



***Protection of Children from Cybercrime Threats  
in Light of International and Regional Conventions***

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***Abstract ;***

*In recent years, the global world has witnessed some incredible technological advancements that have brought the internet and its many services into our lives. However, this progress has also led to a troubling rise in cybercrimes, affecting everyone, especially children. They're particularly at risk because of their growing use of the internet and social media.*

*Unfortunately, this has resulted in a surge of cyber threats that could jeopardize their future. In response, there have been increased international efforts to tackle these issues, with various agreements and regional initiatives aimed at safeguarding this vulnerable group.*

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## 1. Introduction

The internet and modern technology have given rise to some pretty sketchy websites that pose a serious and alarming threat to our children's future. This group is especially at risk when it comes to exploitation and abuse by those with questionable morals and criminal organizations. These predators often lure kids in through chat rooms and social media, taking advantage of them and using them in pornographic content.

The internet has played a significant role in the increase of criminal activities, particularly concerning the rise in sexual assaults on children and their exploitation in pornography. This alarming trend calls for a united global response to tackle these heinous crimes. As a result, many countries around the world have begun to pass laws, organize conferences, and create both regional and international agreements.

A pivotal moment in this fight was the ratification of the Convention on the Rights of the Child back in 1989, along with various other agreements and international charters designed to deter these offenses and implement preventive measures to safeguard child victims from organized and hidden crimes.

The importance of this topic stems from our need to grasp a new phenomenon that's rapidly growing and impacting the most vulnerable members of our society. It

sheds light on the initiatives taken by various countries and regional organizations that recognize the urgent need to safeguard children from cybercrimes.

Thus, it's crucial to explore the ways we can protect children from these online threats, especially in the context of international law, while also clarifying the risks that come with cybercrimes.

Looking at it this way, we really need to ask ourselves: How much have international and regional conventions actually contributed to protect children from online exploitation?

In our exploration of this topic, we adopted a descriptive approach, looking at various components to ensure everything fit together systematically. We also used an analytical method to dive into the different materials found in both international and regional agreements related to the subject.

To address the issue, the topic has been divided into two main sections:

- **Section One:** The international conventions related to the protection of children against the risks of cybercrime.
- **Section Two:** The regional conventions concerning the protection of children from cybercrime threats

## ***2. The international conventions related to the protection of children against the risks of cybercrime***

In today's world, where the internet can sometimes be a dangerous place for kids, it's crucial for countries to step up their game in protecting children from online threats. This means taking a hard look at the criminal activities that can happen in cyberspace. To tackle this issue, international organizations have been busy creating a variety of agreements and treaties focused on fighting cybercrime, especially those targeting children.

### ***2.1 Contributions of international conventions in protecting children from cyber crimes***

A lot of documents have come to light that view child exploitation as a type of forced labor, often referred to as modern slavery. The United Nations, along with its member states, has been working hard to tackle all forms of child exploitation and related violations. As a result, children's rights have gradually been incorporated into international treaties, covering civil, political, social, and economic rights through various global conventions.

#### ***2.1.1 The 1989 Convention on the Rights of the Child***

The Convention on the Rights of the Child is a key international agreement that lays out the political, civil, cultural, and economic rights of children. It also

highlights their unique needs, ensuring that decisions are made in their best interests. Importantly, it recognizes that every child has fundamental rights, including the right to receive love and care from their parents.

The United Nations Committee on the Rights of the Child plays a crucial role in making sure that countries stick to the convention. They do this by asking nations to send in regular reports detailing the steps they've taken to protect the rights laid out in the convention (Mokhtari, 1989, p.25). Moreover, the agreement emphasizes the importance of allowing parents to guide their children, ensuring that kids can fully enjoy their rights while staying safe (Convention on the child rights, 1989).

The convention defines a child as: "a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier (Convention on the child rights, article 1, 1989)."

This convention ensured, based on Article 17, that children can access information from a variety of sources, especially those that promote their well-being. It also encourages media organizations to create and share content that is beneficial for children (Convention on the child rights, article 17, 1989).

The convention's provisions tackle the serious issue of child sexual exploitation

right from the first paragraph of Article 19. It highlights the crucial responsibility of state parties to implement all necessary measures to safeguard children against any form of violence, whether physical or mental, as well as neglect and mistreatment, including sexual abuse.

This commitment is further emphasized in Article 34, which mandates that state parties must adopt all suitable national, bilateral, and multilateral actions (Convention on the child rights, article 34, 1989) to protect children from all types of exploitation and sexual abuse.

This convention is often seen as a cornerstone for children's rights, with countries worldwide pledging their commitment to it. It serves as both a valuable resource and a launching pad for conferences and protocols that promote children's rights, especially in the realm of internet use, thanks to its thorough approach. The agreement was created to fulfill several key goals, recognizing new rights for children in international law that hadn't been acknowledged before (Ghemissi, 2020, p.416).

### ***2.1.2 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography***

The optional protocol concerning the sale of children and their exploitation in prostitution and pornography includes fourteen articles. It acts as a supplement to

the Convention on the Rights of the Child, reinforcing the rights it outlines, especially when it comes to safeguarding children from exploitation in prostitution, pornography, trafficking, or sale, as well as their involvement in pornographic performances (The optional Protocol, 2010).

The troubling issue of child sex tourism has sparked serious concern and fear among member states, as it directly fuels the exploitation of children in pornography and trafficking. This is especially alarming since children are the most vulnerable group in society (Tzemoucht, 2014, p.65).

In the context of fighting against the exploitation of children in pornography, the countries involved have turned to the guidelines set out in this protocol, which emphasizes the need to make child-related pornography a criminal offense.

This move also highlights their dedication to strengthening the protection of children's rights and the principles laid out in the action program designed to prevent the sale of children and their exploitation in prostitution, pornography, and advertising.

This protocol was established to outline the measures that the participating countries must implement to protect children from exploitation in pornography, including the following:

Every State Party needs to make sure that the following actions and activities are completely included in its criminal law or penal code. This applies whether these crimes happen locally or internationally, and whether they are carried out by individuals or organized groups, all in line with the national laws of the State Party. The same rules apply to any attempts to commit these acts or to conspire or take part in them (The optional Protocol, article 3, 2010).

### **2.1.3 the international conference "Combating Child Pornography on the Internet", 1999**

This conference took place in Vienna and led to a series of recommendations, with the most significant ones being:

- Encouraging internet service providers to establish codes of conduct.
- Advocating for the development of websites where citizens can report child pornography sites.
- Highlighting the need for national lawmakers to create laws that criminalize online sexual trafficking, ensuring legal protection for children.
- Additionally, the state should implement regulations that provide a clear definition of this crime, considering the intentional possession and distribution of images involving children (Lenaceur, 2018, p.158).

## **2.2 The role of international non-governmental organizations in combating cybercrime against children**

It's alarmingly easy for cybercriminals to target children, and they can do it from just about anywhere. This means that a whole range of internet service providers from different countries are involved, leading to a quick rise in these crimes and a rapid loss of any evidence that could hold them accountable. To make matters worse, the involvement of multiple nations has pushed international organizations to ramp up their efforts to tackle this serious issue.

### **2.2.1 The International Criminal Police Organization (Interpol)**

This organization, founded in 1923, stands as the largest international police body. It's recognized as a key player at the European level, working hand in hand with law enforcement agencies across member countries to tackle criminal activities. Moreover, it plays a crucial role in fighting internet crimes and aids in investigations related to the possession and distribution of pornographic material, especially when it involves children.

Interpol organizes a variety of meetings focused on tackling serious crimes, including the fight against child sexual exploitation. A notable case involved a U.S. citizen who received a nearly 20-year prison sentence after being apprehended due to a global alert from Interpol. This

alert was crucial in identifying a suspect linked to the sexual abuse of children, as he was found in a series of disturbing images with young boys during these heinous acts(Youcef, 2011, p.145).

The International Criminal Police Organization has made significant strides in this area over the years, resulting in the creation of regional communication centers in several countries, such as New Zealand, Bangkok, Tokyo, and more(Tzemoucht, p.73).

### **2.2.2 The International Telecom. Union**

On May 17, 2009, the world came together to celebrate World Telecommunication Day, and the International Telecommunication Union picked a really important theme: "Protecting Children in Cyberspace." The goal is to make sure that kids can explore online content without worrying about stumbling upon anything inappropriate on the internet(Tzemoucht, p.73).

The International Telecommunication Union, a specialized agency of the United Nations, plays a vital role in connecting communications across the globe while also focusing on protection and security. One of its key initiatives is aimed at children, highlighted by the Global Cybersecurity Agenda (GCA), which seeks to build trust and security as essential components for nurturing informed information societies(Ishak, 2020, p.345).

This initiative includes a thorough plan for online child protection (COP), bringing together various national and international organizations, along with civil society, to ensure that children have a safe online experience.

It's crucial to prioritize the safety of children. As highlighted, "We recognize the importance of information and communication technology in protecting children and fostering their growth. We are committed to stepping up our efforts to shield them from exploitation and to champion their rights in the realm of information and communication technology(ITU, 2009)."

Moreover, it aims to educate children, with the help of their parents, about the dangers of harmful online content, ensuring they have the right protections in place through safer programs. Achieving this requires a united effort from all communication service providers, as outlined below:

- It's crucial to raise awareness throughout the community, beginning with parents who play a key role in keeping their kids away from inappropriate websites.
- The need to clarify what internet café owners are responsible for, including the importance of creating safe browsing areas just for children(Bouzina, p.363).
- Plus, it's essential to have ongoing conversations with kids about the pros and cons of using the internet, teaching them

about the potential dangers of chat rooms and unregulated groups (Ben Mekki & Boukatef, 2017, p.54).

### ***3. The Regional agreements concerning the protection of children against the threats of cybercrime***

The sharp rise in internet use, especially among kids, has unfortunately opened the door to their sexual exploitation. This troubling reality has pushed for the creation of international agreements and the hosting of conferences focused on fighting these heinous crimes. To truly make a difference, we need countries to work together to shield children from exploitation that not only harms their well-being but also shakes the very foundations of our societal values. As a result, various regional initiatives have been launched, with some of the most significant efforts being:

#### ***3.1. Efforts of European institutions and regulations in safeguarding children from the threats of cybercrime***

The troubling increase in cybercrimes aimed at children has made it essential for countries to come together and work collaboratively. This united effort is crucial for putting in place effective preventive measures against these widespread offenses, which we'll delve into further below:

##### ***3.1.1 The Budapest Convention on Cybercrime of 2000***

According to the field of cybercrime, the European Committee on Crime has initiated a draft agreement referred to as "Computer Crimes (Kribiz & Hirech, 2020, p.225)".

This convention was discussed based on its proposed articles, and there was a lot of information exchanged during the drafting phase from 2000 until the final version was completed and approved in Budapest in 2001.

This convention is known as the Budapest Convention on Cybercrime, which represents the first legal effort to tackle the rising problem of cybercrime. Moreover, the draft of the agreement was shared on various American and European websites to gather public opinions and was also made available to the general public (Bouzina, p.364).

The Council of Europe aimed to bring its members together and highlight the importance of collaboration between nations. They strongly believed in the need for a unified criminal policy to safeguard society against cybercrime (Razika, 2022, p.50).

This convention showcases the significant and respected work done by the European Union and the Council of Europe, along with their expert committees, in tackling computer crimes and their implications for over a decade.

The convention is structured with an introduction and four chapters. In the introduction, it lays out the goals, foundations, and previous references of the agreement, as well as the guiding principles and regulatory efforts that inform it.

However, it's worth mentioning that there is still an ongoing disagreement about how to classify different types of computer crimes. Despite the various academic frameworks for classification, the agreement has chosen to categorize these criminal provisions into more advanced categories(Kribiz & Hirech, p.225).

The convention mandates that member states, as outlined in Articles 2 to 13, take all necessary legislative steps and actions to criminalize nine specific offenses related to technology crimes, including those involving child prostitution. While this particular crime falls under the category of content crimes, it's not the only illegal activity linked to the content found on information sites. Even though various countries have introduced laws and strategies aimed at addressing other types of content crimes, the agreements have focused solely on this one offense(Tzemoucht, pp.69-70)..

Article 9 of the convention addresses crimes related to child pornography, mandating that each state party implement the necessary laws and actions to make such behaviors illegal in their national legislation, provided they are carried out

intentionally and unlawfully(Budapest Convention, article 9/1, 2001).

In addition, there was a suggestion that the issue of child pornography should fall under the jurisdiction of national systems, mainly because of the potential disputes it could create.

However, it was agreed that this term covers all sexual material and anything involving sexual contact with children. This was further supported by the agreement in the same article, specifically in the second paragraph, which states that the phrase "child pornography" also includes any visually presented pornographic materials(Budapest Conventio, article 9/2, 2001)..

### ***3.1.2 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse of 2007***

It's crucial to start by highlighting that the European nations that are part of the Council of Europe, which includes all twenty-seven EU member states, have placed a strong emphasis on tackling the issue of child sexual exploitation. After they adopted two key recommendations back in 1991 and 2001, it became clear that there was a need for a binding legal framework to foster better cooperation among member states. This realization ultimately led to the signing of the Convention on the Protection of Children from Sexual Exploitation and Sexual

Abuse on October 25, 2007(Litim,,2021, pp.574-575).

This convention has come about because of a troubling situation we've been facing, marked by a rise in the exploitation and sexual abuse of children. This issue is particularly concerning given the rampant use of internet sites by both the offenders and the children themselves(Menaceur, p.159).

The convention, outlined in Articles 18 to 23, highlights the importance of making it a crime to engage in behaviors that exploit and abuse children sexually. It also stresses that every state party must take action by implementing laws that provide effective and appropriate penalties.

### ***3.2. The Arab countries efforts in protecting children from cybercrime threats***

Children are often seen as easy targets for those involved in prostitution and trafficking, who take advantage of them in the most unimaginable ways. Various media outlets and organizations have reported that this troubling trend is increasing.

As a result, international conferences and conventions have been put in place to bring Arab nations together in the fight against cybercrime. These efforts aim to encourage countries in the region to adopt regulations and measures that will help

tackle this issue and, most importantly, safeguard our children.

#### ***3.2.1 Arab Convention on Combating Information Technology Offences of 2010***

The Arab Convention on Combating Information Technology Offences is a recent agreement designed to tackle these crimes head-on. Drafted in Cairo, Egypt, and issued by the Arab League in 2010, this convention aims to boost collaboration among Arab nations in the fight against cybercrime. By doing so, it seeks to reduce the risks associated with these offenses and protect the security, interests, and well-being of Arab countries. The agreement includes a preamble and forty-three articles, organized into five chapters, that generally cover various aspects of cybercrimes(Arab Convention, 2010).

The second chapter of this convention, called "Criminalization," dives into the issue of pornography as detailed in Article 12. It covers everything from the production and display to the distribution, provision, publication, purchase, sale, or importation of pornographic materials, especially those that breach public decency through the use of information technology.

The penalties become even harsher when these pornographic offenses involve children and minors(Arab Convention, article 12, 2010). Furthermore, Article 13

addresses additional offenses related to pornography, including gambling and sexual exploitation(Arab Convention, article 13 2010).

### **3 2.2 The Arab Regional Conference of 2008**

The Arab Regional Conference in 2008 tackled some serious issues surrounding online content, like the facilitation of online prostitution and internet defamation. It also shone a light on the darker side of electronic media, particularly how it can be used to exploit children, including sexual abuse. This conference emphasized the crucial role that civil society and the private sector play in fighting against child abuse in the digital age, showcasing real-life case studies that illustrate these challenges(Youcef, p.155).

It's really important to take a closer look at what internet service providers are responsible for when it comes to the transmission of pornographic materials to children. This is especially relevant considering the case (de V. American Online) that deals with minors and how accountable these providers should be. The case centers around a mother who lodged a complaint against an American company that set up a website aimed at those who exploit children sexually online(Bouzina, pp.368-369).

After the allegations surfaced, the company faced criminal charges and was held responsible for the content it shares.

This was largely due to its failure to keep an eye on subscriber interactions and its lack of a proper system and rules to manage them. On top of that, the company neglected to take the necessary steps to ensure proper oversight of its services. In response, the company dismissed all claims made by the child's mother, citing Section 703 of the Communications Privacy Act(Menaceur, p.158).

The court has decided that if a company is responsible for the messages, images, and adult content it shares, it essentially acts as a publisher. This means it has to follow the same liability rules that apply to traditional publishers, like newspapers and magazines. As a result, companies like phone providers and internet service providers won't be held accountable for the services they offer through third parties.

The company has a responsibility to enforce the law, which means it needs to keep a close eye on a lot of information that flows through its system from other users. This puts it in a similar position to traditional publishers. Additionally, the court has looked at past cases that show how claims of negligence in distributing harmful pornographic materials are really tied to the spread of harmful content through newer methods. This connection means that the company must follow the same rules that traditional publishers do(Said, 2011, pp.26-27).

It's crucial to point out that the court's ruling, which claims that internet service

providers aren't responsible for how their services are misused by clients in sharing pornographic and illegal content, goes against well-established legal principles. This position could endanger the information society and, in turn, affect both the economic opportunities and public safety of individuals.

It's been made clear in American courts that the legal standards for defamation and traditional publication laws are relevant in these situations. Internet service providers can't just wash their hands of responsibility when it comes to this; they have a duty to take meaningful steps to safeguard children and the public from the spread of illegal and harmful activities. This includes identifying the sources of child pornography and reporting them to the right legal authorities.

#### **4. Conclusion:**

According to the findings of this study, which focuses on safeguarding children from the threats of cybercrime in the context of international and regional conventions, it has become clear that information technology poses several risks when misused. Instead of being a source of knowledge, it can turn into a platform for engaging in harmful activities.

As a result, children are particularly vulnerable to these dangers, making them easy targets for sex offenders and traffickers, which presents a serious threat to society.

Many countries have stepped up their game in the fight against those who try to exploit children online. They've put in place a protective system aimed at shielding kids from cybercrimes, which involves hosting conferences and signing international and regional convention.

Based on what we've discussed, here are some key recommendations to consider:

- It's really important to teach kids about the dangers of sharing their personal information and photos online.
- Keeping an eye on the websites that children visit is vital for their safety.
- Countries around the world should come together to support laws and actions that fight against these crimes, enhancing cooperation and sharing of information.
- Every nation needs to make sure that all forms of online child exploitation are treated as criminal offenses.
- We should run awareness campaigns that reach all parts of society, using various platforms like mosques, media, and more.
- Internet service providers ought to be required to report any violations they find on websites.
- A comprehensive list of sites that host images of child sexual abuse should be created and shared internationally.
- It's essential to set up specialized agencies dedicated to reporting crimes related to child sexual exploitation, ensuring the safety of those who come forward.

- These harmful websites should be blocked, and those responsible for them must face consequences.

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