

## Media Exploitation of Children and Protection Mechanisms in Algeria: An Analytical Study of Algerian Law and International Conventions

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### **Abstract:**

The aim of this study is to explore the main approaches to addressing the challenges faced by Algerian media in aligning with national legislation, particularly concerning the protection of children from media exploitation. The study focuses on the legal conditions established to safeguard children from participating in advertising, filmmaking, photography, or audio-visual recordings — activities permitted only with the consent of their legal guardian and outside school hours. It also highlights the importance of implementing mechanisms and technological tools to protect children and adolescents in broadcast and media content, ensuring that their rights are not violated, in accordance with Algerian law and international conventions.

The study aims to create a balanced framework that aligns children's rights laws with media practices in Algeria, ensuring effective protection of children in the media sector.

**Keywords:** Media exploitation, The child, Algerian law, regional conventions, International conventions.

## 1. INTRODUCTION

The value we aim to provide for media and communication science professionals through the following discussion is not merely in the information itself but in the practical mechanisms for applying it within media practice. By addressing complex and interconnected topics, we seek to open new horizons for legal frameworks and their implementation. In some cases, laws may be rigid or lack foresight, particularly in addressing moral considerations such as psychological and emotional harm. This reflection leads us to pose several key questions, which we will explore across four main themes:

The first level :Why does the discussion on Media Law-particularly the 2012 and 2014 versions in Algeria-and the Audiovisual Control Authority often revolve around describing certain legal provisions as inaccurate or theoretically flawed, without considering their practical impact on quality? Why is there little focus on revising, refining, or updating these laws and regulations in response to evolving media landscapes? This is particularly crucial when considering the emergence of hybrid and new media in virtual environments, where legal frameworks must be adaptable to both real-world media practices and the dynamics of digital spaces.

The second level: Why does Algerian media legislation primarily focus on traditional media—such as newspapers, radio, and television—while largely overlooking new and hybrid media? These emerging platforms, which operate within cyberspace, rely on interaction, communication, and user engagement, making it essential to develop legal frameworks that address their unique challenges. Shouldn't there be greater emphasis on regulating digital content and curbing unethical practices such as extortion, misinformation, propaganda, defamation, and various forms of online exploitation, particularly those affecting vulnerable groups like children and adolescents?

Does the legal framework surrounding traditional media benefit from greater transparency and regulatory control compared to the relatively unregulated landscape of new media in Algeria?

The third level: Do international, regional, and national legal frameworks fully protect children from media exploitation? Are there gaps in

these legal provisions that require modernization to keep pace with the rapid evolution of the media landscape, particularly in the realm of serious journalism? Furthermore, is there a disconnect between the legal texts and their practical enforcement? Or do the shortcomings lie in the mechanisms of accountability, including the nature, process, and principles governing the prosecution of those who exploit children through media?

The fourth level: This leads us to explore the ways in which children can be protected from media exploitation. What are the different circumstances in which children may become victims of such exploitation by the media? Additionally, what legal measures and procedures can be implemented to address and prevent media-related exploitation of children?

## **2. Definition of a child in Cases of Media Exploitation**

Before delving into the concept of a child in the context of media exploitation—or more broadly, cases of child exploitation in the media—it is essential to examine how Algerian law and international conventions define childhood. Additionally, perspectives from sociology and psychology, as well as the concept of a "child in danger," must be considered. These various definitions and frameworks are interconnected, providing a clearer understanding of the different circumstances in which children may be vulnerable to media exploitation.

Article 2 of the Official Gazette of the Republic of Algeria, as outlined in Act No. 15-12 of July 15, 2015, addresses the protection of children at risk. It defines a child in danger as one whose health, morality, upbringing, or security is threatened or at risk, or whose living conditions or behavior could expose them to potential harm, endangering their physical, psychological, or educational well-being.

The above-mentioned Act also defines situations that place a child at risk as:

- The loss of a child's parents, leaving them without family support.
- Subjecting a child to neglect or homelessness.
- Violating the child's right to education.
- Forcing or exposing a child to begging.

- Parents or guardians being unable to manage their actions, leading to harm to the child's physical, psychological, or educational well-being.
- Persistent and significant failure in providing proper care and education.
- Abuse of a child, including torture, physical harm, confinement, deprivation of food, or any cruel treatment that affects their emotional or psychological stability.
- The child being a victim of an offense committed by their legal guardian.
- The child being harmed due to a crime committed by any individual, requiring intervention in their best interest.
- Any form of child sexual exploitation, including involvement in pornography, prostitution, or explicit performances.
- Economic exploitation of a child, such as forced labor that prevents them from continuing their education or poses risks to their health, safety, or moral well-being.

Researcher knows Djaradjra (1988), a child is considered an integral part of society, whether in a natural or juvenile sense. The term "child" applies from birth until the child reaches puberty, encompassing both males and females. (Aissa, 1989, p. 42) Adel Abdullah (2007) defines childhood from the formation of the foetus in his mother's abdomen and ends with sexual adulthood, the manifestations of which vary from person to person and from sex to gender. (Al-Masdi, 2007, p. 15) Article 1 of the United Nations Convention on the Rights of the Child (CRC, 1989) defines a child as any human being under the age of 18 unless the applicable national law establishes a lower age for legal adulthood. (ohchr, 2024)

Maher Jameel (2008) emphasizes that childhood is a crucial stage in various fields, including psychology, education, human behavior, and sociology. He asserts that studying human development at all life stages is significant, but understanding childhood and adolescence is particularly vital,

as these periods are fundamental to an individual's physical, emotional, and cognitive development. (Abu Khawat, 2008, p. 10)

It can be said in the context of media exploitation, a child is defined as any individual under the age of 18, in accordance with international conventions such as the United Nations Convention on the Rights of the Child (CRC) and national laws. This definition applies specifically to situations where children may be exposed to risks of exploitation through media content, including advertising, filming, photography, broadcasting, or online communication.

Within the same proposition it can be said that media exploitation of children refers to any use of a child's image, voice, or presence in media platforms- whether audiovisual, digital, or print that may harm their physical, psychological, moral, or social well-being, especially without the informed consent of their legal guardian or in violation of child protection laws.

### **2.1. Definition of a Child in Algerian Law**

According to Article 5 of the Children's Protection Act, Algerian legislation defines a child as "any person under the age of 18." However, the law does not provide a detailed definition of childhood but rather sets 18 as the maximum age, aligning with the Convention on the Rights of the Child. This definition contrasts with Article 1 of Ordinance No. 72-03 of February 10, 1972, which previously set the age limit for childhood and adolescence at 21 years. The latter ordinance was repealed by Article 149 of the Child Protection Act. (donyazad, 2025, p. 82)

### **2.2. Legal Definition of a Child**

In Islamic law, a child is considered a minor from the moment they are conceived as a fetus in the mother's womb until they reach puberty. If no physical signs of puberty appear, the individual is still regarded as a child until the age of 15. (Nashida, 2012, p. 9)

### **2.3. In International Law**

Article 1 of the Convention on the Rights of the Child (CRC) defines a child as : "Every human being below the age of 18 years unless majority is attained earlier under the law applicable to the child." (United Nations, 1992)

### **2.4. Definition of the African Charter on the Rights and Welfare of the Child**

In Part I, Article 2, the African Charter on the Rights and Welfare of the Child defines a child as "every human being below the age of 18." This charter was adopted in Addis Ababa, Ethiopia, on July 11, 1990, and came into force on November 29, 1999. As of October 21, 2011, 46 member states of the African Union had ratified the charter.

The charter is built upon four fundamental principles: non-discrimination, participation, the best interests of the child, and survival and development. Additionally, it explicitly prohibits child marriage, child labor, and child abuse. (achpr, 2022)

### **2.5. Definition of the Charter on the Rights of the Arab Child**

Adopted in December 1984, the Charter on the Rights of the Arab Child is the first Arab agreement addressing children's issues, established by the League of Arab States in accordance with the principles enshrined in the United Nations Charter.

The provisions of the charter outline various means of achieving its objectives, particularly through media channels, emphasizing the importance of directing media efforts and programs toward serving children's issues. Furthermore, the charter highlights the need to filter out imported media content that contradicts Arab values due to its potentially harmful impact on children. (Abu Khawat, 2008)

From the previous definitions, it is evident that Algerian law, the International Convention, and the African Charter all agree that a child is

defined as anyone under the age of 18, with 18 being the maximum age limit for childhood. In contrast, Islamic jurisprudence links childhood to puberty, which varies from person to person and between genders, making it a more flexible criterion. (Al-Qaradawi, 1994, p. 47)

The Geneva Convention on Human Rights also defines a child as any human being under the age of 18. (Khayari, 2019, pp. 12-25) In psychology, the term "child" refers to both males and females from the end of the breastfeeding stage until the onset of puberty or adolescence. (Madfoni, 2020, pp. 100-123)

### **3. Cases of Media Exploitation of Children**

The exploitation of children in society takes various forms, with economic exploitation being one of the most prevalent. Factors such as the family's cultural background play a significant role in this issue. Some families, believing that education offers little benefit, encourage their children to abandon schooling in favor of earning money. Additionally, poverty and financial hardship often force children into labor to help support their families' daily needs.

Beyond economic exploitation, children are also subjected to sexual exploitation, human trafficking, and organ trade. Another critical form of abuse is media exploitation, which occurs across different types of media, including traditional media, hybrid media, and new media. This study will primarily focus on the media-related exploitation of children.

#### **3.1. Media exploitation in classical media (newspapers and magazines, radio, television, cinema)**

We have tried to divide this exploitation into two levels:

- Level I (direct method): linked to the child's employment in media content.

- Level II (indirect method): linked to the media content of classical media targeting and raising the child through:
  - Various media programs broadcast on satellite television-whether Arab or foreign-often fail to consider children's media education and their developmental needs.
  - Numerous informational programs disregard religious, linguistic, cultural, and social aspects, as well as customs, traditions, and ethnic diversity.
  - Some content includes *inappropriate images*, such as explicit photographs in newspapers and magazines, graphic illustrations, and caricatures that are ambiguous or incomprehensible for children. Monthly features of actors and actresses in revealing clothing, as well as offensive depictions of Islamic symbols or national emblems, can also negatively impact children's beliefs and values.
  - Newspapers and magazines targeted at children sometimes contain cartoons that undermine faith, culture, and emotional well-being, as well as imagery promoting racism, violence, and extremism.
  - Certain music clips, songs, and radio programs include strange sounds, lyrics promoting devil worship, evangelism, or explicit content. Some children's radio segments introduce themes that degrade moral values, manipulate religious beliefs, and conflict with Algerian society's ethical, cultural, and social foundations.
  - Television programs, movies, and cartoons may contain anti-religious themes, inappropriate language, cultural misrepresentations, and content that contradicts local traditions. Romantic and emotionally charged films that stimulate premature sexual awareness can disrupt a child's psychological and social development, interfering with proper upbringing and natural moral growth.

In this context, the mentioned situation has significant psychological, emotional, and physical effects on a child's development and socialization. It can lead to issues such as autism, introversion, aggression, and improper upbringing, ultimately creating psychological distress due to the child's exposure and recognition within such content in society.

### **3.2. Media Exploitation in Hybrid Media**

In this context, all forms of media exploitation found in traditional media can also be applied to hybrid media. However, certain transformations occur: photographs are converted into digital images, printed newspapers and magazines are digitized (with paper versions being scanned or recreated in digital format), and media content can also be disseminated through various social media platforms and online accounts.

### **3.3. Media exploitation of children in the new media: (virtual environment, cyberspace, all social media sites)**

The first two levels of media exploitation involve using children in media content and targeting children with media content, sometimes with or without the consent of their legal guardians.

In many cases observed in digital media today, children are explicitly exploited for media purposes, often with the approval of their legal representatives. This is evident in the widespread practice of capturing images of children depicting their everyday struggles, poverty, and marginalization. Charitable organizations frequently use such images to evoke sympathy and encourage donations, portraying the child as a symbol of deprivation and need. While the intent may appear noble—seeking financial aid, medical assistance, or other forms of support—the reality is more complex. These images often carry hidden messages and implicit connotations, leveraging children's innocence for economic and financial purposes.

Beyond the immediate exploitation, the long-term impact on the child is profound. As they grow into adolescence or adulthood, they may experience psychological and emotional distress, struggling with the knowledge that their personal hardships were once publicly displayed. Digital content, especially in new media, spreads rapidly, making it nearly impossible to erase once shared across large social media pages, online groups, and personal accounts. This can lead to lasting psychological

consequences, including introversion, depression, social rejection, and even cyberbullying—whether from classmates or within their community.

The use by associations, whatever the nature of their activities, of video-shooting technology for children and the dissemination of it in various new media or the Internet, with content of any kind on children with the permission of the legitimate representative of the child. An example of charities can apply to a child's legal guardian (guardian, father, mother, brother, etc.), users of new media, various influencers on social media platforms. Sexual harassment of children through various social media sites and the Internet.

We can say that the cases we mentioned are considered to be the media exploitation of the child either in the way of employing the child in the media content, or targeting him with media content, with or without a licence by the legal guardian (guardian), because these cases have a social effect on the child by becoming a well-known and well-known child and thus may be harmed by several psychiatric illnesses such as trauma, bullying and cyberbullying cause psychological contract, social isolation, aggression, frustration, low self-esteem, social withdrawal, suicidal thoughts, and gender identity disorder.

#### **4. Mechanisms for the legal protection of children from media exploitation**

For a child to grow and develop in a healthy and natural manner, it is essential for media and communication professionals to collaborate with researchers, academics, and specialists across various fields. This includes experts in education, social and psychological sciences, Algerian law and legislation, judicial oversight, network and digital media, and audiovisual regulation authorities. Additionally, national and local child protection organizations, families, and communities must work together to promote daily awareness initiatives. These efforts should take the form of public-benefit campaigns aimed at educating children and their guardians about the dangers of cyberspace, particularly when it involves media-related risks.

An analysis of national laws, regulations, and legislation reveals that Algerian legislation contains few legal provisions specifically addressing the protection of children from online media exploitation. The existing legal framework primarily focuses on sexual exploitation in cyberspace and is scattered across various regulatory texts, rather than being outlined in dedicated legal provisions. Additionally, legislation against cybercrime primarily targets criminal activities conducted via the Internet, rather than directly addressing media exploitation.

One of the key challenges in regulating this issue is the difficulty of restricting certain websites and applications, as they are often protected by international laws that uphold freedom of expression, publishing, and media communication. However, within national borders, the law can monitor and regulate information content disseminated by official media institutions and bodies, both public and private.

The confidentiality of communications and correspondence, as stipulated in Act No. 09-04 on Special Rules for the Prevention and Control of Offences Related to Information and Communication Technologies, presents a challenge in effectively addressing such offences. This is particularly significant because Article 03 of the Act specifies the exceptional cases in which confidentiality may be overridden for judicial investigations. (arpce, 2009) To strengthen child protection in the media and digital space, the following measures should be considered:

- Review and update national laws related to child protection, ensuring their alignment with international standards on children's rights, as outlined in treaties, conventions, and supporting agreements, prioritizing the best interests of the child.
- Develop a unified information policy on children's rights, adopting a rights-based developmental approach, with a focus on prioritizing children's issues within the Arab media agenda.
- Organize workshops, panel discussions, and training programs for media professionals at the national and regional levels to promote a

culture of children's rights, in accordance with the recommendations of the Committee on Children of the League of Arab States.

- Advocate for the integration of children's rights and protection into public education curricula, as well as into media studies programs in colleges and institutes, while also establishing specialized departments for children's media studies in universities.
- Promote media literacy among children, families, and educators, equipping them with the necessary skills to engage critically and safely with media, especially digital platforms, to ensure responsible media consumption and prevent harmful or exploitative content.
- To call upon Arab media organizations to produce programmes and films aimed at children, taking into account the rights dimension and modern methods of upbringing, in attractive and influential stereotypes for children.
- To call upon the competent media councils to activate their role in the process of monitoring, monitoring, analysis and accountability for professional violations of children's issues, in accordance with a set of governing and professional police principles.

Support children's own participation in the preparation and broadcasting of information programmes for them, or in issues relating to their rights, ensuring the realization of the principle of participation, dialogue and freedom of opinion and enhancing their role in public life. (Murad, 2018, pp. 577-588)

Legal and Legislative Regulations to Protect Children from Advertising: Advertising is an influential form of information in the child's entity due to the child's extreme attachment to the influences he or she carries to attract this category. Advertising or advertising is considered to have a profound impact on the child segment because of the risks that viewing him or her creates in his or her behaviors. - in particular the preschool children's category - or exposes it to misunderstanding and accepts all information provided by television, even if it is inaccurate s rights ", many States have sought to organize advertising work to reduce its risk to children, Therefore,

many bodies in many countries of the world, in Europe, Asia and America, have become interested in establishing the rules governing declarations for children. The aim is to protect children from the transformation of the advertising sector, especially the audiovisual sector, and the Federal Liaison Committee has intervened (C.C.F) in 1971 to prevent any advertisements or programmes that are broadcast on children's programmes.

The Role of the Child in Media Pluralism (1990) and the Audiovisual Sector (2012) The audiovisual sector has become a significant cultural, social, and political influence within the family, establishing itself as the fourth educational force after the home, school, and places of worship. With its broad appeal, diverse content, and ability to fill leisure time, television plays a pivotal role in shaping children's perspectives, despite its potential drawbacks.

Although Arabic satellite television originates from a shared cultural environment, it encompasses varied influences and distinct identities. In Algeria, Arab satellite channels became widely accessible in the early 1990s, following the widespread adoption of satellite dishes. At the time, Algeria had a state-controlled audiovisual landscape, with only a single public television channel. Given the lack of local alternatives, Algerian families turned to Arab satellite channels, particularly those that provided religious and educational content. These channels quickly gained popularity among Algerian children, with parents actively encouraging their viewership as a more suitable alternative to existing media options. The Influence of Foreign Media on Algerian Children's Identity Over time, it became evident that while satellite television may not have posed an immediate or severe threat, it nonetheless introduced diverse cultures and realities that began to shape children's perceptions. One noticeable effect was the adoption of foreign accents from these channels, highlighting concerns about language, culture, and identity. Additionally, certain religious broadcasts, particularly those from Christian and Shia channels, raised questions about belief systems and their influence on young viewers.

Today, Algerian children are in a constant search for identity, often influenced by Western civilization, which plays a role in shaping their personalities. Foreign programs, particularly animated content, dominate the programming targeted at Algerian children. Imported cartoons make up 95% of the children's programming network on Algerian television, with most being Western productions translated into Arabic. This heavy reliance on foreign media underscores the urgent need to create locally produced content that aligns with Algerian values and cultural heritage, while also providing entertainment and education.

To address this, it is essential to stimulate and support local creators and directors in producing high-quality children's programming. At the same time, Algerian television must modernize its content, keep pace with evolving trends, and balance both foreign and Arab influences to ensure a culturally enriching and educational media experience for children. (Murad, 2018, p. 580)

On the other hand, certain laws have established special regulations for the declaration of the child, including:

- The declaration does not exploit the child's innocence, ease of belief and lack of experience.
- The Declaration does not include acts or situations that expose the child to harm or danger.
- The Declaration shall never contain contents that the child feels inferior if he or she cannot own the advertised commodity, or that he or she believes that his or her non-acquisition of that commodity is the result of his or her parents' failure to perform their duties towards him or her. (al-Shamimari, 2010, p. 14)

In the United Arab Emirates, advertising in the United Arab Emirates is subject to a set of principles applicable to advertising, including: The provisions on declarations to the child provide for the refusal to accept the

advertising article if it directly or indirectly exploits children's attachment to objects and their inclination to emulate and imitate them, while prohibiting declarations that would endanger the safety of children, especially those suggesting that certain behavioural patterns are not dangerous. (Mustafa, 1999, p. 42)

Principles of self-regulation of advertising service in networks, radio stations and television: The law stipulates that television, like other media outlets, has full responsibility for all its advertising messages. In this context, the television stations set out some of the principles to which the advertiser and the advertising agency are subject, These norms are derived from society's prevailing cultural and social conditions. s social and moral standards prevailing in society ". as well as in accordance with the attitudes of pressure groups that play an influential role in social life, These rules constitute an obstacle to the flow of international declarations and are linked to key sectors, including those targeting children. (Mustafa, 1999, p. 52)

In the United Kingdom: Advertising in Britain is governed by legal legislation. The first legal legislation came into effect in 1955 and these laws were revised again in 1977 to regulate the media in which advertising is provided in its various articles, including the prohibition of broadcasting advertising for children after 9 p.m.

## **5. CONCLUSION**

The scientific paper concludes that children's right to access information is an integral part of their fundamental rights, as recognized by UNESCO. These rights, derived from both international conventions and broader human rights principles, are universal concerns that all nations strive to uphold.

In the case of Algeria, legal provisions and regional international agreements have made significant strides in establishing laws for the protection of children in vulnerable situations. However, these efforts have primarily focused on everyday risks related to economic, social, and educational aspects of childhood, while largely overlooking legal measures

to safeguard children from media exploitation and the dangers posed by digital media. The rapid expansion, broad reach, and unregulated nature of new media, coupled with the challenges of monitoring and enforcing legal frameworks in cyberspace, create substantial gaps in child protection. Furthermore, there is a lack of clear mechanisms to identify and address media-related abuses against children, particularly those stemming from unethical media practices.

Even as these words are written, children continue to face media exploitation. Numerous cases highlight the abuse of children in the media, often involving parents or legal guardians, particularly in instances of sexual harassment, threats, and extortion. Children are frequently filmed without their consent or that of their guardians, with content being shared across various digital platforms and social media without their knowledge.

Many parents struggle to navigate these issues within the legal framework, as virtual space-related violations are often addressed using laws designed for real-world scenarios. This disconnect reveals a significant challenge—the inadequacy of both international and regional laws in addressing media-related child exploitation. The legal framework fails to fully account for the unique nature, context, and circumstances of digital violations.

Additionally, some families deliberately exploit their children for financial gain, using them as subjects in media content to attract material support. Similarly, some charitable organizations capture and distribute images, videos, and other content depicting poverty and hardship, often without considering the ethical implications for the children involved.

It is essential for media and communication specialists, along with professionals in related fields—including education experts, legal analysts, the Ministry of Communication, the Independent Audiovisual Authority, cybercrime specialists, electronic police, and Interpol Algeria—to collaborate on a comprehensive initiative aimed at protecting children from

media exploitation. This effort should particularly focus on cyberspace and cross-border digital threats.

A key aspect of this initiative would involve drafting and refining legal provisions specifically addressing child exploitation in digital media. The goal is to establish explicit yet adaptable laws that effectively curb violations threatening the well-being and future of children. Additionally, public awareness campaigns and educational programs should be implemented to equip parents and families with the knowledge and tools to monitor and safeguard their children, particularly during childhood and adolescence.

By prioritizing legal reforms and awareness initiatives, this project aims to shield children from potential risks associated with new media, including psychological and physical harm, exploitation, abduction, sexual abuse, and cyber-enabled crimes.

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