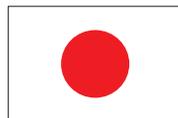


**Second Comprehensive Measures to Eliminate Child
Pornography**



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Ministerial Meeting Concerning Measures Against Crime

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Introduction

Upon establishing “Second Comprehensive Measures to Eliminate Child Pornography”

In July 2010, the Ministerial Meeting Concerning Measures against Crime established Comprehensive Measures to Eliminate Child Pornography in order to stop the spread and proliferation of child pornography and to promote elimination of it. In the three years since then, some positive results have been achieved including promotion of people’s movement through conferences and symposiums, and initiation of measures to prevent access to child pornography images on the Internet (blocking) as private voluntary efforts.

However, the number of child pornography crimes cleared and the number of such offenders continue to be on the rise in Japan, with both hitting a record high in 2012 at 1,596 cases and at 1,268 offenders. Most of these cases relate to the Internet, and in particular, arrests of offenders using file-sharing software have been rapidly increasing. In line with this, the number of child victims has also been increasing. Some of these cases are still committed by the actual mothers of the children, who are supposed to protect their children, or by school teachers or nursery teachers, in whom children usually place absolute trust. Circumstances are more serious, especially in that victims of about half of child pornography crimes are found to be younger children who are unable to resist and that about 80% of underage child pornography are produced by means of indecent assault or rape.

Child pornography is a record of sexual exploitation and sexual abuse of children, which violates children's rights protected under the Convention on the Rights of the Child. It is almost impossible to withdraw child pornography once it has been placed on the Internet, and in fact child pornography produced more than ten years ago still remains in circulation. The pain of abused victims lasts long into the future. Such heinous child pornography crime is in no way acceptable.

With all of these circumstances in mind, the Japanese government has decided to establish "Second Comprehensive Measures to Eliminate Child Pornography" with the view of achieving the goal of eliminating child pornography in the coming three years. Issues of particular concern are:

- (i) Strengthening of measures to prevent distribution and access including measures regarding file sharing software
- (ii) Enhancement and strengthening of protective measures to reinforce support for victims
- (iii) Promotion of efforts to strengthen international cooperation

These measures are a compilation of policies that the government should conduct immediately under existing laws and regulations, and the relevant ministries and agencies

will promote concrete measures, in cooperation with general public, business entities, and organizations concerned. The results of respective efforts shall be reviewed annually and flexible and effective actions shall be taken in accordance with changes in circumstances.

1. Promotion of the People's Movement for the Elimination of Child Pornography

(i) Convening of a conference

In order to jointly promote public and private momentum for the elimination of child pornography, the Cabinet Office will convene a conference consisting of related ministries and agencies, educational bodies, medical bodies, business bodies, and NPOs to discuss how to promote people's movements and which will promote collaboration and cooperation through exchange of mutual information. (Cabinet Office)

(ii) Effective promotion of the people's movement

For the purpose of eliminating child pornography, through open symposiums that aim to raise awareness by general public, efforts shall be made to promote people's movements in an effective manner. In addition, efforts toward eliminating child pornography led by related bodies such as local governments and NGOs shall be actively promoted.

Furthermore, the Human Rights Organs of The Ministry of Justice will put up a slogan "Protect Children's Rights" as one of their annual focuses of educational activities, and carry out educational activities by distributing booklets, etc. with respect to children's rights issues including the child pornography issue throughout the year, around Japan. (Cabinet Office, National Police Agency, Ministry of Justice, and other related bodies)

(iii) Public relations and awareness-raising activities on website

The website of the Cabinet Office introduces activities by the Working Team for Measures to Eliminate Child Pornography, and the website of the National Police Agency, under the title "No!! Child Pornography," provides information such as the definition of child pornography, measures to prevent damage, the current situation of cleared cases and damage, and the seriousness of the damage caused to child victims. Through these efforts, people's understanding of measures to eliminate child pornography should be deepened. (Cabinet Office, National Police Agency, and other related bodies)

(iv) Efforts during "Child Abuse Prevention Month"

During "Child Abuse Prevention Month" every November, public relations and awareness-raising activities shall be promoted jointly with local governments and related bodies, so as to raise social awareness toward the issue of child abuse including child pornography. (Ministry of Health, Labour and Welfare, and other related bodies)

(v) Efforts during the "National Month for the Prevention of Juvenile Delinquency and Juvenile Damage"

During the "National Month for the Prevention of Juvenile Delinquency and Juvenile Damage" observed every July and the "National Month for Assisting the Development of Children and Youths" observed every November, the strengthening of public relations and awareness-raising activities for eliminating child pornography shall be given high priority, and related organizations and bodies and local residents shall mutually cooperate and collaborate with each other to promote such activities so as to enhance people's understanding of the necessity of measures to eliminate child pornography. (Cabinet Office, National Police Agency, and other related bodies)

(vi) Efforts in the "Campaign for Eliminating Violence against Women"

In the "Campaign for Eliminating Violence against Women" every November, public relations and awareness-raising activities should be promoted in collaboration and cooperation with local governments, women's groups and other related bodies, so as to eliminate violence against women including sexual exploitation of children. (Cabinet Office, and other related bodies)

(vii) Approach to guardians through PTA

Related ministries and agencies shall closely collaborate with national PTA organizations to disseminate the significance of the elimination of child pornography upon such opportunities as the National Convention and General Meeting of the PTA. (Ministry of Education, Culture, Sports, Science and Technology)

(viii) Participation in global efforts

Based on the provisions of the "Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography," which Japan ratified in 2005, the Government of Japan will endeavor to ensure the implementation of the said Optional Protocol, in line with the purport of the concluding observations that were issued by the Committee on the Rights of the Child in response to the government's report to the committee. (Ministry of Foreign Affairs, and National Police Agency)

2. Promotion of Measures to Prevent Damage

(1) Development of an environment that provides safe and secure internet use for young people

(i) Promotion of comprehensive measures to prevent damage based on the Act on Development of Internet Environment for Young People

In light of the ongoing occurrence of cases where young people are involved in crimes or trouble such as child pornography crimes through the use of the Internet, etc. the Act on Development of Internet Environment for Young People was enacted in order to provide safe and secure Internet use for young people. For the purpose of collecting data

necessary for grasping the status of the enforcement of said Act, surveys shall be carried out on young people and their guardians about their knowledge of filtering services including filtering services for smartphone wireless LAN, dissemination of filtering services, and their needs for improvement, etc. At the same time, measures shall be taken to improve the performance of filtering services and software based on such needs. The use of filtering services and software shall also be disseminated. Furthermore, based on said Act, related ministries and agencies and related business operators shall be united to carry out public announcements and awareness-raising activities on proper Internet use by young people for themselves and their guardians, etc. and promote research and other comprehensive measures. (Cabinet Office, National Police Agency, Ministry of Internal Affairs and Communications, Ministry of Justice, Ministry of Education, Culture, Sports, Science and Technology, and Ministry of Economy, Trade and Industry)

(ii) Enhancement of media literacy for the protection of youths and assistance for new efforts

In order to enhance young people's capacity to accurately understand and use information necessary for the promotion of the sound use of media (media literacy), the Ministry of Internal Affairs and Communications will comprehensively promote measures, such as survey research on safe use of Social Networking Service (SNS) and other Consumer Generated Media (CGM), development of teaching materials on media literacy in accordance with the characteristics of the media, and strengthening of collaboration among related parties. Furthermore, so as to prevent the occurrence of cases where young people are involved in crimes through the use of the Internet, the ministry will continue to provide assistance to efforts by CGM operators for protecting young people, including the authentication of mobile phone users' age and monitoring of message exchange services, based on the recommendations by the " Study Group on Consumer Issues with ICT Services ." (Ministry of Internal Affairs and Communications)

(iii) Measures to promote dissemination, etc. of filtering services

Based on the recommendations by the "Study Group on Consumer Issues with ICT Services," assistance shall be provided further for measures to promote the dissemination and improvement of filtering services.

Awareness-raising seminars to disseminate filtering services shall be held so as to enhance awareness and understanding of young people themselves and other related parties, including guardians and school teachers, about the risks inherent in the use of the Internet and countermeasures against such risks, and thereby enhance the Internet literacy of all related parties and encourage effective voluntary efforts by guardians, etc.

For the purpose of promotion of dissemination of filtering services, in collaboration with organizations concerned, efforts by mobile carriers and distributors to explain to guardians about the information of filtering services for smartphone wireless LAN and function-restricting applications to restrict certain applications from starting up shall be

assisted. (Ministry of Internal Affairs and Communications, Ministry of Economy, Trade and Industry, Cabinet Office, National Police Agency, and Ministry of Education, Culture, Sports, Science and Technology)

(2) Promotion of dissemination of information moral, etc.

(i) Public relations and awareness-raising activities concerning risks and proper use of the Internet

Parent Briefing Sessions, Delinquency Prevention Classes, Lectures on Cyber Security and other opportunities will be fully utilized to provide to schools, local communities and families the information on crime damage to young people caused by the use of the Internet, such as dating sites, community sites and smartphone applications as well as examples of harmful information. Warnings in using the Internet not to enter their name or telephone number or post their pictures on the Internet without careful consideration, and risks of being a crime victim and resulting in troubles due to careless association with persons acquainted with through the Internet will be made widely known. Such public relations and awareness-raising activities concerning the risks and proper use of the Internet will be promoted.

In addition to promotion of further dissemination of filtering services for traditional mobile phones, in light of the circumstances where smartphones are rapidly proliferating among children, public relations and awareness-raising activities to promote the use of filtering services for smartphone wireless LAN and function-restricting applications to restrict certain applications from starting up will be carried out. (National Police Agency, Cabinet Office, Ministry of Internal Affairs and Communications, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, and Ministry of Economy, Trade and Industry)

(ii) Holding of Internet Safety Class

With the cooperation of the police, the Ministry of Economy, Trade and Industry will collaborate with NPOs nationwide to hold Internet Safety Class for young people, their guardians, and teachers so as to raise awareness on information security and countermeasures against illegal/harmful information. (Ministry of Economy, Trade and Industry, and National Police Agency)

(iii) Enhancement of information moral education at schools and at home

The negative side of informatization, such as the issue of illegal/harmful information on the Internet, has had a significant impact on children and they are now prone to crimes via the Internet. Therefore, information pertaining to moral education at school will be steadily carried out in accordance with the new Course of Study. Furthermore, the Ministry of Education, Culture, Sports, Science and Technology will encourage local communities to hold lectures concerning education at home on the risks on the Internet, through which damage by child pornography crimes is often caused, and proper use of

the Internet. (Ministry of Education, Culture, Sports, Science and Technology)

3. Promotion of measures to prevent distribution of and access to images of child pornography on the Internet

(i) Promotion of efforts toward the elimination of illegal information

The police will work hard to detect illegal information related to child pornography through cyber patrol and reports to the Internet Hotline Center and promote crackdown. The police and the Internet Hotline Center shall issue a request for deletion to site administrators if they detect any information of that kind. When having arrested a suspect of a child pornography crime using the Internet, the police will request or instruct the administrator and other interested parties of the bulletin board on which said illegal information was placed to delete the information and to make efforts to prevent the recurrence of any similar cases. Furthermore, the police will introduce the activities of the Internet Hotline Center at Delinquency Prevention Classes, lectures on information security and upon other opportunities, and thereby further promote the removal of child pornography from the Internet. (National Police Agency)

(ii) Assistance for the operation of guidelines by business bodies

The Ministry of Internal Affairs and Communications will provide assistance for proper operation of the "Guidelines on Measures for Illegal Information on the Internet," including the criteria for child pornography that should be deleted and the "Model Contract Articles on Measures for Illegal/Harmful Information," including the provisions regarding blocking of child pornography which were established by business bodies (Telecommunications Carriers Association, Telecom Services Association, Japan Internet Providers Association, and Japan Cable and Telecommunications Association). (Ministry of Internal Affairs and Communications)

(iii) Assistance for the operation of the Consultation Center for Illegal/Harmful Information

In order to strengthen measures taken by providers, etc. for illegal/harmful information on the Internet based on relevant guidelines, the Ministry of Internal Affairs and Communications will provide assistance for the operation of the Consultation Center for Illegal/Harmful Information that conducts consultation for providers, etc. on how to cope with respective cases concerning illegal/harmful information on the Internet. (Ministry of Internal Affairs and Communications)

(iv) Promotion of various measures toward improvement in the effectiveness of blocking

Child pornography on the Internet significantly infringes the rights of children. Even when the Internet Hotline Center has requested the deletion of detected images to the site administrator, etc. or when the police have conducted investigation and have arrested

suspects, said images are left on the Internet until they are actually deleted. In order to protect the rights of children, it is necessary to prepare an address list of websites containing child pornography immediately after detecting any problematic images, irrespective of the nationality of the servers, and have Internet service providers (ISPs) take measures to prevent access to such images (blocking). Since April 2011, ISPs and other related business operators have been implementing blocking on a voluntary basis. The following measures shall be taken so that ISPs and other related business operators can improve the effectiveness of blocking in introducing such blocking on a voluntary basis, while paying attention not to cause any unreasonable effects on the privacy of communications and the freedom of expression of Internet users. (National Police Agency, Ministry of Internal Affairs and Communications, Cabinet Office, and Ministry of Economy, Trade and Industry)

i. Environmental arrangements toward improvement in the effectiveness of blocking

Assistance shall be provided so that the process of providing information from the National Police Agency and the Internet Hotline Center and providing relevant address lists to service providers and other related parties from the body to prepare and manage address lists of websites containing child pornography can be more rapidly implemented and so that effective blocking can be carried out.

Furthermore, in connection with the current major blocking method, blocking may not be carried out due to a problem that images other than child pornography are also blocked (over-blocking). On the other hand, other methods have a problem of facilitating subsequent avoidance of blocking. Although the blocking methods have their own advantages and disadvantages, efforts shall be made to develop the necessary environment to ensure ISPs can carry out blocking effectively in collaboration with the body to prepare and manage address lists of websites containing child pornography.

ii. Promotion of voluntary introduction of effective blocking by ISPs

Further efforts shall be made so as to have ISPs understand the significance and effectiveness of blocking for preventing distribution of child pornography on the Internet and to encourage them to introduce effective blocking on a voluntary basis.

iii. Public relations and awareness-raising activities for general users regarding the purpose and significance of blocking

Public relations and awareness-raising activities on the purpose and significance of blocking shall be carried out targeting general Internet users so as to obtain their understanding and foster public awareness on measures to prevent distribution of and access to images of child pornography on the Internet.

(v) Promotion of measures to prevent distribution and access by using file sharing network

While child pornography crimes through the use of file sharing software are on a rapid rise, blocking is not effective against file sharing software. On the grounds that children's rights must be protected while paying attention to the operation so that it will cause no unreasonable effects on the privacy of communications, measures to prevent distribution and access by using file sharing network in collaboration to related business operators shall be considered and efforts shall be carried out. (National Police Agency, and Ministry of Internal Affairs and Communications)

4. Early detection of child victims and promotion of support activities

(1) Early detection and support activities

(i) Awareness-raising of related officials

In collaboration with local governments, awareness-raising activities shall be carried out for officials, such as school teachers and child welfare-related officials, who are highly likely to have contact with potential child pornography crime victims, so as to detect any damage at an early stage. (National Police Agency, Ministry of Health, Labour and Welfare, and Ministry of Education, Culture, Sports, Science and Technology)

(ii) Damage prevention through street guidance activities and early detection and protection of child victims

The police will actively communicate with or give guidance to children and juveniles during a patrol and provide proper professional treatment upon receiving juvenile consultations, so as to prevent child pornography-related damage and detect and protect child victims at an early stage. (National Police Agency)

(iii) Provision of continuous support for child victims

In order to alleviate the psychological damage of child victims, the police will support them continuously by providing planned counseling by juvenile guidance officials and juvenile counseling experts in accordance with the characteristics of respective victims and by making environmental arrangements in collaboration with their families, schools and child guidance centers. (National Police Agency, Ministry of Education, Culture, Sports, Science and Technology, and Ministry of Health, Labour and Welfare)

(iv) Enhancement of the counseling system

As it is often difficult for police officials in charge alone to continuously support child victims to alleviate their psychological damage, a system needs to be established, under which external specialists, such as clinical psychologists and psychiatrists, are commissioned in advance to provide advice to those officials as needed. (National Police Agency)

(v) Enhancement of the consultation system utilizing school counselors, social workers, “Children’s Rights Dial 110” and “Children’s Rights SOS Mini-Letters”

The Ministry of Education, Culture, Sports, Science and Technology will develop the system where child pornography crime victims feel comfortable in consulting and contributing to the early detection of such victims by deploying school counselors who have highly specialized knowledge and experience concerning children's clinical psychology and social workers who have not only knowledge concerning educational fields but also highly specialized knowledge and experience about social welfare, and assisting the establishment of the consultation system. Furthermore, as measures for children in need of mental care due to disasters or incidents and accidents including child pornography crimes, the ministry will provide assistance for emergency dispatch of school counselors.

The Ministry of Justice will develop the system where children feel comfortable in consulting and contributing to the early detection of child victims by setting up a special helpline concerning children’s rights called “Children’s Rights Dial 110” (toll-free) and distributing “Children’s Rights SOS Mini-Letters” (letter and envelop designed for consultation) to elementary and junior high school children across Japan. (Ministry of Education, Culture, Sports, Science and Technology, and Ministry of Justice)

(vi) Support for children and reporting by child guidance centers

The following support shall be provided when a child guidance center receives any consultation concerning a child who has been harmed mentally and physically due to damage by sexual abuse or a child pornography crime.

- Counseling by Child Psychologists and guidance and assistance by Child Welfare Officers
- Temporary custody when urgent custody is needed
- Referral to specialized agency such as a medical institution when medical care is needed
- Admission to a child welfare institution when the child's life needs to be rebuilt

In the process of consulting with the child guidance center, the case shall be reported to the police after confirming the intention of the child victim. (Ministry of Health, Labour and Welfare, and National Police Agency)

(vii) Operation of Child and Family Support Centers and deployment of officials in charge of psychotherapy to child welfare institutions

Child and Family Support Centers shall be operated in close coordination among related organizations so as to ensure that they properly provide consultation and support concerning damage caused by child pornography crimes. Officials in charge of psychotherapy will provide care and guidance to children in need of psychological treatment, and officials in charge of psychotherapy shall be deployed to foster homes, infant homes, children's self-reliance support facilities, and maternal and child living

support facilities to provide psychotherapy, such as play therapy and counseling, to children in need of such therapy due to trauma caused by abuse, etc. (Ministry of Health, Labour and Welfare)

(2) Capacity building of officials

(i) Dissemination of questioning techniques with consideration of psychological effect to child victims

While understanding victims' psychologies and characteristics and paying ample attention to prevent secondary damage, questioning techniques, which can ensure admissibility of evidence and probative value of child victims' statements, shall be disseminated among prefectural police headquarters. (National Police Agency)

(ii) Improvement of education to officials in charge of supporting child victims

The National Police Agency will improve education concerning the support for child victims based on the characteristics of such child pornography crimes, including how to carry out counseling, how to deal with cases properly upon occurrence, and how to provide support to victims for their recovery in order to enhance the capacity of prefectural police officials in charge of supporting child victims. (National Police Agency)

(iii) Implementation of training concerning care for child sex crime victims

The Children's Rainbow Center will provide child guidance center officials with training on how to deal with sexual abuse cases. (Ministry of Health, Labour and Welfare)

(iv) Enhancement of treatment for mental care for child sex crime victims

The Ministry of Education, Culture, Sports, Science and Technology will prepare reference materials, which include examples where teachers detect and deal with child sex crime victims at an early stage through health monitoring and health consultation. At the same time, the Ministry will hold symposiums and training sessions targeting managing teachers, healthcare teachers, class teachers and school counselors for children's mental care such as appropriate care for posttraumatic stress disorder (PTSD) including sexual assault. (Ministry of Education, Culture, Sports, Science and Technology)

5. Strengthening of crackdown on child pornography crimes

(i) Strict apprehension of heinous child pornography offenders

The National Police Agency will promote cyber patrol, actively utilize information collected at the Internet Hotline Center and reported through the anonymous dial system, and will encourage joint investigation among multiple prefectural police headquarters. Through these efforts, the police will continue to strengthen investigation with the focus

on crimes committed by groups of underage child pornography lovers and those involving the use of file sharing software, and strictly apprehend heinous child pornography offenders. (National Police Agency)

(ii) Strengthening of charges on heinous business operators

Regarding heinous business operators such as site administrators and server administrators having a part in the provision of child pornography, the police will strengthen guidance and warning and make recommendations to and lay criminal charges on these server administrators, etc. based on the Act on Control and Improvement of Amusement Business, etc. Criminal charges on such heinous business operators shall be pursued more severely. (National Police Agency)

(iii) Strict punishment for child pornography offenders

Law enforcement agencies will make efforts for strictly punishment child pornography offenders by positively applying the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children, as well as the provision of crimes committed by Japanese nationals outside Japan. (Ministry of Justice)

(iv) Enhancement of investigative capacity for child pornography crimes

The National Police Agency will continue to provide training specialized in the investigation of child pornography crimes and put in place materials and equipment necessary for analyzing and investigating child pornography crimes so as to enhance its capacity for investigating child pornography crimes, including those involving the use of file sharing software with respect to which the number of arrests has been on a rapid rise since 2010, and software used has been diversified. (National Police Agency)

(v) Implementation of training for public prosecutors

Public prosecutors shall be provided with lectures concerning special consideration needed for children at various training sessions given according to their service years, and they are to make effort to obtain knowledge on child pornography crimes. (Ministry of Justice)

6. Establishment of the framework of cooperation with foreign countries and strengthening of international cooperation

(i) Active participation in “Global Alliance against Child Sexual Abuse Online ”

In December 2012, “Ministerial Meeting to Establish Global Alliance against Child Sexual Abuse Online” was held and attended by ministers of justice and of interior and the like from 28 countries including Japan. Global cooperation shall be strengthened through active participation in these efforts and promotion of exchange of information with foreign countries. (Cabinet Office, National Police Agency, Ministry of Justice, and

Ministry of Foreign Affairs)

(ii) Strengthening of collaboration with foreign investigative authorities

The National Police Agency, Ministry of Justice, Ministry of Foreign Affairs and Cabinet Office will actively participate in international activities by the International Criminal Police Organization (ICPO), the G8 Roma/Lyon Group and the like, and expand Seminar and Investigators Conference on Child Prostitution /Commercial Sexual Exploitation in Southeast Asia that have been held since 2002. The police will thus make arrangements for promoting information exchange with foreign investigative authorities and international cooperation for criminal investigation and will strengthen cooperative relationships. (National Police Agency, Ministry of Justice, Ministry of Foreign Affairs, and Cabinet Office)

(iii) Survey contributing to consideration of the regulations in connection with child pornography

Surveys on actual child pornography crimes in Japan will continue to be carried out in order to contribute to consideration of the regulations in connection with child pornography. While surveys have been carried out through diplomatic missions abroad concerning legislations on child pornography in G8 countries and other foreign countries, such surveys will be continued with regard to trends concerning legislations, and the survey results will be compiled regularly. (National Police Agency, Ministry of Foreign Affairs, Ministry of Justice, and Cabinet Office)