INSIGHT INTO CHILD AND YOUTH SAFETY ONLINE VIA INTERNATIONAL LAWS EDGES

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ABSTRACT

Objective: This paper’s purpose is to comprehensively analyse and review the International Conventions that serve as the basis for the signatory countries to frame their legal framework based on the principal foundations of the standardised conventions in their domestic laws and establish policy developments in their jurisdictions.

Theoretical Framework: Today, in the technological era, which has provided a platform for connection with ease, it has been beneficial to society, but with that, it has become a bane for the vulnerable group of individuals who easily become victims such as youth and children who are being sexual exploitation or abused especially children who are minor in the virtual world.

Method: The review and analysis are substantiated by a review of journal articles and scholarly publications dealing with the issues of child exploitation and abuse and news reports.

Results and Discussion: Digital technology usage has increased in the past few years, specifically after and during the pandemic, leading to a reported and unreported considerable number of cases of sexual child exploitation and abuse and increasing in child pornography. International reports highlight the dilemmas of regulatory measures taken at different levels. Internationally and nationally, measures and robust legal mechanisms are not in place to curb such crimes. Failure of cooperation and coordination at the international and national levels regarding robust online virtual norms and sufficient legislative measures has also been one of the reasons for the increasing crime rate of sexual abuse and exploitation.

Conclusion: Cooperation and legal systems have to be set up in such a way that could not raise jurisdiction issues, specifically crimes against children in the virtual digital world, not only affecting them physically but also having considerable impact emotionally and mentally.

Keywords: Children, Digital Abuse, Exploitation, Conventions, Measures, Laws, Regulations.

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VISÃO DA SEGURANÇA DAS CRIANÇAS E DOS JOVENS EM LINHA ATRAVÉS DE LEIS INTERNACIONAIS

RESUMO

Objetivo: O objetivo deste trabalho é analisar e rever exaustivamente as Convenções Internacionais que servem de base para os países signatários enquadrarem o seu quadro jurídico com base nos principais fundamentos das convenções normalizadas no seu direito interno e estabelecerem desenvolvimentos políticos nas suas jurisdições.

Referencial teórico: Atualmente, na era tecnológica, que proporcionou uma plataforma de ligação fácil, tem sido benéfica para a sociedade, mas com isso, tornou-se uma desgraça para o grupo vulnerável de indivíduos que facilmente se tornam vítimas, tais como jovens e crianças que estão a ser explorados ou abusados sexualmente, especialmente crianças menores no mundo virtual.

Método: A revisão e a análise são fundamentadas por uma revisão de artigos de revistas e publicações académicas que tratam das questões da exploração e do abuso de crianças e de notícias.

Resultados e Discussão: A utilização das tecnologias digitais aumentou nos últimos anos, especificamente após e durante a pandemia, o que levou a um número considerável de casos de exploração e abuso sexual de crianças, relatados e não relatados, e a um aumento da pornografia infantil. Os relatórios internacionais sublinham os dilemas das medidas regulamentares adoptadas a diferentes níveis. A nível internacional e nacional, não existem medidas e mecanismos jurídicos sólidos para travar estes crimes. A falta de cooperação e de coordenação a nível internacional e nacional no que respeita a normas virtuais sólidas em linha e a medidas legislativas suficientes também tem sido uma das razões para o aumento da taxa de criminalidade do abuso e da exploração sexual.

Conclusão: A cooperação e os sistemas jurídicos têm de ser criados de forma a não suscitarem questões de jurisdição, especificamente crimes contra crianças no mundo digital virtual, não só afectando-as fisicamente, mas também tendo um impacto considerável a nível emocional e mental.


VISIÓN DE LA SEGURIDAD DE NIÑOS Y JÓVENES EN LÍNEA A TRAVÉS DE LAS ARISTAS DE LAS LEYES INTERNACIONALES

RESUMEN

Objetivo: El objetivo de este trabajo es analizar y revisar exhaustivamente los Convenios Internacionales que sirven de base para que los países firmantes encuadren su marco jurídico a partir de los principales fundamentos de los convenios estandarizados en sus legislaciones internas y establezcan desarrollos normativos en sus jurisdicciones.

Marco teórico: Hoy en día, en la era tecnológica, que ha proporcionado una plataforma para la conexión con facilidad, ha sido benéfico para la sociedad, pero con eso, se ha convertido en una perdición para el grupo vulnerable de individuos que fácilmente se convierten en víctimas como los jóvenes y los niños que están siendo explotados sexualmente o abusados especialmente los niños que son menores de edad en el mundo virtual.

Método: La revisión y el análisis se fundamentan en un examen de artículos de revistas y publicaciones académicas que tratan los temas de la explotación y el abuso de menores, así como de noticias de actualidad.

Resultados y discusión: El uso de la tecnología digital ha aumentado en los últimos años, concretamente después y durante la pandemia, lo que ha dado lugar a un número considerable, denunciado y no denunciado, de casos de explotación y abuso sexual infantil y al aumento de la pornografía infantil. Los informes internacionales destacan los dilemas de las medidas reguladoras adoptadas a distintos niveles. A escala nacional e internacional, no existen medidas ni mecanismos jurídicos sólidos para poner freno a estos delitos. La falta de cooperación y coordinación a nivel internacional y nacional en relación con normas virtuales sólidas en línea y medidas legislativas suficientes también ha sido una de las razones del aumento de la tasa de delitos de abuso y explotación sexual.

Conclusiones: La cooperación y los sistemas jurídicos tienen que establecerse de tal manera que no puedan plantear problemas de jurisdicción, concretamente delitos contra los niños en el mundo digital virtual, que no sólo les afecten físicamente, sino que también tengan un impacto considerable emocional y mentalmente.
1 INTRODUCTION

Digitalisation and technological development in the virtual world have profoundly evolved, changing childhood and adolescent behaviour in the past few years. The available new networking sites have become permanent elements of children's social and cultural effective behaviour. Often, this media has a special place in their life as new media usage by children that provides them access through social media platforms like Facebook, Instagram, Tik-Tok, gaming portals and sites whereby they get access to such media through their smartphones, tablets, and laptops their own or their parents. Exposure to the internet and virtual borderless world gave them access to tablets and smartphones that provided them access to social networking and media wherein they were involved in messaging apps on social media that also provided video calls and conferencing, which has become part of their life across the globe. Per United Nations Office on Drugs and Crime, report through its data ranging from 2011 onwards specify that around 73 per cent of youths in the United States and 59 per cent in the age group of 9 years to 16 years European Union had their social networking profile already who are minor, while an approximately 12 per cent out of 37 million Indian do have their online profile, and nearly 13 per cent out of 29 million Brazilian who fall in the range of age group of 13 years and 17 years are Facebook-users (United Nations. (2015, May)). On average, it is observed that such teens are online for roughly around 9 hours in a single day, excluding the time that they use to do their homework using online content or online assignments (Social Media and Teens, 2018, March).

Now, due to the shift in the learning process, students study through various online teaching platforms. This development has transformed their whole perspective of education, and the learning process that used to be synchronous is now developed in asynchronous mode where they can access any time at their leisure and be exposed to wider society with borders. Youth and young children who fall in the age groups of 15 years to 24 years are using online portals. The pandemic of COVID-19 had become a driving force, with around 75% connectivity through online platforms globally recorded by the United Nations records in last year in 2022 when compared to the rest of the world's population with 65% population. During the COVID-
19 pandemic, all were forced to be inside their homes due to the lockdown, and all things were online. Children were also attending their classes online, and since then, children are now spending more time using the internet, online content that is not regulated personally, and around the world in different countries. It is being observed that around the globe, children are going online onscreen for the first time every single half second, approximately, due to internet exposure, which is increasing problems about the influence on young children and youth about their safety and protection virtually online. This has raised concerns about the safety of children online, which has initiated unprecedented openings for children and youth to learn, play games, socialise through social media, and communicate using different audio, especially video, exposing them to novel areas, platforms that are unwarranted and sources of information. Across the globe, around two-thirds of internet users, specifically children who are using the internet, are not taught how to use it safely and access online platforms.

2 MATERIALS AND METHODS

This research is a comprehensive analysis and review of the International Conventions that work as the basis for the signatory countries to frame their legal framework based on the principal foundations of the standardised conventions in their domestic laws and lay down policy developments in their jurisdictions. The digital world has expanded, and the age-old conventions have broader protection and prevention rules for the protection of children from sexual abuse and exploitation; though they are in existing laws, guidelines, and various regulations, they have not been robust enough to tackle the issues of child abuse and exploitations, their privacy, abuse in online virtual world which is unregulated and needs stricter norms for protection of children in online virtual world which requires children protection mechanisms and monitoring them when exposed to virtual world. The desk review of literature has analysed the increase in children's sexual abuse and exploitation during the COVID-19 period and the increase in post-pandemic also revealed through the statistical reports by the United Nations and the exploitations of children in the online virtual world, review of journal articles and scholarly publication that deals with the issues of children exploitation and abuse and news reports are substantiated through the review and analysis.
3 RESULTS

3.1 EXPOSURE TO SUBSTANTIAL SOCIAL MEDIA PLATFORMS IN THE VIRTUAL WORLD AND NETWORKING OPPORTUNITIES LEADING TO EXPLOITATION

Exposure to substantial social media and networking opportunities that these children get in the digital age is not only beneficial for learning purposes but has also brought certain victimisation of young children in a diversified range of exploitation, risking and harming them in their upbringing years making them vulnerable because of the digital age there have been increased cases of children who are sexually abused through internet and exploitation using online portals as these young children who are unaware about the consequences as well as they do not understand the complexity of such digital age and its effect on them as means of exploitation. Due to the exposure to the children and youth, they are using various digital platforms that are violent, abusive, and exploited, wherein they are used as vectors for disinformation, online sexual exploitation and abuse, which is the most alarming phenomena taking place corrupting young minds. The digital age brought unwarranted online sexual solicitation, specifically of children and youth who are manipulated to speak about sex or to indulge in doing something which is sexual in nature without they are being aware that it could be sexual exploitation, and they share their personal information.

The digital age brought up the concept of Sexting on all online platforms, which includes sending and receiving sexually explicit messages, videos, images or photographs by various devices like phones, tablets, computers, laptops or other digital devices. A number of children are exposed to such pornographic online content at a very young age, and even their parents are not aware of such exposure to their child such exposure which leads to many issues in the upbringing years of a child who can be a victim or offender depending on the circumstances. One of the studies that was conducted showed that sexting messages, which has become a common phenomenon online, may have a specifically coercive effect that could resemble harassment, intimidation or bullying or that may result in actual physical violence or abuse against such children (United Nations. (2015, May)). Furthermore, exposure to social media leads them to violent content that could be a risk factor for young children through these modes that could be violent and aggressive behaviours in them. Depending on the context and content, the levels of aggression in children and youth could be directly proportional to their exposure to such content based on the categories of violent or aggressive media content available online without any restriction.
Online exposure because of the easy availability and mobilisation of internet services and smartphones, which shows side effects wherein electronic technological gadgets and social media in many portals and apps show contents which are violent in nature, depicting fights in the form of gaming apps and websites, stealing, showcasing dead bodies in different forms, and people's belongings those are being destroyed or smashed in the name of fun to influence young viewers for getting followers and subscribers for their websites or apps, according to the observational-learning theory it is being observed that youth or children are through such depiction made to believe them it is normal to react or respond aggressively in reply to the perception of any such violent acts or offence is acceptable (Bozzola, E., Spina, G., Agostiniani, R., Barni, S., Russo, R., Scarpato, E., Di Mauro, A., Di Stefano, A. V., Caruso, C., Corsello, G., & Staiano, A. (2022)) in normal life. Digital online platforms provide potential risks and concerns about social media and gaming sites that are as follows:

a. online display of harmful and inappropriate content that includes sexual content, drugs, violent content, violent gaming, etc.);
b. exposure to strangers and dangerous people or offenders of exploitation of children;
c. online platforms have challenges of cyberbullying, which creates a risk factor for children due to violent content, abusive behaviour, and gaming, leading to depression and suicide;
d. children share personal information with strangers, which could be oversharing the child's and family's personal details;
e. revealing them with excessive content and advertisements is harmful to the tender age;
f. privacy issues and challenges wherein offenders can collect prospective victims' data;
g. stealing the identity (identity theft) or being hacked, in the case of children, is a cushy and easy target for exploitation.

By doing this, youth and children are being pre-emptively exposed in the unregulated online virtual world to strategies commonly that are used in the production of various misinformation or disinformation on portals and apps, for example, through polarisation, misleading and invoking emotions, spreading conspiracy theories using information which are wrong or presently in such a way showing it to be normal and acceptable and trolling, which helps to converse resistance and "cognitive insusceptibility when such children or youth are exposed to real misinformation", according to the developers (Philip N. Howard, L.-M. N. A. N. P. (2021, August)). They were looking into conspiracy theories that have harmful effects mentally, emotionally, and physically on children and youth. Internet usage by children and youth poses opportunities for them and serious risks.
3.2 ROLE OF VIRTUAL PLATFORM IN VICTIMISATION

Where such young minds become victims of various forms of cyberbullying and other forms of peer pressure violence because of the usage of social media platforms that provide not only instant messaging but also audio and video calls. Cyberbullying has become a common behavioural phenomenon virtually conducted through using various electronic or digital media platforms by individuals or groups of people who repeatedly or targeting communicate hostile, intimidating or aggressive messages that are intended to pose or aim a danger, risk or uneasiness to others outside the school and playgrounds and sometimes leads to following the targeted person on their way to their home (Susanty, L., Arifin, A., Darmadi, D., Yuliana, Y., Ismawati, I., & Sofyan, A. T. (2020)). Although cyberbullying leads to victimisation that many times overlaps and can be correlated with the traditional ways of offline bullying, the latter might stay particularly wicked or pernicious because children's and youth perceptions to look at things in different ways and being connected their life's important aspect for having such continual connectedness on digital or electronic social media. Therefore, they could not escape online criticism, harsh comments, and ridiculing messages (McDool, E., Powell, P., Roberts, J., & Taylor, K. B. (2016)).

Pre and post-pandemic phases have increased the number of child sex offenders who use unprotected social media and networking sites/profiles or online gaming platforms. The digital technological age has advanced the modes of offences whereby the offenders are allowed, and trafficking rings could be evaded through encrypted platforms, avoiding the detection wherein no verification or scrutinisation done of account holders or accounts created with false identities or personification that had enabled such offenders to pursued multiple victims using such social media and gaming sites. It is observed that some websites online and some apps that children use through observation present a risk to their health, making them vulnerable; these websites and apps that through their portals promote self-harm provocation through games and challenges, suicidal tendencies due to peer pressure in performance online, or anorexia (The Lancet Child & Adolescent Health (Ed.) (2018)). It was reported that in the year 2018, approximately 18.4 million recommendations and referrals of children's sexually abused material were made or produced by US technology companies to the 'National Centre for Missing and Exploited Children" (Innocenti, U. (2020)).

The digital crimes that are recorded online become permanent in nature and are recorded as digital images or videos of child victims in perpetuity. As they are shared or reshared online again and again, victimising the child is continuous harm or risk to the child affecting them as
this cycle grows exponentially in ICT, whose prevention and protection for such children has become difficult, having no boundaries for the national and international governments, public offices domestically and those people who are working for children safety. Nonetheless, it is difficult for the parents to track-down such usage as they may not understand the ICT in advance and their child's use of technology so, they could not keep-up too, as it is encrypted.

3.3 CHILDREN AND YOUTH RIGHTS IN THE DIGITAL ERA AND ENVIRONMENTAL DEVELOPMENT THROUGH BINDING LEGAL INSTRUMENTS

All humans have basic rights that are fundamental human rights of every being on earth. The digital exposure of students has become part of their environment post-pandemic due to reliance on online teaching, but prior to that, the digital environment through various modes was not designed for the children but facilitated working in offices. Digital exposure of children through different means had significantly become part of their lives, which was not meant for them while designing as adults were considered to use such modes. While exposing children to digital technology in the digital era, the child's best interest must be considered to make it thoroughly appropriate for the children. So, while doing so, the best child's interest should be taken care of while framing provisions under existing laws, regulations, and management of things if they do not go as featured to manage the risk of such exposure to the physical, mental, and emotional health of the child as the primary concern. Children's and young youth's best interests should be taken into account when rendering any of the rulings for children and adults. Governments that allow such websites and apps should regulate and restrict such portals, and businesses running such websites and apps should take children's interests into account and do things that could be best for youth and children rather than themselves for using it to earn money ((U. G. C. N. (2021)).

3.3.1 Civil and political rights of 1976

The very first convention was in 1926 and is known as the Slavery Convention, which was in the form of an agreement amongst state members of the League of Nations that were obliged to eliminate slavery and other forms of offences included in its children. Through their Supplementary Convention of 1956, they also covered the contemporary issues that were reported over numerous years, diverse concerns of child pornography and child exploitation. 'Civil and Political Rights of 1976' is an international covenant to which most countries are
signatories, mainly working for the protection of the rights of various sections of our society; this convention has gone beyond the classic dimension for protection of rights against any kind of interference or intrusion by any State authorities, which is specified in the Articles 23 and 24 that has proclaimed and provides that the family and the child or young children who vulnerable are entitled to protection and safeguard by society and the State (Tomuschat, C. (2008)) by taking appropriate measures from time to time.

The State should make such rules that clearly state children's rights are protected online but also measure their online safety. At the same time, framing rules and making policies implementation of such action should be put in place as per the rules. Ensuring that such rules and policies for children's protection and their rights are understood by parents, teachers in schools, government officials at different levels who are responsible for taking care of the rights of children, service providers and, importantly, the children should be well informed and educated about the usage of technology and when to report for certain issues pertaining to cyberbullying, sexual exploitation and modes how they may happen online should be taught. Service providers' responsibility should be more stringent to surveillance such practices do not happen by placing systems in place and not doing business such as making money by exploiting children. Organisations and schools providing digital exposure to students should be made liable for the violation of rules and regulations that are meant for children; if they break, they will face the consequences, making it stringent.

The digital world, through proper regulation, should protect children from online violence on social media and gaming websites, including violence for political reasons, acts that encourage children to self-harm (suicide and eating disorders that are seen in some gaming apps), and images and videos online of sexual violence or sexual contact with adults through various pornographic sites. Similarly, Children and youth have rights preserved in international conventions and law through the emergence of new technologies and the interpretation of law for giving protections to children and youth in their tender age of growing years. Sexual offenders may use digital technologies to solicit children for sexual purposes and to participate in online child sexual abuse, for example, by the live video streaming, production and distribution of child sexual abuse material and through sexual extortion' (UNICEF. (2021)).

3.3.2 United Nations Educational, Scientific and Cultural Organization (UNESCO)

UNESCO contributes to peace and security by promoting various collaborations in different nations in education, science, and communication to achieve universal justice by
abiding by human rights concepts and following the rule of law nationally and internationally. UNESCO has appreciated the UN Children's Rights international instrument that was incorporated for the protection of children in the digital environment in 2021, whose purpose was to guide through its documents that had embedded children’s rights on online platforms based on 'UN Convention on the Rights of the Child'. The Council of European Convention on the "Protection of Children against Sexual Exploitation and Sexual Abuse", also called the "Child Sexual Abuse Convention", intends to work for the prevention, protection and combating all forms of sexual exploitation and abuses done to the children, aiming and having goal to protect and safeguard the rights of child victims who are being sexually exploited and abused, and also having the objective to promote the goals of the convention nationally and internationally by cooperation and coordination to fight against sexual exploitation and abuse of children (as per the article 1) (United Nations. (2015, May)).

3.3.3 Convention on Cybercrime (Budapest convention)

Digital platforms are also coming under the Budapest Convention, European Treaty Series - No. 185 known as the "Convention on Cybercrime" which was established with a common approach to cover virtual world crimes to criminalise online offences committed through computer systems. The convention aimed to prepare criminal investigations of online offences and could be effectively curbed through more effective measures; this convention deals with all the conduct that is related to child pornography and how State parties must establish a system that could criminalise such offences. Article 9 of the convention deals with Offences that are related to child pornography, wherein each signatory party should adopt legislative measures to make a system which will criminalise such offences under their respective domestic laws. Whoever commits such act intentionally and without right wherein they produce child/kid/teenager pornography in any forms for distribution through a computer system or other ways/means offers or make available such content on a computer system or distribute such content or any way transmit or procure such content for themselves/oneself or for any individual/person or having/possessing such content of child/kid/teenagers pornography in their system or computer-data storage modes will be held liable for child pornography who is minor or appearing to be minor who are engaged or explicitly involved in such conduct.
3.3.4 Europe Convention on the 'Protection of Children against Sexual Exploitation and Sexual Abuse

The Council of Europe Convention on the 'Protection of Children against Sexual Exploitation and Sexual Abuse', which is also known as the 'Council of Europe Treaty Series - No. 201' which was established in 2007, endeavours to protect children against such abuse and exploitation in any form of sexually. The Preamble observes that children are being sexually exploited, particularly in the form of child pornography and performed in different forms to abuse children sexually, which destruct the health and psycho-social development of children due to its impact on their growth overall. Child sexual abuse and exploitation have grown in the previous few years with exposure to technological options available not only nationally but also internationally, specifically by the use of ICT modes, which makes combating difficult; therefore, international cooperation is required to curb such children’s crimes of sexual abuse and exploitation. Looking into all these aspects, States need to prepare a comprehensive instrument that could internationally focus on taking preventive, protective and preserving measures that could, under the criminal law, fight against such crimes and set up mechanisms that could monitor such activities so as to take necessary steps to curb them.

Art. 1 provides the resolution through convention to counteract and reduce sexual violence, abuse, and exploitation of children and youth, safeguard their rights as such victims and also promote cooperation amongst States nationally and internationally. Art. 4 talks about taking preventive measures by each State party. Art. 6 provides for the education of children through their legislative measures to educate them in their early stages of primary and secondary education, wherein they receive information about what risks are involved in sexual abuse and exploitation and how they could protect themselves based on their adaptive capacity. Such information should be imparted in collaboration with the parents involved while providing contextual information on sexuality; specifically, attention should be drawn to risk situations that could emerge due to new communication technologies like ICT. Art. 8 dealt with general public awareness of how they could be involved in preventive measures of child exploitation and abuse. Further, Art. 10 emphasises national measures that should be incorporated to have coordination and collaboration to prevent and protect children, conspicuously people who are in contact or directly involved in the education sector with children or the health sector or those who are involved in social services or the law-enforcement authorities at different level and judicial authorities who could be vital in avoiding such crimes against children.
Art. 12 provides for reporting of suspicious activities that could lead to child abuse and exploitation. Art. 13 provides that the state should have helpline numbers wherein people can reach out to complain about such child crimes and prevent them in a timely manner. Art. 18 highlights a vital provision that talks about sexual abuse of children and how state parties who are signatories ought to take essential, necessary legislative measures to safeguard that all intentional acts done against children that lead to abuse or exploitation are criminalised, where such acts are out of coercion, force and the threat or as a person who is an abuser is in many cases found to holding position of trust in the family circle, having certain kind of authority or has some influence on the child/kid/teenager as well as their family or child abuse because he/she is in vulnerable condition because of mental or physical disability.

Art. 28 provides for general principles as directives to take measures for internal cooperation by all state parties as laid down by this convention by applying relevant international and regional legal instruments, whatever agreed agreements between them so as to stop and control and restrict sexual exploitation, intimidation or abuse of such youth or children. State parties of the convention have to make efforts to integrate, where applicable and appropriate so as to prevent and fight against children who are sexually abused, harmed and exploited, and therefore, support should be provided for the benefit of third states in cases of assistance programmes for development.

3.3.5 Convention on the Rights of Child (CRC)

The CRC convention, in its preamble, specifies that it is the essential fundamental responsibility on humanitarian grounds of society wherein natural/normal environment should be provided to the children or young youths so they can grow, and their well-being especially taken care of and they should be provided with the essential protection and assistance so he can in the future be capable of taking over responsibilities of the community. Further, it emphasised that due importance should be given to the cultural values and traditions of everyone for the overall protection and harmonious growth and development of youth and children. The 'UN Committee of CRC' which supervises the functioning of the agreement through convention by signatory States, has laid out the ways/guiding directions how young people, youth, teenagers, and tender age children ought to be protected through safeguard measures in the digital or electronic world, and in what way these children's rights must be safeguarded. Conventions had given importance to international cooperation and coordination to improve the children's living conditions in respective countries across the globe, but especially in developing countries that
are not that capable of protecting children's rights. Article 3 (1) deals with activities regarding children that are taken by authorised administrative authorities appointed or legislative bodies and should be taken in the child's best interest, giving it primary importance. Children's safety is a concern in the virtual space, which has become a source of exploitation and abuse of children and youth who become victims of such acts. Further, Article 2(3) casts a responsibility on all States that are parties to the convention to ensure that the organisations, services, and facilities provided for children should be made responsible for taking care of protecting children by laying down standards and norms set by competent authorities especially for the safety and health of children under the supervision of a competent supervisor.

Article 24 (2) (e) provides the responsibility of the State to ensure all sections of our society, specifically emphasised parents and children who are up-to-date on the changes and have access to education, which can be correlated here with online modes of educational exposure to children and youth that had opened wider unregulated platforms which are misused for abuse and exploitation of children. Children and youth are exposed, but as per the article, basic knowledge about online platforms is unaware and ignored to be inculcated in them for which they need support at different levels with supervision on content online to which they are exposed. Additionally, Article 28 (1)(d) provides educational and vocational information that should be provided and offered guidance accessible to all children. Herein, the point to be noted is that they are exposed online prior to educating them about the advantages, disadvantages, and misuse of online platforms, which indirectly and, in some instances, directly become targets and victims of online abuse and victims of child pornography.

The convention, through Article 34, explicitly makes mandatories for all states who are signatories to CRC to undertake safeguard measures for the protection of children from any form of sexual intimation, exploitation and abuse in any form that also includes online safety and protection from victimisation in the virtual world which has no boundaries. Responsibility of the State to take necessary measures according to each State's suitable national regulatory framework within its boundaries, bilateral and multilateral treaties or agreements between different takes which would take transborder prevention measures for children in Art 34 clauses as follows:

(a) any kind of inducement or coercion against children that could engage them in sexual activities which are unlawful in any way;
(b) where children are used for exploitative prostitution or sexual practices in other forms; &
(c) where children are involved in pornographic performances or any material leading to their exploitation.

Due to advancements in technology, one can connect with people at different times and places, and in this, children and young youth have been exposed to online platforms. The pandemic also became a major reason for the high usage of the internet and different platforms during lockdown, creating unprecedented growth of internet usage by children and youth, leading to their exploitation and abuse. CRC part II, under article 42, cast responsibility on state parties across the globe to commence and create principles and provisions based on CRC footing by taking appropriate and effective active measures for children and adults.

3.3.6 United Nations' Committee on the Rights of the Child

The importance of the digital environment to children's lives and rights has been emphasised by the 'United Nations Committee on the Rights of the Child in General Comment No. 25, adopted in 2021 (UNICEF. (2021))', which stresses the reality based on the fact that spending time online for electronic or social media or to study or to do homework through online mode has brought inevitable unacceptable and undesirable risks, harm and threats to children and youths who are misguided or mis/disinformation provided on social media, some of them children or youngster do also encounter or face in other settings other than their homes, and few of them are of such a nature which are unique and altogether new in the online/ virtual world context' (ECPAT, INTERPOL, and UNICEF. (October 2021). Digital technologies over a period of time in the past few years have remained vital and important for the growth and development of existing present lives and subsistence for the coming future: "By means of digital technology, we can get information from all around the world"; "[Digital technology] introduced me to major aspects of how I identify myself"; "When you are sad, the Internet can help you [to] see something that brings you joy" (Convention on the Rights of the Child. (2021)).

The digital era has changed the environment in which children play and has changed the lives of children, and their survival has become vital in situations of any crisis of exploitation in the digital environment. Emphasises were made for the right of life that needs to be protected and preserved by State Parties who are signatories to CRC by taking appropriate steps for the preservation of the life of children, their survival in the digital environment and overall development through digital technologies. 'Risks relating to content, contact, conduct and contract encompass, among other things, violent and sexual content, cyberaggression and
harassment, gambling, exploitation and abuse, including sexual exploitation and abuse, and the promotion of or incitement to suicide or life-threatening activities, including by criminals or armed groups designated as terrorist or violent extremist' (Convention on the Rights of the Child. (2021)). Signatory state parties should take measures to identify such issues and address these new challenges faced by children in diversified contexts. Children's online protection on all portals, websites and apps should be integrated through regulation within national child protection policies (Convention on the Rights of the Child. (2021)). Where encryption is considered an appropriate means, States parties 'should consider appropriate measures enabling the detection and reporting of child sexual exploitation and abuse or child sexual abuse material' (Convention on the Rights of the Child. (2021)). Such measures must be strictly limited in the interest of children according to the principles of legality, necessity and proportionality (Convention on the Rights of the Child. (2021)).

Many children use 'online avatars' or 'pseudonyms' to protect their identity, which can be significant in protecting children's privacy (Convention on the Rights of the Child. (2021)). States parties 'should require an approach integrating safety-by-design and privacy-by-design to anonymity, while ensuring that anonymous practices are not routinely used to hide harmful or illegal behaviour, such as cyberaggression, hate speech or sexual exploitation and abuse' (Convention on the Rights of the Child. (2021)). State Laws should provide for legislative framework in their national and domestic laws protecting children from such digital environment abuse, and administrative measures by implementation should be incorporated where children are protected from digital violence by setting up a system that regularly reviews, updates their enforcement system will latest developments in digital technology by strong legal protection and restriction through legislations, regulatory bodies and organisational/institutional guidelines for children protection to eliminate any kind of violence or abuse or exploitation during their usage of digital environment. Depending on the nature of children's exposure to the digital environment, regulatory and implementing bodies should consider the safety and protective steps of the children involved in virtual digital exposure.

'Standards for digital educational technologies should ensure that the use of those technologies is ethical and appropriate for educational purposes and does not expose children to violence, discrimination, misuse of their personal data, commercial exploitation or other infringements of their rights, such as the use of digital technologies to document a child's activity' (Convention on the Rights of the Child. (2021)). Children should be preserved and protected online by an integrated legal system within national laws that protects child, and the policies should cover all these issues.
3.4 IN COLLABORATION PROJECT FOR PROTECTION OF CHILDREN FROM SEXUAL EXPLOITATION ONLINE

The WePROECT, a 'Global Alliance to End Child Sexual Exploitation Online', involving technology companies, international organisations, and countries, is one good example of a multi-stakeholder, coordinated approach to tackle this threat that has no borders (The Lancet Child & Adolescent Health (Ed.). (2018)). The challenge of creating a safe online environment for children lies in finding a balance between maximising the potential of "ICTs while minimising risks and ensuring children's safety and protection – without thereby hampering other rights including freedom of expression" ((United Nations Human Rights Office of the High Commission. (2016, March 18)). Children's perceptions and experiences required to be reflected and incorporated while drafting policies which will regulate the use of young youth's and children's/ kids/ minor digital usage should be considered carefully while creating/designing such technologies (GLOBAL ISSUES Child and Youth Safety Online (n.d.)). Everyday use of various media portals and platforms online and technologies has shown a negative and adverse effect and consequences on the health and development of all children, pre-teens, teens and young adolescents that have made them more susceptible and vulnerable to anxiety, nervousness, misery, depression, isolation and other psychological disorders or syndromes, as well as has been making them further susceptible and vulnerable to future health complications and problems” (Susanty, L., Arifin, A., Darmadi, D., Yuliana, Y., Ismawati, I., & Sofyan, A. T. (2020)).

Children's/ young youths and teenagers' views and experiences that they had faced online should and needed to be contemplated while drafting policies and guidelines, regulations and rules that would regulate overall the use of young people's digital usage and exposures online, as well as whenever designing any kind of technologies in present or future itself. UNICEF supports the 'Global Kids Online', and Disrupting Harm projects' that work for gathering evidence/proof on children's various digital online rights, prospects, harm and hazards so as to thoroughly comprehend, understand and recognise how these digital technologies are used and how it contributes to youths and children lives and when it magnifies their risk to such harm in online platforms. State parties must want the various business sectors to undertake and commence child rights with careful due diligence, particularly when they are going to carry out any sort of child rights impact or significance assessments and that also should be disclosed to the public, especially giving consideration to those who are the differentiated one and, at times, severe and showing serious impacts and effects of the digital social media environment on
young youth and children's (UNICEF. (2021)). Therefore, they are required to take appropriate steps and measures to prevent or avoid screening and monitoring, investigating and punishing child rights abuses by such providers of websites and apps by such businesses (UNICEF. (2021)).

Developments in ICT in the past decade have also facilitated various kinds of criminal collaboration among criminals who target children and youth who become prey to the tactics through online communication; however, law enforcement agencies have failed to have tab on the monitoring of children that lack the human touch, sometimes difficult due to financial resources to take precautionary steps, lack of knowledgeable or technical capacity people holding such position as regulatory and moreover there is lack of appropriate legal tools that could help to investigate digital crimes committed against children. However, further requires taking a few approaches that could characterise all such phenomena to identify such incidences that are centred around a particular age against the victim by the perpetrator, specifically when they are young children, pre-teen age or in their teenage wherein they are being tormented, exposed, threatened, harassed, intimidated, humiliated, bullied, embarrassed or else targeted through the group of other children in their family or surrounding circle, become vulnerable in their pre-teen or teenage when they are exposed to the use of the internet or virtual social media platforms, communicating and digital technologies like computer, laptops, tabs, or mobile phones’ (United Nations. (2015, May)).

Digital internet systems with their equipment have created a huge, comparatively very cheap market for child pornography, which can be accessed easily from any part of the world and could be produced and distributed through online platforms that display child sexual tapes and abusive material without any actual cost for distribution and advertising such content because of which it had enhanced is exposure pertaining to child exploitation and abuse in the virtual network which has been expanding rapidly increasing scope of this activities without legal regulation for curbing them nationally & international at all spere to protect and safeguard children and youth who had become vulnerable to such exploitation. Specific tools need to be utilised in the digital world that could help in detecting and investigating such crimes through keeping techniques controlled, trained, and updated with changes taking place in technologies which automated searches, looking into image analysis and databases of such images of child abuse and exploitation and importantly lastly data mining of child exploitation in the digital world and its analytics. Moreover, regulations of ICT need to be skilled in digital investigations so as to acquire electronic evidence of child abuse virtually, and the culprits have been seen using all necessary measures to leave any footprints of their crime or are careful enough not to
leave traces of their perpetration or completely delete digital traces making investigation and prosecution difficult legally.

Child abuse and exploitation have rapidly grown due to the increasing number of child porn and abuse in various forms that is taking place on digital platforms, leaving traces of digital evidence that could be in passive mode with the third parties or owners of clouds on virtually that could become very important source for the government to regulate such platforms through developing a mechanism that could be timely utilised by governments through their law enforcement agencies who could access such data in situation of evidence calling, investigation and emergency situations to rescue victims of such abuse and exploitation. This kind of mechanism can be worked out to fair access in clouds or third parties' databases that could be legally processed and used in their routine investigation, evidence, trial and procedure of prosecution of those perpetrators who were involved in child abuse and exploitation sexually online or in digital modes.

4 CONCLUSION

The landmark convention and legal signatory document of state parties highlights and has emphasised raising awareness of the risks children face online in the digital environment, which gives the perpetrator opportunities to abuse and exploit the children online environment, making them victims of pornography and sexual abuse that were exhorting all those who are responsible from the public and private sectors who somehow makes children vulnerable wherein they need to protect and preserve from such crimes and to take action to address them nationally and internationally through framing robust legal system to held the culprits liable in the digital environment. Internationally, some conventions have provided protection and preventive measures taken by the signatory State in their national or regional laws to prevent, protect and take measures to avoid child's any form of abuse and different types of exploitation of children in the digital environment. However, due to the lack of transborder regulation and jurisdiction issues, it WAS observed that the last decade has seen an increase in child and youth sexual exploitation and abuse in the digital virtual environment, making them easy prey for the perpetrator. Cooperation and legal systems have to be set up in such a way that could not raise jurisdiction issues, specifically crimes against children in the virtual digital world, not only affecting them physically but also having considerable impact emotionally and mentally.
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