include an e-safety commissioner.

5.3 State-level e-safety Commissioners along the lines of Australian system

  The Committee recommends that e-safety commissioner's be appointed at State Level to ensure implementation of social media and website guidelines related to flagging of content and removal thereof, along with age-verification, warnings and other pre-requisites.

CONCLUDING OBSERVATIONS

The Committee would like to stress that only if implemented as an integrated package of measures and not piecemeal would its recommendations have any value and impact. Technology is moving very rapidly and the purveyors of child pornography seem always to be one step ahead of the regulators. That it why it is important to implement these recommendations and monitor their implementation closely and continually so that regulations keep pace. The most up-to-date technological tools have to be made available to all the regulatory agencies.

The Committee would also request that the Prime Minister take up the subject of child pornography and what needs to be done to combat it in one of his forthcoming *Mann ki Baat* broadcasts. It also feels that the Prime Minister should take the lead in building up a global *political* alliance to combat child pornography on social media along the lines of the initiative he took to create the International Solar Alliance. He could this either at the G-20 or at the United Nations.