



Research Article

Child Protection in the Digital Ecosystem under the Convention on the Rights of the Child

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Abstract

Background: Child protection in the digital era is increasingly important as technology advances rapidly. More than a third of internet users are children, who are vulnerable to exploitation and violence in cyberspace. While digital technology offers many benefits, it also carries risks to children's basic rights, such as privacy and security, which require strong legal protection.

Methodology: This study employs a normative legal research method combined with qualitative content analysis to examine how the principles of the Convention on the Rights of the Child (CRC) are applied to the digital environment. Primary and secondary legal materials were analyzed to identify gaps and implementation challenges. Data were collected through literature studies with primary and secondary legal materials, then analyzed descriptively qualitatively.

Objectives: This study aims to analyze the extent to which the CRC principles can protect children's rights in the digital world and identify challenges in its implementation. In addition, this study

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also provides policy recommendations to strengthen child protection in the digital ecosystem.

Findings: The study found that while the CRC provides a strong legal basis, implementation challenges arise due to differences in regulations across countries and lack of adequate protection on digital platforms. Low digital literacy among children and parents also exacerbates the problem.

Originality/Novelty: This research makes a new contribution by filling the gap in the literature on the application of CRC in cyberspace and providing policy recommendations that are more adaptive to technological developments.



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Introduction

The development of digital technology has brought fundamental changes to the lives of global society, including children who are now growing up in the information technology era. According to a 2015 UNICEF report, more than a third of internet users worldwide are children, making them a vulnerable group to exploitation and abuse in cyberspace.¹ Access to digital technology provides great opportunities for children to learn, interact, and develop, but also poses serious risks to their basic rights, such as privacy, security, and protection from violence.² This phenomenon demands serious attention from the international community, especially in efforts to enforce legal protection for children in the digital ecosystem.

The Convention on the Rights of the Child (CRC) adopted by the UN General Assembly in 1989 has become the most comprehensive international legal instrument in guaranteeing children's rights. This convention affirms basic principles such as non-discrimination, the best interests of the child, the right to life and development, and children's participation in decisions that affect them. Although the CRC was designed to accommodate various global challenges to children's rights, rapid advances in digital technology have created new challenges that were not fully anticipated by this legal framework. For example, the a report

¹ Jasmina Byrne and Patrick Burton, “Children as Internet Users: How Can Evidence Better Inform Policy Debate?,” *Journal of Cyber Policy* 2, no. 1 (January 2, 2017): 39–52, <https://doi.org/10.1080/23738871.2017.1291698>.

² Muhammad Khaeruddin Hamsin, Abdul Halim, and Rizaldy Anggriawan, “Digital Lending in Smart Society: Legal and Sharia Perspectives on Consumer Privacy and Ethical Collection Practices,” ed. Y. Jusman et al., *SHS Web of Conferences* 204 (November 25, 2024): 07001, <https://doi.org/10.1051/shsconf/202420407001>.



by the Council of Europe indicates that approximately 80% of children in 25 countries feel at risk of sexual abuse or exploitation online.³

This study aims to analyze how the Convention on the Rights of the Child can be applied to protect children's rights in digital contexts, with a particular focus on social media platforms and online gaming environments where children are most vulnerable to exploitation. Furthermore, this study aims to recommend policy strategies that can strengthen child protection in the digital space. With this approach, this study is expected to make an important contribution to the development of a legal framework that is more responsive to the needs of child protection in the digital era.

The significance of this study lies in its contribution to strengthening child protection policies internationally and nationally. Given that the digital world knows no geographical boundaries, addressing this issue requires effective cross-country cooperation. For example, according to the Internet Watch Foundation (2021) report, more than 252,000 images and videos of child exploitation are found on the internet in just one year, indicating the urgency of stronger legal protection. In this context, this study provides a legal argumentation basis for strengthening domestic policies that are in line with international legal instruments such as the CRC.

Research Method

This study used a normative legal approach with a qualitative analysis method. This approach was chosen to examine and evaluate the legal principles contained in the Convention on the Rights of the Child (CRC) and other international legal instruments relevant to child protection in the digital ecosystem. The data used consists of primary legal materials, such as the text of the Convention on the Rights of the Child and its additional protocols, as well as secondary legal materials in the form of scientific journals, international organization reports, and recent case studies. Data collection was carried out through literature studies to identify and examine legal regulations. Furthermore, the data was analyzed descriptively qualitatively to reveal legal gaps in protecting children in the digital space.

Children's Rights in the Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC), adopted by the United Nations General Assembly on 20 November 1989,⁴ is the most comprehensive international legal instrument

³ Joseph O'Reilly, "The Protection of Children against Online Violence," Council of Europe, 2024, <https://rm.coe.int/the-protection-of-children-against-online-violence/1680af053e>.

⁴ Conrad John Masabo, "Implementation of the Convention on Rights of the Child (CRC) in Tanzania, 2005–2011: A Critical Review," *The African Review* 48, no. 2 (July 1, 2021): 569–96, <https://doi.org/10.1163/1821889X-12340054>.



in guaranteeing children's rights.⁵ The CRC entered into force internationally on 2 September 1990 and has been ratified by 196 countries, making it the human rights convention with the highest ratification rate in the world.⁶ This convention sets out fundamental rights that must be protected and fulfilled by state parties to ensure the welfare and protection of children. The CRC contains 54 articles covering various aspects of children's rights, including civil, political, economic, social, and cultural rights. Among the main principles that underlie this convention are the principle of non-discrimination (Article 2), the best interests of the child (Article 3), the right to life and development (Article 6), and children's participation in decisions that affect them (Article 12).

The principle of non-discrimination in Article 2 of the CRC affirms that all rights set out in the convention must be guaranteed without discrimination of any kind, including race, colour, sex, language, religion, political opinion, social origin or other status. This principle is particularly relevant in the digital ecosystem, where children may experience discrimination based on gender, socio-economic background or even geographical location when accessing technology and information. Furthermore, Article 3 of the CRC stipulates that in all actions involving children, the best interests of the child must be a primary consideration. This principle requires states and relevant institutions to prioritize the protection and well-being of children in the development and implementation of digital policies, including appropriate content regulation and privacy protection mechanisms.⁷

The right to life and development as stipulated in Article 6 of the CRC guarantees that every child has an inherent right to life and states parties are obliged to ensure the child's survival and development to the fullest extent possible. In the technological era, this right includes access to safe and quality digital-based education and protection from exploitation and abuse in cyberspace.⁸ Article 12 of the CRC emphasizes the right of children to be heard and to participate in decisions that affect their lives. This principle requires member states to provide child-friendly participation mechanisms, including in the development of technology policies that directly involve them as primary users.⁹

In addition to these basic principles, the CRC also sets out member states' obligations to protect children from all forms of exploitation and abuse, as set out in Articles 19 and 34.

⁵ Karen A. Polonko and Lucien X. Lombardo, "Non-Governmental Organisations and the Un Convention on the Rights of the Child," *The International Journal of Children's Rights* 23, no. 1 (March 28, 2015): 133–53, <https://doi.org/10.1163/15718182-02301006>.

⁶ Sophie McNeill, "Article 31 of the CRC-The Right to Play, Rest and Leisure: A Forgotten Right for Children?," *King's Student Law Review* 10, no. 2 (2019): 2–18.

⁷ Aoife Daly, Rebecca Thorburn Stern, and Pernilla Leviner, "UN Convention on the Rights of the Child, Article 2 and Discrimination on the Basis of Childhood," *Nordic Journal of International Law* 91, no. 3 (August 19, 2022): 419–52, <https://doi.org/10.1163/15718107-91030007>.

⁸ Kyung-Shick Choi and Hannarae Lee, "The Trend of Online Child Sexual Abuse and Exploitations: A Profile of Online Sexual Offenders and Criminal Justice Response," *Journal of Child Sexual Abuse* 33, no. 6 (August 17, 2024): 804–23, <https://doi.org/10.1080/10538712.2023.2214540>.

⁹ Elaine E Sutherland, "The Child's Right to Life, Survival and Development: Evolution and Progress," *Stellenbosch Law Review* 26, no. 2 (2015): 272–94.



Article 19 requires states parties to take legislative, administrative, social and educational measures to protect children from all forms of violence, abuse and exploitation. Meanwhile, Article 34 specifically focuses on protecting children from sexual exploitation, which is a significant threat in the digital world.¹⁰

Member states also have obligations to regulate the private sector, including technology companies, to ensure that the digital services they provide comply with the CRC principles. For example, Article 16 of the CRC protects children's right to privacy, requiring technology companies to implement strong privacy policies to protect children's personal data. Implementing these obligations is a major challenge in the digital age, given the complexity of technology and differences in regulatory capacity in each country. According to a 2021 UNICEF report, only 45% of countries have specific policies related to protecting children in the digital world. Countries with weak legal infrastructure often struggle to regulate multinational technology companies, which operate across borders and often exploit legal loopholes.

Child Protection in the Digital Ecosystem

Child protection in the digital ecosystem is an increasingly pressing issue amidst the rapid development of technology that has a significant impact on children's lives. With the increasing use of digital platforms, be it social media,¹¹ online games, or other applications, children are increasingly vulnerable to various forms of exploitation, abuse, and violations of the rights they should receive.¹² For example, social media platforms that allow direct interaction between users from various parts of the world are often not equipped with adequate controls to protect children from threats from individuals or groups with bad intentions. According to data from the Internet Watch Foundation (IWF) in 2020, more than 100,000 images and videos of child sexual exploitation were found circulating on the internet.¹³ This shows that although many large social platforms such as Facebook, Instagram, and Twitter already have policies to protect children, the existing supervision is still limited and not effective enough to prevent abuse.

In the world of online games, a similar phenomenon also occurs. Many games offer interactive experiences that involve children, such as mobile and online games that

¹⁰ Wouter Vandenhoe, Gamze Erdem Türkelli, and Sara Lembrechts, "Protection from Sexual Exploitation and Abuse," in *Children's Rights* (Edward Elgar Publishing, 2019), 334-42, <https://doi.org/10.4337/9781786433138.00044>.

¹¹ Pouria Babvey et al., "Using Social Media Data for Assessing Children's Exposure to Violence during the COVID-19 Pandemic," *Child Abuse & Neglect* 116 (June 2021): 104747, <https://doi.org/10.1016/j.chiabu.2020.104747>.

¹² Molly Dragiewicz et al., "Technology Facilitated Coercive Control: Domestic Violence and the Competing Roles of Digital Media Platforms," *Feminist Media Studies* 18, no. 4 (July 4, 2018): 609-25, <https://doi.org/10.1080/14680777.2018.1447341>.

¹³ Internet Watch Foundation, "IWF Annual Report 2020 - Face the Facts," Internet Watch Foundation, 2021, https://www.iwf.org.uk/about-us/who-we-are/annual-report-2020/?utm_source=chatgpt.com.



combine social elements, but are often not accompanied by adequate protection mechanisms. Children involved in these games can easily interact with adults or unknown individuals without adequate supervision. A report released by the EU Kids Online 2020 survey, which reports that 94% of children aged 9–16 in Europe use the internet daily or almost daily,¹⁴ but few of them are protected by policies involving parents or strict supervision. Online games such as Fortnite or Minecraft, which are very popular among children, allow interaction with other players through chat or voice communication features, which are often not restricted by age or maturity level.¹⁵ This opens up opportunities for cyber harassment and sexual exploitation that can affect children psychologically and emotionally.¹⁶

This phenomenon shows that many digital platforms, be it social media or online games, do not have sufficient controls or protections to keep children safe.¹⁷ Although some platforms have started to implement age controls or privacy restrictions, these policies are often easily bypassed or ineffective in blocking harmful content. In addition, many children do not have sufficient knowledge to protect themselves when interacting online. The lack of digital literacy among children and parents is also a factor that worsens this situation. According to research conducted by Unicef in 2020, parents worldwide feel unprepared to address the risks their children face in the digital world, and few know how to identify and protect children from potential dangers such as cyber harassment or theft of personal data.¹⁸

In addition to the issue of inadequate oversight and policies, the importance of safe and accessible reporting mechanisms cannot be overstated. Children often struggle to report harassment or threats they experience online due to fear, confusion, or lack of knowledge about how to report such incidents. Many digital platforms provide reporting systems, but these are not always easily accessible to children, especially if they fear the consequences or do not trust that their reports will be taken seriously. Data from Child Helpline International highlight that violence against children remains a significant issue, with

¹⁴ Hana Machackova David Smahel et al., “EU Kids Online 2020 Survey Results from 19 Countries,” EU Kids Online, 2020, https://www.eukidsonline.ch/files/Eu-kids-online-2020-international-report.pdf?utm_source=chatgpt.com.

¹⁵ Linda Charmaraman, Amanda M. Richer, and Megan A. Moreno, “Social and Behavioral Health Factors Associated with Violent and Mature Gaming in Early Adolescence,” *International Journal of Environmental Research and Public Health* 17, no. 14 (July 11, 2020): 4996, <https://doi.org/10.3390/ijerph17144996>.

¹⁶ Franziska Meinck et al., “Risk and Protective Factors for Physical and Sexual Abuse of Children and Adolescents in Africa,” *Trauma, Violence, & Abuse* 16, no. 1 (January 18, 2015): 81–107, <https://doi.org/10.1177/1524838014523336>.

¹⁷ Yolanda (Linda) Reid Chassiakos et al., “Children and Adolescents and Digital Media,” *Pediatrics* 138, no. 5 (November 1, 2016), <https://doi.org/10.1542/peds.2016-2593>.

¹⁸ UNICEF Albania, “Children and Digital Devices: Protecting Children’s Online Safety on Digital Devices,” UNICEF, 2020, https://www.unicef.org/albania/media/2881/file/Children_and_the_digital_devices.pdf?utm_source=chatgpt.com.



millions reaching out to helplines worldwide.¹⁹ This illustrates the large gap between what happens and what authorities or platform managers are able to provide.

It is important for countries around the world to step up efforts to ensure that children have access to safe and efficient reporting mechanisms. This includes providing reporting facilities that are easy for children and parents to use, as well as providing education about children's digital rights and how to protect themselves from cyber harms.²⁰ Some countries have begun to implement these measures, for example by launching dedicated apps or platforms that allow children to report digital violence anonymously. However, this is far from enough, and more innovations and policies that support comprehensive child protection must be developed. In addition, collaboration between governments, digital platforms, and non-governmental organizations concerned with child protection must be strengthened in order to create a safer digital ecosystem for future generations.

As technology advances rapidly, child protection in the digital era must become a greater priority for all parties. Existing regulations must be improved and adjusted to new challenges emerging in cyberspace, while secure monitoring and reporting systems must be made an integral part of every digital platform.²¹ In this way, children can be protected from existing threats, and they can access the digital world with a sense of security and comfort, without having to feel threatened or exposed to risks that endanger their rights.

International and Regional Legal Instruments Relating to Child Protection

Child protection in the digital world depends not only on domestic regulations, but also on broader international and regional legal frameworks. One of the main legal instruments in protecting children's rights is the Convention on the Rights of the Child (CRC) adopted by the United Nations (UN) in 1989. This convention emphasizes the importance of protecting children in all aspects of life, including in the digital space, which is increasingly becoming an inseparable part of children's world today. The CRC contains several basic principles that are relevant to child protection in the digital era, such as the right to life and development, the right to protection from all forms of exploitation, and the right to access

¹⁹ Child Helpline International, "Millions of Children Reaching out to Helplines Worldwide, New Report Reveals," UN Special Representative of the Secretary-General on Violence Against Children, 2013, https://violenceagainstchildren.un.org/news/millions-children-reaching-out-helplines-worldwide-new-report-reveals-o?utm_source=chatgpt.com.

²⁰ Sonia Livingstone and Amanda Third, "Children and Young People's Rights in the Digital Age: An Emerging Agenda," *New Media & Society* 19, no. 5 (May 10, 2017): 657–70, <https://doi.org/10.1177/1461444816686318>.

²¹ Deborah Lupton and Ben Williamson, "The Datafied Child: The Dataveillance of Children and Implications for Their Rights," *New Media & Society* 19, no. 5 (May 23, 2017): 780–94, <https://doi.org/10.1177/1461444816686328>.



healthy and positive information.²² However, although the CRC provides a strong legal foundation, the challenges in its implementation in the digital world remain very large due to the cross-border nature of the digital space and are often beyond the reach of domestic law.

To support the implementation of child protection in the digital ecosystem, international organizations such as UNICEF play a very important role. UNICEF, as an institution that focuses on the welfare of children around the world, has issued various reports that identify the threats faced by children in the digital world and provide policy recommendations for their protection.²³ One of UNICEF's significant reports is "Children in a Digital World" published in 2017.²⁴ The report reveals how the digital world can provide significant benefits for children, such as access to education, information and self-development, but also identifies a number of serious risks, including online sexual exploitation, cyberbullying and internet addiction.²⁵ UNICEF emphasizes the importance of policies that prioritize the protection of children, as well as improving digital literacy among children, parents and educators to reduce these risks.

In addition, UNICEF also advocates the need for collaboration between governments, the private sector and civil society to create a safe digital environment for children. In this context, they encourage technology companies to take responsibility for the safety of their young users by improving privacy controls, filtering harmful content and providing safe and accessible reporting mechanisms.²⁶ They also support the development of policies that prioritize the comprehensive protection of children's rights in digital regulation, as reflected in their initiative to support the implementation of international guidelines on child privacy and protection online.

At the regional level, there are various instruments that also support child protection in the digital world. In Europe, for example, the European Union has issued a number of policies that focus on child protection in the digital space, one of which is the General Data Protection Regulation (GDPR) which regulates the protection of personal data, including

²² John Tobin and Judy Cashmore, "Thirty Years of the CRC: Child Protection Progress, Challenges and Opportunities," *Child Abuse & Neglect* 110 (December 2020): 104436, <https://doi.org/10.1016/j.chiabu.2020.104436>.

²³ Amanda Third, Sonia Livingstone, and Gerison Lansdown, "Recognizing Children's Rights in Relation to Digital Technologies: Challenges of Voice and Evidence, Principle and Practice," in *Research Handbook on Human Rights and Digital Technology* (Edward Elgar Publishing, 2019), <https://doi.org/10.4337/9781785367724.00029>.

²⁴ UNICEF, "Children in a Digital World," UNICEF, 2017, https://www.unicef.org/media/48581/file/SOWC_2017_ENG.pdf?utm_source=chatgpt.com.

²⁵ Martine Hébert et al., "Child Sexual Abuse, Bullying, Cyberbullying, and Mental Health Problems among High Schools Students: A Moderated Mediated Model," *Depression and Anxiety* 33, no. 7 (July 2016): 623-29, <https://doi.org/10.1002/da.22504>.

²⁶ Muhammad Bello Nawaila, Sezer Kanbul, and Fezile Ozdamli, "A Review on the Rights of Children in the Digital Age," *Children and Youth Services Review* 94 (November 2018): 390-409, <https://doi.org/10.1016/j.childyouth.2018.09.028>.



for children. The GDPR stipulates that children under the age of 16 need parental consent to provide personal data online, which aims to protect children from potential misuse of their personal information. In addition, the European Union also has a more specific policy related to child protection in the digital world through the European Commission's Safer Internet Programme.²⁷ This program aims to raise awareness of the dangers that children can face on the internet, while providing tools and resources to help children, parents, and educators understand how to access the internet safely.

In Asia, one important instrument is the ASEAN Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN, which underlines the importance of cooperation between ASEAN member countries to create policies that protect children in the digital world. The Declaration emphasizes the importance of exchanging information and best practices among Member States to address issues related to child protection in cyberspace, including cybercrime, child trafficking, and cyberbullying.²⁸ While implementation varies among Member States, the Declaration demonstrates a regional commitment to child protection in the digital age and encourages closer collaboration at the government and private sector levels.

In addition to legal instruments addressing child protection in the digital world, there are other international protocols and conventions that focus on protecting children from exploitation and abuse, such as the Optional Protocol on Trafficking in Children, Child Prostitution and Child Pornography adopted by the UN General Assembly in 2000.²⁹ This protocol provides a legal basis for States to take further action to protect children from sexual exploitation and trafficking via the Internet. States that ratify this protocol are required to adopt legal measures to prevent and punish perpetrators of online child exploitation.

International organizations such as Interpol also play an important role in addressing cybercrime involving children. Interpol works with law enforcement agencies around the world to combat child trafficking and sexual exploitation over the internet, including by tracking transnational criminals who use digital platforms to commit crimes.³⁰ While these international and regional legal instruments provide a clear framework for child protection, the biggest challenge remains their implementation. Rapidly evolving technologies often

²⁷ Monica Bulger et al., "Where Policy and Practice Collide: Comparing United States, South African and European Union Approaches to Protecting Children Online," *New Media & Society* 19, no. 5 (May 16, 2017): 750–64, <https://doi.org/10.1177/1461444816686325>.

²⁸ Mubarak Rahamathulla, "Cyber Safety of Children in the Association of Southeast Asian Nations (ASEAN) Region: A Critical Review of Legal Frameworks and Policy Implications," *International Journal on Child Maltreatment: Research, Policy and Practice* 4, no. 4 (December 14, 2021): 375–400, <https://doi.org/10.1007/s42448-021-00087-5>.

²⁹ Zandy Wulan Ayu Widhi Prameswari, "Prohibition of Child Pornography: Enhancing Child Protection in Indonesia," *Yuridika* 35, no. 3 (September 1, 2020): 677, <https://doi.org/10.20473/ydk.v35i3.16626>.

³⁰ Tatiana Tropina, "Cyber-Policing: The Role of the Police in Fighting Cybercrime," *European Police Science and Research Bulletin*, no. 2 (2017): 287–94.



outpace existing regulations, while implementation of policies in different countries is not always uniform or consistent. It is therefore important to continue to encourage stronger international cooperation, as well as greater commitment from countries, the private sector and civil society to ensure that children's rights are adequately protected in an increasingly complex digital world.³¹

Conclusion

Child protection in the digital era is an increasingly pressing challenge, considering that rapid technological developments have had a significant impact on children's lives. Although access to digital technology provides many opportunities for children to learn, interact, and develop, the risks to their basic rights such as privacy, security, and protection from violence are also increasing. To address these challenges, this study recommends developing binding international standards for child protection in digital platforms, mandating child impact assessments in the design of technology, and strengthening transnational legal cooperation to regulate multinational tech companies. With international conventions such as the Convention on the Rights of the Child (CRC) as the main legal basis for guaranteeing children's rights, there needs to be an adjustment to the changes that occur in the increasingly complex digital world. The implementation of the principles contained in the CRC, such as protection of children from exploitation and violence and the right to privacy, is very important to be applied in today's digital ecosystem.

However, although various international and regional legal instruments already exist, the biggest challenge remains in their implementation. Many digital platforms, both social media and online games, do not yet have adequate protection mechanisms for children, and children often do not have enough knowledge to protect themselves in cyberspace. In addition, existing protection policies are often limited by differences in regulations between countries and difficulties in supervising multinational technology companies that operate across borders. Therefore, there is a need for closer cooperation between governments, the private sector and international organizations to create a more effective protection system, especially by providing reporting mechanisms that are safe and easily accessible to children.

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³¹ Luci Pangrazio and Julian Sefton-Green, "Digital Rights, Digital Citizenship and Digital Literacy: What's the Difference?," *Journal of New Approaches in Educational Research* 10, no. 1 (January 15, 2021): 15–27, <https://doi.org/10.7821/naer.2021.1.616>.



Conflict of Interest

None

Author(s) Contribution

Author Contributions: Conceptualized the research framework, designed the methodology, and conducted a detailed literature review, data collection process, specifically focusing on the global trends and case studies related to child protection in the digital ecosystem.

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