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Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Cyber Grooming, Online Sexual Exploitation, and Economic Gain: Rethinking Human Trafficking Law for Women and Children in Indonesia

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Abstract. *The advancement of digital technology has transformed the modalities of exploitation of women and children from traditional forms to those perpetrated in cyberspace. Cyber grooming is a growing approach that involves cultivating emotional bonds, establishing trust, and manipulating victims via digital media for exploitation. In practice, cyber grooming extends beyond mere communication or psychological manipulation, frequently escalating into diverse forms of online sexual exploitation, including compensated sexual video calls, sexual live streaming, the creation and dissemination of sexually explicit content, and other forms of digital sexual exploitation that yield financial profit for the offenders. This phenomena presents legal challenges as most cases continue to be interpreted and addressed via the lenses of cybercrime, pornography, child protection, or sexual violence, while its connection to human trafficking has not been sufficiently acknowledged. This study seeks to examine the correlation between cyber grooming, online sexual exploitation, and economic profit within the context of human trafficking, while also proposing a reformation of the legal framework for human trafficking that addresses these forms of digital exploitation of women and children. The study utilised normative legal methodologies incorporating legislative, conceptual, and comparative techniques. The examined legal materials comprised Law Number 21 of 2007 on the Eradication of Human Trafficking, the Electronic Information and Transactions Law, the Sexual Violence Crime Law, the Child Protection Law, and various international legal instruments about human trafficking and the safeguarding of victims of sexual exploitation. The research findings reveal that the emergence of technology-facilitated sexual exploitation has established a pattern of exploitation that eschews physical control or movement of victims, instead employing digital control, psychological manipulation, and cyberspace to derive economic benefit from the victim's sexual activities. Although the traits of exploitation correspond with the fundamental aim of human trafficking, the relevant legal regulations are disjointed across multiple legal systems, hindering a comprehensive understanding of the role of*

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online sexual exploitation within the context of human trafficking. This study contends that cybergrooming, aimed at obtaining access and dominance over victims for commercial sexual exploitation, constitutes a segment of the human trafficking continuum in the digital age. Consequently, legal change is necessary to prioritise exploitation and economic profit as fundamental criteria in the identification of human trafficking, thereby enhancing protection for women and children in the digital realm.

Keywords: *Cyber; Exploitation; Legal; Protection; Sexual.*

1. Introduction

The development of digital technology has fundamentally changed the character of transnational crime, including the criminal act of trafficking in persons. The Internet, social media, conversation apps, and various digital platforms are no longer just a means of communication, but have evolved into instruments that perpetrators use to recruit, control, and exploit victims. Digitization allows trafficking in persons networks to expand the range of operations, adapt quickly to technological developments, as well as reduce the risk of detection by law enforcement officers. As a result, trafficking in Persons has undergone changes not only in the medium in which it is carried out, but also in the entire modus operandi, from the recruitment process to exploitation, posing new challenges for the criminal justice system that increasingly relies on electronic proof and cross-jurisdictional cooperation.¹

Nonetheless, the formulation of the rule remains focused on Child Protection, victim management, and the regulation of digital environments. No legislative framework comprehensively delineates the positioning of cyber grooming, which has evolved into OCSEA, inside the trafficking in persons legal regime established by Law Number 21 of 2007. The connection between digital manipulation as the preliminary phase of exploitation and the realization of act, means, and goal elements in human trafficking remains open to interpretation, which may lead to inconsistencies in law enforcement.

2. Research Methods

This study employs normative legal research (doctrinal legal research), which is predicated on the assumption that law constitutes a coherent system of norms and aims to resolve legal issues through the analysis of legislation, legal principles, and applicable doctrine, rather than through empirical evaluation of its social effects. A defining aspect of the doctrinal method is its hierarchical process: commencing with the accurate identification of legal concerns, progressing

¹ Jennifer Martin, Kiaras Gharabaghi, and Meghan Donevan, 'Dismantling Silos: Cross-Sectoral Response to Combating Child Sex Trafficking and Online Child Sexual Exploitation', *Frontiers in Psychology* 16 (July 2025), <https://doi.org/10.3389/fpsyg.2025.1625975>.

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to the comprehensive gathering of legal materials, followed by critical assessment, analytical synthesis, and culminating in the formulation of normative conclusions. This approach was selected because the formulation of the research problem primarily investigates the internal coherence of the Indonesian TPPO legal framework concerning the OCSEA phenomenon—specifically, whether the existing norms (*das sein* in the legal text) remain pertinent to addressing the reality of an evolving crime, rather than assessing the effectiveness of their application in practice. This study employs a statutory method and a conceptual approach to address the first and second concerns. The legislative technique is employed to evaluate Law No. 21 of 2007 on TPPO, the ITE Law, the Child Protection Law, and the TPKS Law, whilst the conceptual approach is utilized to investigate crucial terms such as grooming, OCSEA, and CSAM, which lack a concrete counterpart in Indonesian positive law.

3. Results and Discussion

3.1. Transforming the Modus Operandi of trafficking in children in the Digital Age

Human trafficking constitutes a transnational crime and simultaneously infringes against human rights. The practice encompasses not just sexual exploitation but also several other forms of exploitation, including forced labor, unlawful organ harvesting, and the commercial sexual exploitation of children.² The evolution of Information Technology significantly alters the nature of human trafficking. The Internet, social media, messaging programs, and diverse digital platforms have evolved from mere communication tools to primary instruments for recruiting, influencing, controlling, and abusing victims globally. These alterations resulted in multiple manifestations of digital sexual exploitation, previously referred to in early literature as cybersex trafficking or virtual trafficking, specifically involving the sexual exploitation of children through activities performed in front of cameras or webcams, subsequently disseminated or monetized online.³ Patel used the term cybersex trafficking to describe the sexual exploitation of children perpetrated through digital media,⁴ meanwhile, Kristin introduced the concept of cybervoyeurism and cyberexhibitionism to explain various forms of child sexual exploitation facilitated by digital technology. The Organization for Security and Co-operation in Europe (OSCE) adopts a comprehensive approach by include all forms of child sexual exploitation,

² Sayid Muhammad Rifqi Noval, Soecipto Soecipto, and Ahmad Jamaludin, 'Modus Operandi Dan Strategi Pencegahan Kejahatan Perdagangan Seksual Anak Secara Daring', *Undang: Jurnal Hukum* 5, no. 2 (December 2022): 419–51, <https://doi.org/10.22437/ujh.5.2.419-451>.

³ Noval, Soecipto, and Jamaludin, 'Modus Operandi Dan Strategi Pencegahan Kejahatan Perdagangan Seksual Anak Secara Daring'.

⁴ Tempo, '11 Anak Diduga Jadi Korban Pelecehan Seksual Lewat Game Free Fire', Tempo, Tempo.com, 2021, <https://www.tempo.co/hukum/11-anak-diduga-jadi-korban-pelecehan-seksual-lewat-game-free-fire-449199>.

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including live-streaming to a worldwide audience, as part of the evolution of these offenses.⁵

The progression indicates that child sexual exploitation in the digital era has evolved into a phenomena referred to as Online Child Sexual Exploitation and Abuse (OCSEA). In contrast to the traditional perspective that attributes sexual exploitation solely to physical interactions, OCSEA encompasses diverse forms of exploitation wherein all or part of the process occurs via digital technology. This includes the creation and dissemination of child sexual abuse material (CSAM), live-streaming of child sexual abuse, sexual extortion (sextortion), commercial sexual exploitation, and various other manifestations of sexual abuse. Consequently, concepts like cybersex trafficking, cybervoyeurism, and cyberexhibitionism fundamentally characterize the progression of child sexual exploitation, which is now more thoroughly comprehended within the OCSEA framework.⁶

3.2. Reinterpretation of elements of trafficking in Persons Against Cyber Grooming practices

Reinterpretation Of Act Elements

The act element of the Palermo Protocol, as included into the Indonesian TPPO law, has traditionally been defined as the recruitment, transport, transfer, shelter, or acceptance of an individual, encompassing a series of actions necessitating the movement or physical control of the victim's body.⁷ The grooming stage model established in criminological literature indicates that this process comprises a sequence of actions analogous to recruitment, specifically victim selection, attempts to gain access to victims, and the isolation of victims from their supportive environment, all executed via digital communication without physical interaction.⁸

Jennifer Musto's research on technology's role in anti-trafficking indicates that current scholarly focus is transitioning towards diverse forms of technology-driven recruitment and exploitation, encompassing online service platforms and social media utilization.⁹

1) Reinterpretation of the *Means* Element

The means employed in conventional trafficking are characterized by threats, the use of force,

⁵ OSCE, 'Leveraging Innovation to Fight Trafficking in Human Beings: A Comprehensive Analysis of Technology Tools', OSCE Office of the Special Representative and Co-ordinator for Combating ..., 2020.

⁶ Stefan Theil, 'Carefully Tailored: Doctrinal Methods and Empirical Contributions', *Oxford Journal of Legal Studies* 45, no. 4 (December 2025): 1047–75, <https://doi.org/10.1093/ojls/gqaf029>.

⁷ Prabha Kotiswaran, 'The Sexual Politics of Anti-Trafficking Discourse', *Feminist Legal Studies* 29, no. 1 (April 2021): 43–65, <https://doi.org/10.1007/s10691-020-09447-x>.

⁸ Georgia M. Winters et al., 'The Sexual Grooming Model of Child Sex Trafficking', *Victims & Offenders* 17, no. 1 (January 2022): 60–77, <https://doi.org/10.1080/15564886.2021.1926031>.

⁹ Jennifer Musto, Mitali Thakor, and Borislav Gerasimov, 'Editorial: Between Hope and Hype: Critical Evaluations of Technology's Role in Anti-Trafficking', *Anti-Trafficking Review*, no. 14 (April 2020): 1–14, <https://doi.org/10.14197/atr.201220141>.

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abduction, deception, fraud, or the exploitation of the victim's vulnerable circumstances. A comprehensive study of trafficking survivors worldwide revealed that physical and sexual violence is a predominant mechanism through which perpetrators exert control over victims in traditional trafficking frameworks, rendering this overt and immediate method the primary reference for substantiating the means element to date.¹⁰ In the realm of online sexual exploitation, the techniques employed by offenders are very varied and not invariably coercive simultaneously. Cyber grooming employs a gradual, nuanced approach rooted on relational manipulation that develops over time, contrasting markedly with the characteristics of physical abuse. The phases of trust development and incremental desensitization to sexually explicit material, as delineated in the grooming model, suggest that the methods employed by the offender involve not immediate compulsion, but a protracted process of psychological manipulation.¹¹

This study contends that the reinterpretation of the element means should focus on broadening the definition of abuse of vulnerability. The vulnerability in question extends beyond economic, social, or power dynamics possessed by the victim to encompass psychological vulnerabilities (psychological dependency) intentionally constructed by the perpetrator through cyber grooming. Consequently, psychological manipulation constitutes a contemporary method employed in the criminal offense of human trafficking, as it establishes dominance over the victim prior to their exploitation.

2) Reinterpretation of the *Purpose* Element

The purpose component in the traditional definition of trafficking pertains to the objective of exploitation, typically manifesting as prostitution, forced labor, slavery, or organ harvesting. Efforts to quantify the global extent of trafficking and modern slavery encounter significant methodological obstacles due to the variety of exploitation forms that must be integrated into a singular measurement framework, indicating that the category of "goals of exploitation" is fluid and requires continual modification as new exploitation forms arise.¹² In online sexual exploitation, the objective of exploitation manifests in various interconnected forms: the creation and dissemination of child sexual abuse material (CSAM) as a commercial commodity, the live broadcasting of sexual exploitation funded by viewers, or the procurement of financial

¹⁰ Heidi Stöckl et al., 'Human Trafficking and Violence: Findings from the Largest Global Dataset of Trafficking Survivors', *Journal of Migration and Health* 4 (January 2021): 100073, <https://doi.org/10.1016/j.jmh.2021.100073>.

¹¹ Georgia M. Winters et al., 'The Sexual Grooming Model of Child Sex Trafficking', *Victims & Offenders* 17, no. 1 (January 2022): 60–77, <https://doi.org/10.1080/15564886.2021.1926031>.

¹² Sylvia Walby and Brian Francis, 'Improving the Estimate of Trafficking in Human Beings and Modern Slavery by Integrating Data From ILO/Walk Free/IOM and UNODC', *Social Indicators Research* 176, no. 2 (January 2025): 669–93, <https://doi.org/10.1007/s11205-024-03474-w>.

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or sexual advantages through extortion in sextortion schemes. All three derive wealth not directly from the victim's energy or body, but from records, impressions, or digital manipulation of the victim's body. A cross-sectoral analysis of the intersection between child sex trafficking and online child sexual exploitation reveals that offenders are increasingly integrating grooming, live-streaming, sextortion, and CSAM production into a unified exploitation framework, aiming for both economic gain and sexual gratification.¹³ The ASEAN regional study identified that the inadequate capacity of the apparatus to recognize the increasing forms of child exploitation constitutes a significant knowledge gap, particularly in differentiating the varied exploitation objectives among the numerous OCSEA practices.¹⁴

3.3. The adequacy of Indonesia's legal framework in responding to Modus Operandi transformation

Numerous national policies have evolved progressively to address child sexual exploitation in the digital realm. The Child Protection Law, the Sexual Violence Crime Law, the Electronic Information and Transaction Law, and Government Regulation No. 17 of 2025 regarding the governance of electronic system providers in Child Protection constitute a complementary protection framework. Nonetheless, the overall rule serves a distinct purpose. The child protection framework is designed to safeguard victims, the TPKS law concentrates on sexual abuse, and the ITE Law functions as an electronic-based tool for evidence and law enforcement. Among the several restrictions, only Law Number 21 of 2007 explicitly addresses trafficking in persons as a crime focused on exploitation. The primary issue resides not in the abundance of existing regulations, but in the efficacy of the trafficking framework to address the sexual exploitation of children occurring in the digital realm.

Table The position of the Indonesian Legal Framework in handling OCSEA

Instruments	Setting Function	Contributions to OCSEA	Relationship with the Anti-Trafficking Regime
Act No. 21 year 2007 about PTPO	Regulating human trafficking for exploitative purposes	Serve as the foundation for combating human trafficking.	The primary framework when exploitation intersects with the components of human trafficking
UU No. 35 of 2014 on Child Protection	Safeguarding children from exploitation	Safeguarding child victims	Supplementary to the TPPO Act
Act No. 12 year 2022 about TPKS	Coordinate sexual violence, encompassing KSBE	Addressing electronic sexual exploitation	Regulating manifestations of sexual violence, excluding trafficking

¹³ Jennifer Martin, Kiaras Gharabaghi, and Meghan Donevan, 'Dismantling Silos: Cross-Sectoral Response to Combating Child Sex Trafficking and Online Child Sexual Exploitation', *Frontiers in Psychology* 16 (July 2025), <https://doi.org/10.3389/fpsyg.2025.1625975>.

¹⁴ Yvonne Rafferty, 'The Identification, Recovery, and Reintegration of Victims of Child Trafficking within ASEAN: An Exploratory Study of Knowledge Gaps and Emerging Challenges', *Journal of Human Trafficking* 7, no. 2 (April 2021): 145–67, <https://doi.org/10.1080/23322705.2019.1689476>.

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Act No. 1 year 2024 about ITE	Establish electronic systems and evidence	Facilitate digital verification	Crucial to the implementation of the TPPO Act
PP No. 17 year 2025 (PP TUNAS)	Prevention and regulation of digital platforms	Enhancing child safeguarding	Preventive and managerial

The primary concern pertains to whether the recruitment stipulated in Law No. 21 of 2007 necessitates a direct interaction with the victim. Article 2 of the PTPPO statute stipulates that the act of recruiting, transporting, relocating, sheltering, or receiving an individual for exploitation is sufficient, without restricting the methods employed by the criminal. The phrasing indicates that Indonesian positive law does not mandate recruitment to occur by direct contact or physical relocation of victims. Consequently, the utilization of social media, messaging applications, online games, and other digital platforms to acquire and cultivate relationships with victims represents a revolution in the method of execution rather than a modification of the underlying principle.

Consequently, the study contends that the exploitation of vulnerability within trafficking frameworks should be understood in an evolutionary context, encompassing not only the pre-existing vulnerabilities of the victim but also the psychological vulnerabilities that the perpetrator intentionally cultivates through cyber grooming. This approach redefines psychological manipulation not merely as a sociological phenomenon, but as a contemporary method of executing the means component in the criminal offense of human trafficking.

Tabel Reinterpretation of Palermo Protocol to Digital Modus Operandi

Element	Conventional Interpretation	Reinterpretation of Research
Act	Recruitment occurs via a direct appeal to victims.	Recruitment may occur via social media, messaging applications, online gaming, and diverse digital channels.
Means	Exploitation of existing vulnerabilities in economic, social, or power relations	Psychological manipulation by cyber grooming creates psychological dependency, representing a contemporary type of exploiting weakness.
Purpose	Prostitution, traditional sexual exploitation, coerced labor	OCSEA, CSAM, live-streamed child sexual abuse, sexual extortion, and digital commercial sexual exploitation

This study determined that the legal framework governing trafficking in Indonesia remains sufficient to address cyber grooming that escalates into OCSEA. Law Number 21 of 2007 does not impose normative obstacles that necessitate recruitment, exploitation of vulnerable positions, or abuse to occur through physical interaction. The primary impediment resides in

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law enforcement practices that continue to categorize cyber grooming as a child protection issue, electronic-based sexual violence, or cybercrime in isolation, thereby failing to establish it as a contemporary framework that aligns with the elements of act, means, and purpose in human trafficking.

3.4. Conceptualization of Cyber Grooming in the legal regime of Indonesian trafficking

The experience of the European Union shows a much more explicit step in responding to cyber grooming than Indonesia. The Lanzarote Convention — the Council of Europe's Convention on the protection of children from sexual exploitation and violence—was the first international legal instrument to explicitly require its member states to criminalise child grooming for sexual purposes, a move which was later reinforced by Directive 2011/93/EU which required EU member states to harmonise criminal definitions and sanctions against grooming, including its.¹⁵ The significance of this convention lies in the explicit elements of intent and preparatory acts as a distinguishing element between ordinary communication and grooming crimes a definitional clarity that the Indonesian legal framework does not yet have.

4. Conclusion

This study demonstrates that the evolution of child trafficking methods in the digital era does not alter the essence of human trafficking, but rather modifies the execution of exploitation. Recruitment, once associated with a physical methodology, has evolved into digital recruitment via cyber grooming, where dominance over victims is achieved not through physical violence, but through psychological manipulation, resulting in various manifestations of Online Child Sexual Exploitation and Abuse (OCSEA). The advancement of technology has altered the methods of recruitment, control, and exploitation of victims, while retaining the fundamental attributes of human trafficking as a crime intended for exploitation. The research indicated that Indonesia's legislative framework regarding trafficking remains sufficient to address cyber grooming, which has developed into OCSEA. The components of act, means, and purpose in the Palermo Protocol and Law Number 21 of 2007 can still be applied to digital methodologies through adaptive interpretation. The primary issue resides not in the vacuity of norms, but in the inadequately developed framework of interpretations that categorize cyber grooming as a contemporary variant of digital recruitment and exploitation of vulnerability, while OCSEA represents a modern embodiment of the exploitative aspect (intent) inherent in the crime of human trafficking. This study's contribution (novelty) resides in the reinterpretation of the

¹⁵ Afrooz Kaviani Johnson, 'Grooming and Child Sexual Abuse in Organizational Settings—an Expanded Role for International Human Rights Law', *Journal of Human Rights Practice* 16, no. 1 (February 2024): 355–73, <https://doi.org/10.1093/jhuman/huad039>.

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elements of act, means, and purpose by positioning cyber grooming as a mechanism for establishing psychological control that connects digital recruitment with exploitation within the legal framework of trafficking in persons, rather than treating it as an isolated offense.

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