AI Child Sexual Abuse Material (CSAM)

Mains Syllabus: GS III - Science and Technology- developments and their applications and effects in everyday life.

Why in News?

The International AI Safety Report 2025, released by the British Government's AI Security Institute, highlights the risks posed by AI-generated Child Sexual Abuse Material (CSAM).

What is the impact of AI in Child Sexual Abuse Material (CSAM)?

- **CSAM** – It refers to material (audio, video, and images) that depicts a sexually explicit portrayal of a child.
- **AI CSAM** - Artificial Intelligence (AI) tools possess the risk of generation, possession, and dissemination of child sexual abuse material (CSAM).
- **AI impact** - The World Economic Forum (2023) flagged the potential misuse of generative AI to create life-like images of children.
- The Internet Watch Foundation (October 2024) reported the proliferation of CSAM on the open web.
- **Increasing child pornography** - The National Cyber Crime Reporting Portal (NCRP) recorded 1.94 lakh child pornography incidents by April 2024.
- **Increase in cybercrimes against children** - According to the National Crime Records Bureau (NCRB) report, there were a total of 1823 cases of cybercrimes against children in 2022, representing a notable rise from the 1376 cases reported the previous year.
- India has received 69.05 lakh cyber tip-line reports from the National Centre for Missing and Exploited Children (NCMEC), USA (as of March 2024).

> *A tip line report is a mechanism for the public to anonymously report information about potential criminal activity or suspicious behavior to law enforcement or other relevant authorities.*

What are the measures to prevent CSAM spread?

- **Prevention of CSAM in electronic form -** Section 67B of the IT Act 2000 punishes those who publish or transmit material in electronic form depicting children in sexually explicit acts.
- **Prohibition of child pornography -** Sections of the Protection of Children from

Sexual Offences Act, 2012 (POCSO) prohibit using children for pornographic purposes, storing child pornography in any form, and using a child for sexual gratification.
- **Prevention of obscene materials -** Section 294 of the Bharatiya Nyaya Sanhita penalises the sale, distribution, or public exhibition of obscene materials
- **Prevention of selling obscene objects -** Section 295 makes it illegal to sell, distribute, or exhibit such obscene objects to children.

What are the issues with existing frameworks?

- **Accused-Centric Approach -** The existing laws focus entirely on 'who' has done 'what', placing less or no emphasis on the 'tool/medium' used to commit the said 'act.'
- **Lack of AI-Specific Laws -** Existing Indian laws do not cover AI-generated CSAM, leaving a legal gap in tackling AI-driven digital child abuse.
- **Inadequate definitions -** Terms like "sexually explicit" and "child pornography" need clearer definitions under Indian law.
- **Lack of regulation on digital intermediaries -** Virtual Private Networks (VPNs), Cloud Services, and Virtual Private Servers are not legally bound to prevent CSAM dissemination.

What lies ahead?

- The existing legislative and policy framework in India needs to adapt to futuristic challenges, by making suitable changes.
- As proposed by the NHRC Advisory in October 2023, the definition of 'child pornography' under the POCSO Act can be replaced with the phrase 'CSAM' to make it expansive.
- The term 'sexually explicit' under Section 67B of the IT Act can be defined to enable the real-time identification and blocking of CSAM.
- The definition of 'intermediary' under the IT Act must expressly include Virtual Private Networks, Virtual Private Servers, and Cloud Services to impose statutory liability on them to comply with the CSAM-related provisions in Indian laws.
- Statutory amendments are needed to integrate the risks arising from emerging technological advancements.
- Adoption of the UN Draft Convention on 'Countering the Use of Information and Communications Technology for Criminal Purposes' can help India to effectively fight against AI CSAM.
- The proposed Digital India Act can draw inspiration from global practices, particularly the UK's upcoming legislation.
    - For example: The possession, creation, and distribution of AI tools that can generate CSAM can be criminalized.

Britain will become the first country to introduce laws against AI tools used to generate sexual abuse images.

Reference

[The Hindu | Digital child abuse]