DRAWING THE LINE

Online Harm, Queer Expression, and Platform Governance in Asia-Pacific



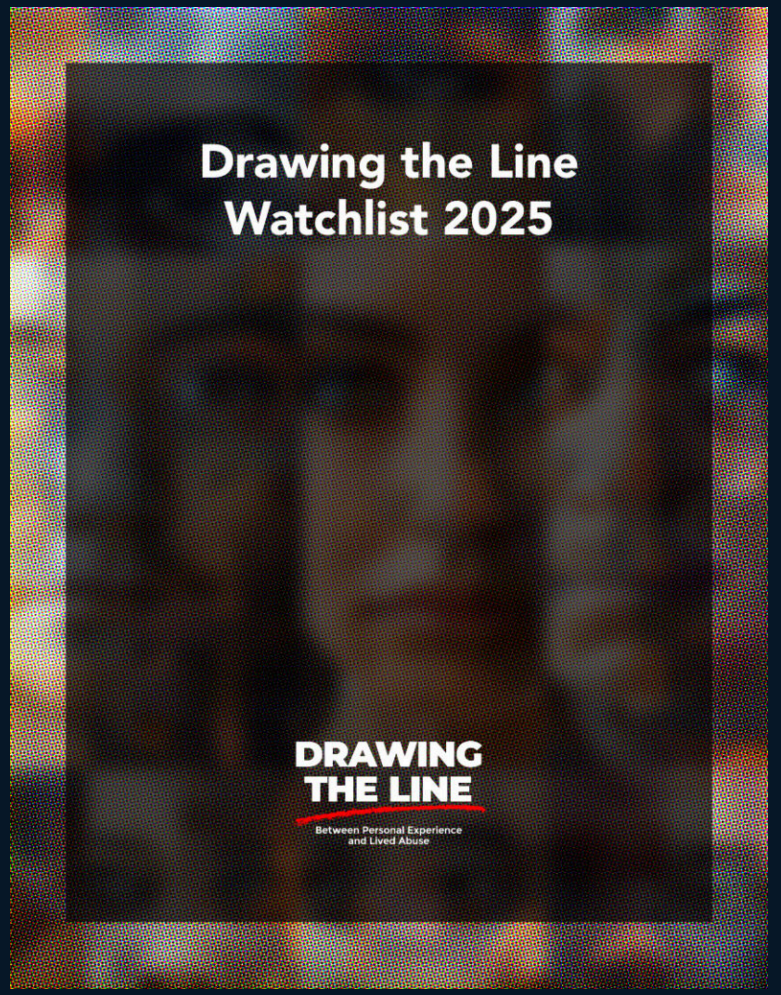
Jeremy Malcolm · APrIGF 2026

CENTER FOR ONLINE SAFETY AND LIBERTY

One project, two forms of accountability

Drawing the Line Principles

1. Expression is Not Abuse
2. Defend Creative and Cultural Expression
3. Respect Survivor Autonomy
4. Support Evidence-Based Safety and Prevention Practices
5. Create Robust Digital Due Process Practices
6. Evaluate Impact on Marginalized Individuals and Communities



The Principles state the standard. The Watchlist tests reality.

Loosening definitions of CSAM and child pornography.

01

A real child

Creation records abuse.
Sharing renews the harm.

02

A real child's likeness

A deepfake can target
an identifiable person.

03

No real child

The claimed harm must
come from somewhere else.

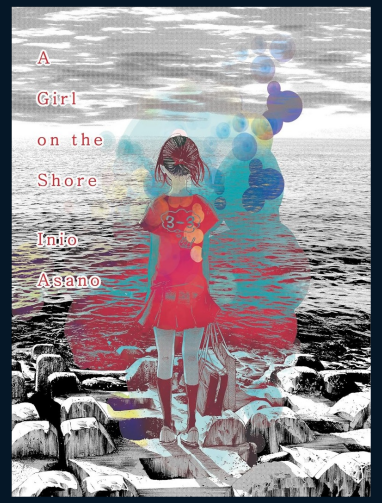
Loosening definitions of obscenity

Depictions of minors and sexuality extend across literature and graphic memoir.



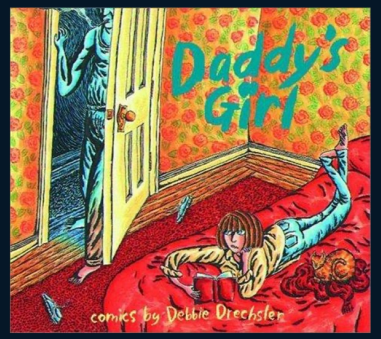
The Diary of a Teenage Girl

Phoebe Gloeckner



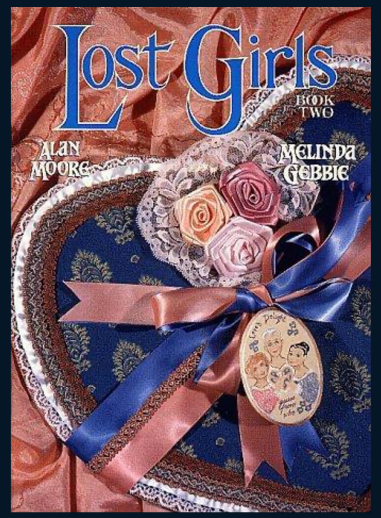
A Girl on the Shore

Inio Asano



Daddy's Girl

Debbie Drechsler



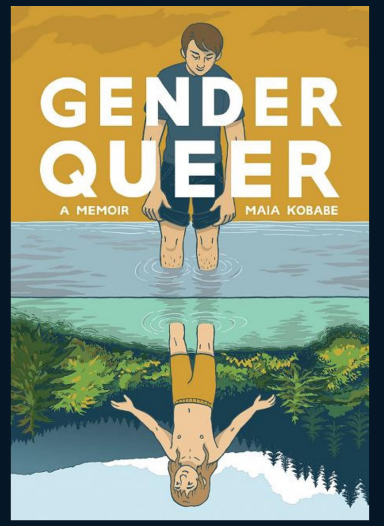
Lost Girls

Alan Moore
& Melinda Gebbie



Fun Home

Alison Bechdel



Gender Queer

Maia Kobabe

A depiction alone cannot tell us whether a work causes harm.



AUSTRALIA

A novel became child abuse material.

Daddy's Little Toy centres on an adult protagonist. Some scenes have her role-play as a toddler.

Lauren Mastrosa was convicted of producing, possessing and disseminating child abuse material.

18-month community corrections order
8 years on the Child Protection Register

ABC News, 28 Apr. 2026

Category collapse has opportunity costs.

United Kingdom, selected enforcement indicators

73%

RISE

fictional-material prosecutions

53%

FALL

conventional CSAM prosecutions

38%

OF IMAGE OFFENCES

now concern fictional material

Police time spent regulating fantasy is time unavailable for finding children who are being harmed.

A disturbing description does not establish a pathway to offending.



Research identifies possible risks, possible protective uses, and large gaps in knowledge.

Uncertainty supports research. It cannot substitute for proof.

Restrictions must be necessary and proportionate

1 **Harm: Whose rights are violated, or what harm is substantiated?**

2 **Evidence: How would this restriction prevent that harm?**

3 **Proportionality: Could a less restrictive response achieve the aim?**

Restrictions require a demonstrated justification proportionate to their consequences.

Beyond censorship and criminalisation.

FILTERS AND LABELS

Let users control what reaches them, and give them meaningful context.

LAW

Targeted laws on grooming, harassment, and privacy infringement.

SUPPORT AND RESEARCH

Make confidential support accessible, and provide an evidence base for law.

DUE PROCESS

Clear moderation reasons, meaningful appeals and contextual human review.

Platforms, clinicians and researchers have tools that preserve both safety and liberty.

Conclusions.

- Protect people from actual harm while preserving freedom of expression
- Fiction cannot be equated with material depicting a real victim
- Research illuminates the complexity of the issue, rather than affirming assumptions of harm
- Protect the freedom to read, write, and think — while addressing harm with proportionate tools.

Next: regional and community perspectives

REGIONAL LEGAL AND POLICY ANALYSIS

Shambhawi Paudel

Research Associate, ILGA Asia

CULTURE AND COMMUNITY

Mish Pony

Former CEO Scarlett Alliance, CEO Flat Out

ACADEMIA AND HUMAN RIGHTS

KS Park

Korea University and Open Net Korea

How overbroad governance affects communities across Asia and the Pacific