

## Article

# Legal Issues of Improving the International System for Protecting Children's Rights from Digital Danger

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**Abstract:** The article explores international and regional mechanisms for protecting children's rights in the context of digitalization, focusing on information threats on the Internet. The author provides a comprehensive analysis of key international instruments, including the UN Convention on the Rights of the Child, the Budapest Convention on Cybercrime, the Lanzarote Convention, and the EU Strategy on the Rights of the Child (2021–2024). The paper highlights the fragmented nature of existing legal regulation and argues for the development of a universal legal instrument to safeguard children's digital rights. The importance of implementing digital literacy standards and institutionalizing General Comment No. 25 of the UN Committee on the Rights of the Child is emphasized. Recommendations are proposed to improve the international response system to digital threats in order to ensure effective legal protection for minors.

**Keywords:** Children's Rights, Digital Safety, International Law, Information Threats, Cyberspace, Budapest Convention, Digital Technologies, Child Protection

## 1. Introduction

In the context of the rapid development of digital technologies, the issue of legal protection of children from information threats acquires particular significance and requires comprehensive scientific and practical reflection. Despite the recognition of children's rights in international instruments, the existing international legal framework in the field of digital security remains fragmented and insufficiently coordinated [1]. Modern children are immersed in the digital environment from an early age, which makes them vulnerable to various information threats. States around the world strive to develop legal mechanisms to protect children from information that may harm their physical, mental, and moral development.

According to UN data, young people aged 15–24 use the Internet more actively than other age groups, although this generational gap has been gradually narrowing over the past four years. Revised estimates suggest that by 2023, about 77 percent of people aged 15–24 will be using the Internet [2].

The large-scale collection, processing and analysis of personal data clearly has serious implications for the human rights of data subjects of all ages. While, human rights are universal, applying equally to adults and children, children merit special protection because of their particular characteristics, and as a result they hold specific rights that apply only to them. [3]. Children concurrently require special attention and protection because, they are born in a biological state of dependence on their parents unable to survive unless they are cared for. Secondly, at the beginning of their lives, they cannot

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make informed decisions for themselves due to their lack of capacity. Nevertheless, their cognitive performance generally evolves, and their capacity matures. Indeed, the opportunity to practice decisionmaking is a key part of their successful transition to adulthood [4].

## 2. Methodology

The methodology of this article is qualitative, drawing upon both legal analysis and comparative review, and semantic interpretation of international standards to which global systems look to protect children from threats posed by digital technologies. It builds on a close reading of international conventions, regional treaties, policy documents, and academic attributions to situate the current state of norms and practices functioning and failing. The analysis looks at a number of important instruments (e.g. UN Convention on the Rights of the Child, its Optional Protocols, Budapest Convention, Lanzarote Convention and EU strategies on child protection) to assess the extent to which these frameworks take account the digital reality from a child rights perspective. The analysis draws on academic research and expert commentary to illustrate and investigate legal gaps that emerge, or fail to emerge, where traditional child protection principles are applied in online spaces. By employing this approach, the article can then chart the development of norms, contrast regional responses, and demonstrate that fragmented regulation leads to uneven protection for minors. In doing so, this mix of document analysis and critical comparison allows for a holistic view of the efficiencies and deficiencies of the current system to be established facilitating a thorough rationale for reform that could ultimately lead to improved protection for children in the digital environment.

## 3. Results and Discussion

Both international and national legal norms guarantee the child's right to access information conducive to his or her physical, mental, psychological, social, and spiritual development, as enshrined, for example, in Articles 13–17 of the UN Convention on the Rights of the Child. This instrument also emphasizes that the right to access information is part of the right to freedom of expression, which includes the freedom to seek, receive, and impart information from any source to form one's opinions.

The UNCRC recognises that all children should be treated with dignity; and be protected so they can reach their full potential [5] It also lays emphasis on the responsibility of adults to act in the best interests of children by taking all necessary measures to protect them from possible harm and ensure their rights are respected [6].

However, the Convention did not originally take into account the challenges of the digital age. When the UNCRC was adopted in 1989 and entered into force in 1990, the Internet and online services were not widely used as today. In that regard, the UNCRC has no specific provisions regarding digital services [7]. Nonetheless, these principles extend to the digital sphere as well as the physical one. The UN resolution confirmed this by declaring that offline rights must be equally protected in online environments. Only in 2021 did the **Committee on the Rights of the Child** issue *General Comment No. 25*, which sets guidelines for ensuring the rights of children in the digital environment. The document highlights the need to adapt normative, institutional, and technical mechanisms to the realities of the digital era. It recommends developing policies that take into account the best interests of the child in the design of digital services, the implementation of tracking and data collection technologies, and the development of educational programs on digital literacy. *General Comment No. 25* thus serves as a global benchmark for legal and policy action by States in the field of children's digital security [8]. Nevertheless, the document's advisory nature limits its practical effectiveness.

The **Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000)** plays an important, though

specialized, role in protecting children's rights from information threats, particularly in the context of online exploitation, digital violence, and cybercrime. The Protocol supplements the Convention and obliges States to criminalize the sale of children, their involvement in prostitution, and the production, distribution, possession, and advertisement of child pornography, including in digital form. It applies regardless of whether the crime is committed online or offline. Thus, it provides a basis for combating one of the gravest forms of information threats—sexual exploitation of children on the Internet. However, it does not cover other types of digital risks such as cyberbullying, grooming, manipulation, or data leaks. Given technological changes, it requires modernization through broader international norms addressing all forms of information threats, beyond sexual contexts.

The Budapest Convention on Cybercrime in 2001 the first and most significant international treaty in this area is a Council of Europe treaty, but open to all States [9]. It establishes legal requirements for preventing the online sexual exploitation and abuse of children and allows law enforcement in different countries to work in real time to investigate cybercriminal offenses. Nevertheless, this Convention has been widely ratified (more than 70 States) but is completely unsuitable for children. It covers all kinds of cybercrimes but does not have specific provisions regarding child protection [10]. The procedural approach it takes to the collection of digital evidence and the cooperation of law enforcement agencies leaves little room for child-sensitive guarantees including access to legal representation.

In the context of accelerated digitalization and social transformation, information threats have become a major factor undermining the realization of fundamental rights of the child. Threats such as cyberbullying, online grooming, dissemination of child sexual abuse material, privacy violations, and data manipulation demand both global and regionally adapted responses.

Regional legal instruments play a crucial role in protecting children from information threats, as they provide legal specification, institutional implementation, and mechanisms for rapid response adapted to local contexts.

The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention in 2007) is the first treaty to explicitly state that sexual exploitation of children may occur in an online environment. It recognises that the internet, social networks and messaging systems are used for grooming, child porn and live streamed sexual abuse. Straightforwardly beneficial to children's security in the digital environment, the Convention makes it a duty of States to criminalise offences as committed by means of information and communication technologies (ICTs). The Lanzarote Committee is responsible for monitoring implementation, produces thematic reports (on cyberthreats, for example), and formulates recommendations on all emerging digital types of sexual violence [11].

A different important policy framework is the European Strategy on the Rights of the Child (2021–2024) this reflects the necessity of redesigning legal and policy instruments within the contemporary technology landscape [12]. Its one of the six priorities, namely, "Children in the Digital World", acknowledges that the digital environment poses both opportunities for learning and participation and serious risks, including cyberbullying, online violence, data collection and exploitation, exposure to harmful content, and grooming [13]. In order to provide a safe and development-oriented access to technology for children, the Strategy aims to strike the right balance between protection and empowerment. But there is no binding legal force to the Strategy itself, so its effectiveness relies on national implementation.

An additional milestone is the **EU Digital Services Act (2022)**, a binding legislative act that regulates online platforms including social networks, marketplaces, and video-sharing services. It marks a shift from "soft" self-regulation toward "hard" normative regulation of the digital sphere. For the first time, European law imposes concrete

obligations on providers to protect children as a vulnerable group. These include minimizing digital risks, ensuring algorithmic transparency, responding swiftly to child-related complaints, and cooperating with States and civil society organizations [14].

In sum, European standards illustrate a multilayered and holistic approach to a child-centered digital safety protection system through legal certainty (Lanzarote Convention, Digital Services Act), institutional safeguards (Lanzarote Committee, EU Ombudsperson for Children), and prevention (digital literacy, ethical platform design). But their success is contingent upon national implementation and political will.

In conclusion, the European model may learn other regions to consider, but replication is only possible where institutions have matured, policies are integrated, and legal awareness is a development undertakings in child service delivery [15].

#### 4. Conclusion

Ultimately, the legal framework for the protection of children in the digital environment, as it exists today, is still a patchwork. While it encompasses the Convention on the Rights of the Child, its Optional Protocols, and several regional instruments, these tools largely function in isolation instead of as a unified system. Internet and online services have altered childhood, and the international community has had to adapt pre-existing norms, acknowledging that participation online has become intertwined with children's rights to education, expression, information, and access to cultural life. General Comment No. 25 has proven to have come at the right moment in time, providing a practical framework around key issues related to digital security, privacy, and ethical algorithm usage. Still, serious gaps remain. While the best international standards for children's digital rights may exist, there is no single global convention that encapsulates them all, and such standards will be moot without national commitment. No single state can solve the challenge of protecting children online, which is why cooperation across borders is needed. Instead, what the world urgently needs is a binding global treaty on childhood in the digital world; a functional implementation of General Comment No. 25 into national legal systems; and comprehensive digital literacy programs that equip children to think critically and safely through risks in a digital world. Ensuring children's safety online is only possible with a balanced blend of international regulation, national action and digital literacy.

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