

State Obligations in Protecting Children's Rights in the Age of Technological Phenomena (with Emphasis on General Comment No.25 of the Committee on the Rights of the Child)

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Received: 13/09/2023 Accepted: 14/12/2025

DOI: 10.22096/hr.2025.2011568.1615

Abstract

Today, human society is governed differently than in the past, profoundly shaped by technological progress. Technology has driven extraordinary changes in life through advances. Simultaneously, various aspects of children's lives have acquired new dimensions due to the swift expansion of the digital environment. The COVID-19 pandemic and increased use of virtual spaces for producing, disseminating, and delivering educational and entertainment content have expanded online access for social groups, including children. These developments have produced a generation that experiences internet and technological growth from early childhood, while creating conditions that may limit or violate the rights of individuals, particularly children. Therefore, safeguarding the rights of children and adolescents in cyberspace merits attention and requires governmental support, clarifying states' duties in this area. In this context, General Comment No. 25 of the United Nations Committee on the Rights of the Child, adopted in 2021 under the title Children's Rights in the Digital Environment, defines key concepts and frameworks. This research employs an analytical-descriptive approach and relies on library-based data collection. The study's findings indicate that General Comment No. 25, published on 21 March 2021, guides how states should implement the Convention on the Rights of the Child in the digital sphere. The committee intended this General Comment to offer a strategy for legislation and policymaking to help states fulfill their obligations under Convention.

Keywords: Children's Rights, General Comment No.25, Committee on the Rights of the Child, State Responsibility.

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1. Introduction

Due to the rapid development of digital technologies and the influence of virtual space in people's lives, the opportunity for societies to resist new phenomena has been lost, and all societies have been on the path of the current and accepted it in a short period of time, and this is the process of globalization that avoids. It seems impossible. Today, the digital environment is so intertwined with people's lives that in the field of culture and values, it shows itself as the most basic foundation and pillar of the formation of the social system, and it can be said that modern technologies have gone beyond the geographical boundaries and penetrated deeply into the boundaries of values, culture and social systems. has done, influenced, and a person has no way to escape from this dynamic and ongoing matter. The right to education, the right to health, the right to personal security, and the right to recreation and entertainment are the rights associated with the growth and excellence of the child, and these days are strongly related to the virtual space. Today, virtual space is considered a right and also a means of realizing other rights, including freedom of expression, participation and education. It has been recognized and supported. According to many experts, children are one of the most important groups that are exposed to various risks and threats in the digital environment. The importance and influence of virtual media and entertainment in shaping children's thoughts and behavior is a deep influence that can positively influence societies. and put your negative. Currently, children's free and easy access to the Internet world has increased so much that new social structures are being formed around this space, which has increased the speed of changes and disrupted the traditional order in children's education. Of course, along with all these developments, the Corona epidemic and the general quarantine also accelerated the process of digital transformations, and children became more immersed in the digital environment and the footprint of technology in their lives became bolder and more serious.

The truth is that now humanity is witnessing the birth of another generation of Generation Z or the Net Generation, who were born between (1995) and (2010) and have seen the development of the Internet and the use of smart tools in their lives since childhood. In fact, children who have been called "digital natives" due to their young age and high use of the Internet, use the Internet as a tool for learning, communicating, sharing information, and participating in social life, and the use of the Internet and online spaces, their lives. has affected them a lot and along with the space it has created for their self-confidence and progress, it also creates many challenges in different fields.

Due to the fact that the importance and negative impact of media and digital entertainment and the virtual world on children is not hidden to anyone, the serious issue of protecting children's rights against this amazing

and powerful technology is one of the most important scientific and social issues these days. According to other human achievements, it has created new opportunities for the realization of children's rights in this space, which should be taken into consideration by states. In this space, due to its wide scope, secrecy of users' identity, high speed and cross-border nature, the lack of a mechanism for applying the jurisdiction and supervision of states can have a deep impact on the field of knowledge and perception of users and expose all people, especially children and teenagers, to certain risks. For this reason, the International Fund for the Protection of Children (UNICEF), in its latest report published in January 2023 entitled *Children's Rights Perspective 2023*, identified the violation of children's rights in the digital environment (internet) and the digital divide as one of the major challenges and crises facing children in (2023)¹.

Now these questions are raised, what is the definition of a child and what risks and threats does a child face in the digital environment? What technical, legal and structural mechanisms are available in international practice to protect children in the digital environment? This research has been carried out by descriptive-analytical method and by reviewing documents, books and reviewing related scientific-research articles and seeks to provide a coherent framework to support children's rights in the age of technological phenomena.

2. Child Definition

In order to clarify the scope of child protection, it is necessary to clarify, from a jurisprudential and legal point of view, who the child refers to and what age is the scope of childhood.

From the point of view of jurisprudence, a child (minor) refers to someone who has not reached the level of religious maturity.²

Of course, there is no specific clarification regarding the beginning of childhood in hadiths, narrations, and verses, and this matter should be inferred with reflection. There is a difference of opinion among scholars and jurists on this matter. From all the narrations mentioned in this case, it is used that the realization of the power of perception in a child does not have a certain age, but it depends on the people and their talent and perception, that is, the people who have higher perception and talent are tested earlier, and also the cases are different.³

From a legal point of view, the Convention on the Rights of the Child states in its Article 1: "For the purposes of this Convention, a child means any

¹ UNICEF. *Protecting and Prioritizing Children's Rights and Safety in Digital Environments*. (New York: UNICEF, 23 September 2024).

² Shreya Agarwala, "Children's Privacy and the Ghost of Social Media Past," *Columbia Human Rights Law Review* 56, no. 1 (2025): 330.

³ Ameneh Mazlumzadeh, Abdolreza Jamalzadeh, and Roghayeh Shahabi, "Jurisprudential Principles Related to Children's Rights in the Digital Environment," *Strategic Studies of Jurisprudence and Law* 3, Special Issue (2022): 39.

human being under 18 years of age, unless a lower legal age has been determined according to the law applicable to the child.” According to this definition, child means any person under the age of 18 years.⁴

Of course, the compilers of the Convention on the Rights of the Child have set a reliable standard for distinguishing a child from an adult, but by adding the stipulation “unless the age of development is lower according to the relevant law,” they have allowed the governments to determine another age for a child at their convenience.⁵

Therefore, weakness in different physical, psychological, economic, and social dimensions obliges the governments and the international community to support children against possible dangers based on their weaknesses. Except for the Convention on the Rights of the Child, Conventions No.182 and 138 of the International Labor Organization⁶ consider the minimum working age for children to be 15 years old. The child is also mentioned in Article 1 of the Convention on the Rights of the Child in Islam: “Any person who has not reached the age of majority according to the law applicable to him.”⁷ In addition, in Article 38 of the Convention on the Rights of the Child,⁸ the participation of people under the age of 15 in armed conflicts is prohibited, which, of course, has been increased to 18 years in the Optional Protocol of the Convention on the Rights of the Child regarding the participation of children in war, which came into effect on February 12, (2002).⁹

Relying on the above definitions and paying attention to the different dimensions of the definition of childhood, it is not possible to accurately determine the age of a child, but it can be said that, relying on the Convention on the Rights of the Child, the end of childhood is considered to be the age of 18, and its beginning can be considered before the birth of children and the fetal period.¹⁰

It is clear that children are vulnerable human beings, and they need care and support to pass through childhood, fulfilling their rights to health and immunity from risks is very important. In addition to the vulnerability of children due to their age, being in the age of technology and facing virtual

⁴ United Nations, Convention on the Rights of the Child, G.A. res.44/25 (1989).

⁵ Sajjad Bagherzadeh, Mahmoud Abbasi, and Hossein Sharifi Tarzkouhi, “Protection of the Rights of Transsexuals in the Light of the General Comments of the Committee on the Rights of the Child.” *International Human Rights Journal* (2021): 117–140.

⁶ International Labour Organization, Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Geneva, 1999, C182; International Labour Organization, Convention Concerning Minimum Age for Admission to Employment, 1973, C138.

⁷ Organization of the Islamic Conference, Covenant on the Rights of the Child in Islam, Adopted at the 32nd Islamic Conference of Foreign Ministers, Sana’a, Yemen, June 28–30, 2005.

⁸ United Nations, Convention on the Rights of the Child.

⁹ Zahra Ebrahimi and Zahra Musharraf Javadi, “Principles Governing the Child's Right to Health in the International Human Rights System,” *Child Rights* 1, no. 4 (2020): 140, 115–117.

¹⁰ Mehri Totunchian and Mina Sarshar, “Children's Right to Family Life in the Light of Human Rights System,” *Child Rights* 2, no. 4 (2020): 110.

dangers, the rapid development of cyberspace, the uncontrollable flood of communication and information, and the access of children to the Internet and technology in the contemporary world, it makes more clear the necessity of protection and preservation of children's rights by families, states, and civil institutions.¹¹ As a result, one should not ignore the dangers of this environment in violating or abusing children's rights, and one should try to respect and support children's rights in the digital environment.

3. Definition of virtual space

Despite the widespread development of the use and effects of virtual space in different levels of human life in the current era, a single and consensus definition of this term has not been provided so far. However, it can be said that virtual space is the global digital domain of interdependent networks as well as interactive networks, including the Internet and other telecommunication networks and processors that are used to transmit, produce or preserve and delete various information¹².

4. Effects of Virtual Space in Children's World

The strong presence of children in the vast world of technology and their access to the huge flow of information and communication have many positive and negative functions. But what will be discussed in this area is only a part of the possible threats and dangers that children face in this space:

4.1. Violation of the Child's Privacy

Children on the Internet disclose a significant part of their personal information in environments such as chat rooms in social networks, online game sites, and the like, and their illegal collection is a serious threat to their privacy and can lead to information theft and its negative consequences.¹³ Because it is never clear who will get this information and how it will be used. Even such a situation can expose children to the commercial use of their information for targeted advertising.

4.2. Strong Dependence on Online Games and Virtual Space

Computers and online games are souvenirs of technology and modernity that children and teenagers around the world spend part of their time engaging with. Most of these games have violent and exciting scenes and continue playing with them, making children and teenagers dependent on themselves. According to the statistics obtained from children and teenagers, a significant

¹¹ Maryam Shariati, Masoumeh Zamaniyan, and Milad Khalili, "Dissemination of Images of Children in Cyberspace and Its Effect on Personality Development Before Puberty, in the Light of Iranian Law and International Regulations." *Scientific Journal of Law and Modern Studies* 2, no. 1 (2021): 7-8.

¹² Shahram Salami et al. "The Right to Mental Health of Children in Cyberspace in Light of Iranian Legal System, Islam and International Human Rights Instruments." *The Journal of Islamic Law Research* 23, no. 1 (2022): 131-160.

¹³ Haleh Hosseini Akbarnezhad and Mohsen Javaheri Arasteh, "Criminal Protection of Children against Online Abuses in Iran and UK Regulations and International Documents," *Journal of Legal Research* 19, no. 4 (2019): 129-132, 107.

percentage of them are addicted to computer games.¹⁴ These online entertainments provide a world of excitement and violence by using moving images and exciting sounds, and the stress caused by them will lead to the formation of aggressive behaviors in children and teenagers.¹⁵ By spending many hours on computers and playing online games, children and teenagers stay away from activities that help maintain their physical health and fitness. Too much involvement in these games will lead to disruption of the nervous system, muscle pain, numbness in the hands, and damage to the visual network due to too much concentration. Obesity and overweight are also consequences of this bitter dependence on digital tools. In addition to that, common 3D games with virtual reality headsets will cause a severe drop in education among children by creating an abstract world in their minds.

4.3. The Presence of a Child in Cyberspace and the Threats Caused by It

In cyberspace, where one out of every three active users is a child, there are numerous threats to children in various fields, among the most important of which four major sections can be mentioned:

1. The section of violence through computer games that threaten the child's soul and spirit;
2. The section of prostitution and corruption, which in turn increases promiscuity, pornography and pornography in children;
3. The section on the use of drugs and psychotropic substances and addiction to cyberspace due to excessive use by children and adolescents;
4. Fraud section as a result of baseless trust in cyberspace users, especially by children.

5. Protecting Children's Rights in Cyberspace in the Light of International Regulations

The legal element and basis for the right of children to access cyberspace can be considered as Article 19 of the International Covenant on Civil and Political Rights.¹⁶ In describing the right to freedom of expression, this article emphasizes that freedom of expression includes the freedom to study or receive information and to disseminate or transmit information, be it oral, written, printed, artistic, or by any other means. In this regard, Article 17 of the Convention on the Rights of the Child¹⁷ states that the countries that are parties to the Convention guarantee the child's access to information and materials from various and international sources, especially those related to improving his social, spiritual, or moral well-being and his physical and mental health. Now, due to the nature of virtual space, which has pervasive

¹⁴ Gina Biancarosa and G. G. Griffiths. "Technology Tools to Support Reading in the Digital Age," *Future of Children* 22, no. 2 (Fall 2012): 139 -160.

¹⁵ UNICEF. *The State of the World's Children 2017: Children in a Digital World*, (New York: UNICEF, 2017), 25-35.

¹⁶ United Nations, International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI).

¹⁷ United Nations, Convention on the Rights of the Child.

effects and is not limited to geographical boundaries, banning children from using the Internet and the digital world is impossible and illegal.

Internationally, the United Nations Convention on the Rights of the Child, as one of the most acceptable human rights documents, was approved in (1989) and is one of the binding and very important documents related to human rights and agreed upon by the international community. It is a written document of society's expectations for children's rights, in which various types of children's rights are discussed. But in the following years, with the rapid growth of the Internet and the digital space, this document was no longer sufficient and responsive. After that, due to the need to support and protect the rights of children in the digital environment by governments, other governmental and civil institutions, and other guardians of children's affairs, UNESCO approved a declaration and an action plan for the protection of children in (1999). UNICEF, in its (2017) annual report on the state of children, called on all stakeholders to realize children's rights in cyberspace.¹⁸ In (2018), the Council of Europe, on the recommendation of the member states, dedicated a part of its strategy on children's rights to guidelines for respecting, protecting, and realizing children's rights in the digital environment.¹⁹

In January (2017), a new version of the Convention on the Rights of the Child was published as part of the report of the Special Group of Children's Rights Advocates in the UK. The result of this group's research was that both children and parents need more support for guidance in the virtual world. The rights provided in this agreement, in addition to how to protect children against possible dangers, also apply to their legal rights. In fact, they believe that this law should provide these rights in the digital environment as well. Among the things mentioned in this revised document is the implementation of the law for the protection of public information in the Internet space, simplifying the terms and conditions of using digital software for children. It should be noted that, according to Article 9 of the Convention on the Rights of the Child,²⁰ member states are required to take into account all the legal and executive measures necessary to implement the rights recognized in this Convention. Considering economic, social, and cultural rights, these governments will take such measures to maximize the available resources in the framework of international cooperation.²¹

In addition to these cases, in General Comment No. 25 (2021) published on March 21, 2021 AD,²² the United Nations Committee on the Rights of the

¹⁸ UNICEF. *The State of the World's Children 2017*.

¹⁹ Hosseini Akbarnezhad and Javaheri Arasteh, "Criminal Protection of children," 129-132, 107.

²⁰ United Nations, Convention on the Rights of the Child.

²¹ Seyed Ali Kazemi, *Selection of International Documents: Children's Rights* (Tehran: Khorsandi Publications, 2014).

²² United Nations, Convention on the Rights of the Child. General Comment No.25 on Children's Rights in Relation to the Digital Environment. March 02, 2021. CRC/C/GC/25.

Child, a treaty-based human rights body, addressed how governments apply the Convention on the Rights of the Child in the field of the digital environment. The participation of 709 children and adolescents from 28 countries in different geographical regions was used in the preparation of this general commentary, and the finalization process lasted for about two years. In the Convention on the Rights of the Child, there are four important general principles, which include the principle of non-discrimination (Article 2), the principle of respecting the best interests of children (Article 3), the principle of the right to life, growth and survival (Article 6), and the principle of the right to be heard (Article 12). is recognized and all the rights contained in the convention revolve around these four general principles. In the interpretative theory number 25, in all children's rights, the mentioned four principles have been taken into consideration, which should be specially inspected. The four principles of the Convention on the Rights of the Child, i.e. Articles 2, 3, 6 and 12, are the strategies that should be applied in the light of the other articles of the Convention on the Rights of the Child in the field of the digital world.

General Comment No. 25 of the Committee on the Rights of the Child should be considered along with other public interpretations, approved documents, days of public discussion, and oral and substantive statements of the Committee on the Rights of the Child. The importance of this general interpretation is in highlighting the difference in the environment in which the presence of children has become prominent in recent years. The rights mentioned in this general interpretation have been discussed in detail in the general interpretations and supplementary documents of the Committee on the Rights of the Child, but the centrality The digital environment prompted the committee to repeat and emphasize these rights for this environment. In today's digital era, childhood is spent simultaneously in online and offline environments, if children's rights are not protected in one environment, their rights in another environment will be endangered. The solution can be seen in making the providers and platforms of the digital environment responsible. In other words, protecting children's rights in the digital environment is a social cost that providers of the digital environment, from companies to parents and guardians of children, pay. Taking advantage of the guidelines of the Committee on the Rights of the Child, as a specialized institution of children's rights at the level of the international community, can be very helpful in guaranteeing the rights of this group of members of the human family.

6. Duties of States in Protecting Children's Rights in Cyberspace

The opportunities available to realize children's rights and protect them in the digital environment require extensive legislative, administrative, and precautionary measures. States should review their internal regulations and, if necessary, undertake to update or legislate in accordance with the rights stipulated in the Convention on the Rights of the Child and its optional

protocols.²³ Revision of internal regulations according to the aforementioned documents in order to guarantee the rights of children in the cyberspace. On the other hand, online support for children should be synchronized with comprehensive government strategies and policies. As a result, states are obliged to meet the needs of less privileged or at-risk children and, if necessary, provide appropriate information to these children. Also, in order to coordinate across sectors and increase productivity, governments should appoint an institution to coordinate government policies and plans. It is natural for states to allocate human and financial resources in order to realize the rights of children in the digital environment because the effectiveness of legislation, policy, and planning in this area requires the maximum coverage of children. One of the other important tasks of states in realizing children's rights in the digital environment is data collection and research. Up-to-date data and research are very important for understanding the effects of the digital environment on children and evaluating the effectiveness of state interventions. National human rights institutions, such as the Ministry of Justice's National Authority for the Convention on Children's Rights, are required to monitor the status of children's rights in the digital environment and to receive and investigate children's complaints about the violation of their rights. Also, if there are other independent monitoring institutions, national human rights institutions are obliged to cooperate with these institutions.

States are also obliged to communicate the rights of children in the digital environment to everyone in general and to those who directly or indirectly interact with children in particular. Governments should also facilitate educational programs for children, parents, legal guardians, the general public, and officials to increase public knowledge of the opportunities and challenges of children's rights in the digital environment. In the domestic field, an attitude towards the current laws governing the system of the Islamic Republic of Iran shows that the general laws and regulations in the governing system can provide general protection to children and adolescents. In addition to this general situation, in some laws, including Article 28 of the Law on Computer Crimes (May 2009), in order to protect the rights of children in cyberspace, it is stipulated: "...Iran's courts will also have jurisdiction in the following cases: computer crimes involving the abuse of persons under 18 years of age, whether the perpetrator or the victim is Iranian or non-Iranian."²⁴

The compilers pointed out nine major policies to protect children from potential cyberspace harms and further assigned certain positive activities to some executive and governance institutions. Among these responsibilities is

²³ United Nations. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and on the Sale of Children, Child Prostitution and Child Pornography. General Assembly Resolution A/RES/54/263 (2000), Annex 2.

²⁴ Iran, Islamic Consultative Assembly, Law on Computer Crimes, Tehran, May 05, 2009.

the production, management, and supervision of content production, which, in addition to some ministries, has been assigned to the Basij, the Islamic Propagation Organization, the Broadcasting Organization, and the Ministry of Culture and Islamic Guidance.

In general, it can be said that promoting the security of the digital environment for children comes from the fact that, in the era of technology, the Internet is an important tool that can serve to help children achieve their rights, including the right to education, the right to freedom of expression, freedom of association, and full participation in social, cultural, and political life.

7. The Institution of Family and the Abuse of Children in the Cyberspace

Children are considered the most important asset of every family, and parents try to provide a healthy environment for their growth and upbringing from birth. It must be said that the family is the fundamental pillar of the physical, mental, and social upbringing of the child, and raising children is one of the most difficult, sensitive, and fruitful tasks of human beings, especially parents, whose final result returns to both the family and society.²⁵ In today's era, the Cyberspace has become an inseparable part of children's lives, and inevitably, children grow up in this world, so a negative approach and ignoring it means erasing the problem, and it must be said that in an age where Cyberspace and digital facilities have become one of the basic needs of mankind and even a means for the livelihood of many families, trying to ignore it is almost impossible and far from logic.

Today, parents witness their children's excessive interest in the media and their quick and deep influence, which causes irreparable physical and mental losses for them. All over the world, children and teenagers spend part of their time engaging in online games and using virtual networks to get to know their peers and communicate with others. The improper use of mass media and the Internet has challenged many important aspects of life, such as spending time with family, playing group games outside the house, exercising, and most importantly, sleeping.²⁶ These and many more cases have caused concerns for parents and other people interested in the fate of mankind, and children may be exposed to all kinds of abuse in this limitless world. So there is no other choice but for families to accompany children in this space and help them learn the safe and healthy ways of using technology and the digital environment.

It should be said that today the control of children has moved from the physical world to the virtual world, and parents' monitoring of their children and their relationships with their peers must be accompanied by high

²⁵ Ali Biranvand, "The Viewpoint of the Librarians of Public Libraries of Fars Province about the Usage of Children E-Books in Public Libraries." *Librarianship and Information Organization Studies* 23, no. 3 (2012): 119.

²⁶ Kazemi, *Children's Rights*, 120.

sensitivity in the Internet space, and this is possible only by accompanying parents with their children. It is very important to take advantage of the privileges and capabilities of the virtual space in the growth and upbringing of children through the purposeful use of the power of the media. Families should take a targeted approach to protecting their children from harm. For example, at home, establish logical and regular rules and regulations for the use of digital tools and set times for family members to watch TV or movies together.

Proper interaction between parents and children and sincere conversation are the best ways for children to accept the advice and guidance of parents. In fact, proper education and awareness, which require two-way communication between parents and children, are very important for the proper guidance of children and adolescents. Parents should talk to the child and teenager about everyday issues and familiarity with social networks, teach him the limits and rules, and inform him of possible dangers so that children and teenagers can follow the right path with the help of their parents and make the right decision.

Another important point is the content category for children and teenagers. It is necessary for parents and families to be sensitive to assigning content appropriate to the age, gender, and interests of children. However, the general content of the Internet is not categorized on this basis, and the use of this space strongly requires the accompaniment and supervision of parents. In developed countries, the children's internet space is separated from the public internet, and SIM cards for children and teenagers have a child- and teenager-friendly internet, which is set based on the white list in such a way that it is only possible to access authorized sites for children and teenagers, or groups that categorize and suggest content suitable for the age, gender, and interests of children.

But one of the issues that has arisen following the expansion of the virtual space in today's society is the creation of a class of children who are used by the virtual space and the use of the Internet as a tool to earn money in this environment. When the word "working child" is used, an image of children working in spaces such as streets and intersections comes to mind. But with the expansion of virtual space in the normal lives of people, we see working children who look neat and live in luxury houses, and their parents abuse their children in the virtual space for fame and, in many cases, to earn money. Parents publish their private pictures and videos online and use their children's image and voice for advertising, modeling, gaining followers, etc. It must be said that these children unwittingly fall prey to modern slavery in cyberspace because it is not possible to imprison these children at home while all the people in society have their phones in their hands in the school, alley, and street and exchange the films with each other and see them and show them to each other. Meanwhile, some parents intentionally or unintentionally involve their children in the economic game, which will not have good

consequences for them in their future and adulthood, and they will face many problems. It may be thought that these children, who benefit from cases such as fame and income generation in social networks due to the supervision or presence of their parents, are actually doing enjoyable and attractive activities, but early, forced presence and activity in an environment where all matters will be recorded in it for years and will remain, will result in damages that are hidden under the attractive appearance of ideal and dream images and mark the mental health of the child in the most sensitive years of his life. The years in which the foundation of the child's health and personality is being formed. In addition, paying attention to children in this way causes serious damage to their personalities and unintentionally overshadows the child's life path and future career. There is also a risk that these children will fall prey to sexual abusers or pedophiles in the future. Because children do not understand the conditions of society and their privacy has been violated by appearing in a show in virtual space, instead of fulfilling their basic needs and playing, they have become the subject of family and profit-seeking people's advertisements. This violation of privacy can lead to their frustration and embarrassment in adulthood, and they even ask their family why they published their private pictures and videos without their consent to gain followers and income and provide for their various deficiencies.

There is another important point about publishing the child's image, video, and other personal information on the Internet. It should be said that in addition to the children who are faced with the publication of their information in the digital environment every day for economic purposes and visibility in cyberspace, today we are also faced with the indiscriminate publication of photos and private information of people, including children, through the Internet and social networks. Colorful photos of different moments of a child's life since birth, in different ages and states, which are uploaded by parents, relatives, and friends using mobile phones on virtual networks and are freely available to anyone. As in many cases, it is easy to observe the weekly development of children in the most detailed situations, such as the first experience of eating, teething, walking, going to the bathroom, etc.

From a legal point of view and according to the Convention on the Rights of the Child, violating a child's private rights is considered a crime and can expose the child to risks and physical and mental harm in the future, and the National Authority of the Convention on the Rights of the Child of the Ministry of Justice in a statement has asked all the media, especially the national media, activists in the field of children's rights, natural and legal persons, even parents and guardians of children, with respect for children's rights and with special attention to the best interests of children, should refrain from publishing their images for any purpose on personal pages, cyberspace, news sites and newspapers. Children's rights are also recognized in

international laws and conventions, and globally, when children reach legal age, they can sue their parents for violating their privacy.²⁷ Here too, Article 32 of the Convention on the Rights of the Child²⁸ respects the rights of children and emphasizes the protection of the child's privacy against all forms of exploitation that endanger any aspect of the child's well-being. In Iranian law, laws such as the Child and Adolescent Protection Law protect the rights of children, and if the abuse of child is to the extent that it is an example of child abuse and leads to mental, psychological, and moral injuries, it is considered a crime and is protected by the law.

8. Solutions and Suggestions

It may be possible to provide various solutions to protect children's rights in the digital environment, but it seems that child education, supervision and the need for legislation are the most important solutions in this regard, because if the child receives the necessary training in the use of the digital environment, at the same time, if there is some kind of monitoring of his activity and presence in the digital environment, and appropriate and efficient laws are formulated, favorable conditions will be provided in order to fulfill the child's rights as much as possible in the digital environment,²⁹ different ways can be used to care for and accompany children and teenagers in the virtual space and the unlimited platform of the Internet, of course, all of these solutions are in the shadow of creating the right attitude and increasing the social culture in accepting and using technology.

8.1. Education

The most important and basic solution is to educate children in cyberspace. This education can lead to the development and growth of children. In addition to that, it is very important and helpful to educate and properly inform parents about dealing with children's use of the Internet at home and to obtain the necessary preparation for dealing with children in a timely and principled manner. Because the appropriate use of technology in human life today is a kind of privilege, For example, a virtual environment such as Metaverse, while having destructive and negative effects, can be a great place to explore and learn and raise the level of social and individual skills in children. Appropriate modeling of parents by children is one of the most important solutions in this field. If parents are constantly busy with their phones and cyberspace, we shouldn't expect their children to give up their digital tools easily. The policy of technology, communication, and information in schools also helps to ensure that teachers with sufficient digital literacy are with children to use technology in education and to be a

²⁷ Hosseini Akbarnezhad and Javaheri Arasteh, "Criminal Protection of Children," 110.

²⁸ United Nations, Convention on the Rights of the Child.

²⁹ Mazloumzadeh, Jamalzadeh, and Shahabi, "Jurisprudential Principles," 50.

supervisory and accompanying force in the possible dangers of using the free flow of information and the Internet.

8.2. Supervision

What is important in raising a child is monitoring his communication. Maybe this monitoring and control is simple in the family environment, but it is complicated in the digital environment. Despite modern information and communication technologies in today's society and the blurring of borders and integration of cultures, raising children has become a more serious matter than in the past, and to some extent, it has taken the education and upbringing of children out of the hands of parents. Meanwhile, correct and principled supervision is one of the most important solutions to protecting children in the digital environment. The following are only suggestions for the proper use of digital tools in the family:

1. Parents should be cautious when publishing their children's pictures and convey this feeling to the child as well. For example, pay attention to the fact that before publishing a photo or video of your child, see it from the perspective of your child's youth. Does he not feel offended that someone else saw this photo or video? If the answer is yes, don't publish it.
2. By changing the settings in social networks, you cannot publish children's photos publicly but can share them only with a small group of trusted relatives. With this, the child's sense of privacy becomes stronger.
3. Another important issue is that publishing nude photos of children is not acceptable at all. Strictly prohibit your child from taking pictures on the beach, in the toilet, or in the bathroom. Think about how a pedophile might see it and what dangers it could pose to the child.
4. Parents cannot publish any full-face photo of their child to exclude the possibility of identification by the software. This advice is especially for those who may be greedy, such as wealthy businessmen or anyone who is sensitive about their child.
5. It is better to create this culture where children over two years old are allowed to send their photos even to their grandparents; In addition to creating a sense of respect, this will teach the child to respect privacy.

8.3. Legislation by Social Institutions

One of the most important tasks of States and social institutions is to pay attention to children's problems and predict possible harm. In fact, if the legal and social barriers and restrictions are removed by policymakers and relevant institutions, and legal weaknesses and challenges are examined and taken into consideration, the rest of society can also succeed in protecting children's rights in this space. In fact, in many cases, the lack of coordination and deficiency in various fields of society, the legal discrepancy, the lack of guarantee of adequate implementation, and the lack of proper culture in the field of citizenship rights and children's rights lead to the violation of these rights.

9. Conclusion

In the last two decades, all aspects of human life have been affected by the tremendous advances in technology and information and communication technologies. The lives of children, who are called "digital natives" due to their early presence in the digital environment, have undergone unprecedented changes following these developments, and digital entertainment has played an important role in it. It should be noted that in this endless and fast-paced environment, many dangers threaten children and conditions are created in which their rights are violated or limited. As a result, it is necessary to pay attention to the duties of governments in protecting and protecting children's rights and respecting the right to children's health at the international and domestic levels. One of the main components of the right to health is the right to mental health, which is one of the most important examples of children's rights, and various factors are effective in threatening or realizing this right of children, and cyberspace is one of them. The right to health, the right to education, the right to personal security and the right to recreation and entertainment are the rights associated with the growth and excellence of children, which are strongly related to the digital environment in the age of digitalism. Today, virtual space has been recognized and supported as a right and a means of realizing other rights, including freedom of expression and participation.

From the legal point of view and at the international level, there are important documents and actions in the protection of children's rights. One of the most important legal documents in this field is the United Nations Convention on the Rights of the Child, which was adopted in 1989. In the following years, with the development of the Internet and digital media, this legal document was revised and new provisions were added to protect the rights of children and prevent their rights from being violated in the virtual and digital environment. Among the new provisions of this agreement is the implementation of the law on the protection of public information in the Internet space, simplifying the terms and conditions of using digital software for children, appointing supervisors to adapt the materials and contents provided by media companies for children under 18 years old and. Is. Among other international measures, the UNESCO declaration in 1999 for the protection of children's rights and the plan of action for their protection, the annual report of UNICEF on the situation of children in 2017 for the realization of children's rights in the cyber space, the recommendation of the European Council in 2018 to The member states can be named in the protection and fulfillment of children's rights in the digital environment. In addition to these cases, in General Comment No. 25 published on March 21, 2021, the United Nations Committee on the Rights of the Child, a treaty-based human rights organization, addressed how governments apply the Convention on the Rights of the Child in the digital domain. The committee's purpose of

this general interpretation was to provide a strategy for legislation and policy making in the field of fulfilling the obligations of states in the framework of the Convention on the Rights of the Child and its optional protocols in the light of the opportunities, risks and challenges of the digital environment. To put it better, today with the general interpretation of this committee, the rights of the child are guaranteed not only in the offline environment but also in the digital and online environment. Along with all the legal mechanisms of the family, it is also considered as one of the most important and basic institutions in creating or controlling the dependence of children and teenagers on cyber space. Therefore, institutionalizing some aspects of social behavior in childhood requires the cooperation and companionship of families. It can be concluded that it is very important to inform parents about the positive and negative aspects of digital entertainment and the presence of children in cyberspace. They should always keep their literacy and digital information up to date by recognizing the useful and appropriate games for the age and gender of children and knowing about educational issues and knowledge about all kinds of computer games so that they can answer the questions and needs of children in This is the field. In this way, the role of culture building and appropriate information for families is also very important and should be placed on the agenda of cultural centers and guardians. It should be noted that technology has a moral, cultural and human nature rather than being technological in nature, and man has moved away from the light that is the essence of his existence due to the hypnosis of the technological age. Of course, technology in itself is not destructive, and the way it is used is very important, and the lack of attention to ethics in the face of technology in today's era has led to the creation of platforms and services of artificial intelligence technologies that are beyond the will and control of humans and in In the not too distant future, with the continuation of this process, we will witness the formation of a new order in human society, which will be effective in the way of dealing with society and the law.

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