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LEGAL ISSUES OF ENSURING THE RIGHTS AND SAFETY OF THE CHILD IN THE DIGITAL AGE

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ABSTRACT

The article discusses the need to ensure the rights of children and their safety in the face of threats emanating from the media and Internet networks in the information field. Information is provided on generally recognized international standards for ensuring the rights and safety of children in the online environment, as well as the practice of some foreign countries in this area is analyzed. The international legal acts and national legislative acts in the field of information security of children are studied, the author's proposals and conclusions on their improvement are presented.

KEYWORDS

Children, internet, digital space, children in an online environment, digital security of children.

INTRODUCTION

Today, the issue of ensuring children's rights and their safety is becoming increasingly important in the face of threats using Internet networks, mass media and other means of communication in the global information space. The rapid development of digital technologies creates unprecedented opportunities for children and young people to communicate, learn, share and access information, as well as express their views and opinions on issues affecting their lives. At the same time, the use of Internet services poses serious risks to the safety of children both online and in real life. In

addition, the outbreak of the COVID-19 pandemic worldwide has led to an increase in the number of children using the Internet to continue their education and communication. Restrictions during the pandemic led to the fact that many young children began to participate in online communication early, as a result of which parents are also busy with their professional and work responsibilities, which increases the risk of children accessing various unwanted content on the Internet without adult supervision and falling into the trap of criminals distributing various

information/materials leading to sexual violence. These risks include cyberbullying, cybercrime, cybergruiming [1].

Statistics showed that in 2019, more than half of the world's population used the Internet. The majority of Internet users are younger than 44 years old, and it can be seen that the volume of use is the same in the age groups of 16-24 and 35-44 years. Every third Internet user worldwide (under the age of 18) is a child, and, according to UNICEF, 71% of the young population uses the Internet. [2].

According to the UN, 75 percent of teenagers aged 15 to 24 used the Internet in 2022. Today, every half a second in the world, a child connects to the Internet for the first time. [3].

According to UNICEF, a third of Internet users are children and adolescents under the age of 18. In this case, it was discovered that there are 9,000 sites on the global network promoting easy ways to commit suicide, and more than 4,000 sites with sexual content. Also, surveys conducted by UNICEF show that 90% of teenagers using the Internet have encountered pornographic images and videos, and 60% have searched for this kind of information. [4].

Protecting children from the harmful effects of information and ensuring their safety in the online environment remains one of the main tasks facing each country. If you look at the world experience, the US has adopted the Children's Online Privacy Protection Act, which provides that any information concerning the privacy of persons under the age of 16 can be distributed only with the consent of their parents, as well as e-mail registration, the creation of their own pages in social networks and video hosting services are carried out only with the consent of parents. [5]

And in China, all Internet national filtering in the country is carried out through filtering systems developed at the state level. At the same time, China is actively promoting a culture of Internet use among minors. Every year, the country hosts the "National Cyber Week", during which 200 million Internet users receive various training materials on their mobile devices. [6]

In the UK, control over the information content of various media, as well as Internet sites, is effectively carried out by involving self-governing organizations of the country. Often such organizations are formed by contract, consisting of the government and the police, on the one hand, and representatives of the public, consisting of experts, on the other. [7] Based on this, a number of public associations operate in the UK. Control over films and video materials is carried out by the British Board of Film Classification, control over the press is carried out by a self-regulating organization - the Press Complaints Commission. Advertising is controlled by The Advertising Standards Authority. As for the Internet, there is an Association of Internet Content Ratings that develops age ratings for websites. There is also the Internet Watch Foundation, which monitors the spread of child pornography and other immoral materials on the Internet, searches for them and removes them. [8]

In New Zealand, the Harmful Digital Communications Act of 2015 [9] lists many types of online dangers and threats, from cyberbullying to pornography. [10]

From the above, we can conclude that protecting young people from destructive informational and psychological impact remains one of the main tasks in the face of threats coming to the global information space through the Internet, mass media and other means of communication.

In the Republic of Uzbekistan today, ensuring information security is considered as one of the most important factors in maintaining the stability of a person and society, based on this, the main theme of the legal reforms carried out in our country are measures aimed at the healthy and well-being of the comprehensive growth of children and youth and their spiritual and educational development.

Given that the majority of Internet users are young people, it is important to ensure the rights and safety of children on the Internet in our country, as well as further improvement of legislation in this area.

Article 33 of the Constitution of the Republic of Uzbekistan, adopted in a new edition this year, specifies the norm that the State should create conditions for ensuring the use of the global information network Internet. Article 78 of the Constitution establishes that it is the duty of the State to ensure and protect the rights, freedoms and legitimate interests of the child, as well as to create the most optimal conditions for his physical, mental and cultural full-fledged development. [11]

Article 16 of the Law of the Republic of Uzbekistan "On Guarantees of the Rights of the Child" provides that every child has the right to receive information that does not harm his health, moral and spiritual development, to search, receive and disseminate any information, but the restrictions provided by law are taken into account. Also, according to the law, the use of mass media, the distribution of literature and the screening of films showing pornography, cruelty and violence, insulting human dignity, having a harmful effect on children and generating crimes are prohibited. [12]

Article 11 of the Law of the Republic of Uzbekistan "On Guarantees and Freedom of Access to Information", adopted on April 24, 1997, provides that the mass media are obliged to verify the reliability of published information and, together with the informant, are responsible for its reliability in accordance with the procedure established by law. In this regard, liability issues are established in the Code of Administrative Responsibility of the Republic of Uzbekistan and the Criminal Code.

The purpose of the Law of the Republic of Uzbekistan adopted on September 8, 2017 "On the protection of children from information that harms their health" is to protect children from information that harms their psyche and health. The main purpose of the law is to regulate relations in the field of protecting children from information that harms their health. By this Law, the Information and Mass Communications Agency under the Administration of the President of the Republic of Uzbekistan is defined as a specially authorized state body in the field of protecting children from information that harms their health. The law defines information risk levels and security measures. According to the document, when distributing information, the age category is mandatory. [13] However, this rule applies only to information posted on social networks and on national content sites. However, most of the social networks currently used by young people are not part of our national content platforms, so it is impossible to classify the information they provide by age categories.

This situation alone shows that the protection of children in the digital space and ensuring their safety cannot be solved by one country alone, this is a task that must be solved by the joint efforts of the world community.

In the fight against information threats, it is impossible to achieve results, for example, by banning or closing Internet sources. Without a culture of information consumption, all efforts are futile. Therefore, it is necessary to form the child's ability to correctly receive information, its synthesis and analysis from the family.

Analyzing the information that is rapidly entering our lives today, as positive or negative, is a very complex process. Therefore, it is important to form a culture of information consumption and critical thinking skills in children, increase their media literacy, ensure that they comply with the rules of cyber hygiene and digital etiquette in the Internet system against various information threats that penetrate the Internet. mass media, Internet and other means of communication.

The issue of protecting children in the information space and ensuring their safety on the Internet is one of the serious problems facing the international community. In this regard, a number of international organizations adopt international documents and develop guidelines for countries in this area. In particular, the UN, as part of its activities, gave instructions to countries to protect children from various destructive ideas and Internet threats.

It should be noted that the child's right to receive information is reflected in the UN Convention on the Rights of the Child. It recognizes the obligation of States parties to ensure the child's access to information aimed at promoting healthy, physical and mental development (article 17). However, the presence of ideas in the information field that destroy the psychological and spiritual environment of society and damage traditional cultural, moral, ethical and aesthetic values indicates the need to strengthen the legal framework to combat them. This is important to

prevent an increase in the number of children at social risk in any country. [14]

UN General Assembly Resolution 68/167 "On the right to privacy in the Digital Age" [15] strengthens the rights of people to privacy and freedom of expression on the Internet. In addition, the UN Human Rights Council Resolution 32/13 "The promotion, protection and enjoyment of human rights on the Internet" [16] states that human rights should be protected in the online environment as well as in real life.

UN General Assembly documents such as "Protection and promotion of the Rights of the Child" [17] (2014), "Protecting children from bullying" [18] (2014) contain UN guidelines for States to prevent discrimination and abuse of children on the Internet.

In 2021, the UN Committee on the Rights of the Child issued General Comment No. 25 [19] entitled "On children's rights in relation to the digital environment". It sets out the Committee's instructions to Member States on ensuring the rights of children in the digital space. In 2021, the Kyoto Declaration, adopted by The 14th United Nations Congress on Crime Prevention and Criminal Justice, also includes recommendations on protecting children from various harmful ideas in the information age and establishing cooperation between countries in protecting their rights on the Internet. [20]

Although the above-mentioned international documents - resolutions, principles, prohibitions, give instructions to States in the field, but from a legal point of view they are not considered binding acts, but are mainly declarative, recommendatory documents.

According to the provisions of the UN Convention on the Rights of the Child, as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,

States must take measures to protect children from various threats. However, in the international legal arena there is no universal international legal document defining joint actions and obligations of States to prevent threats emanating through virtual life, to ensure the safety of children in the digital space and to protect them from information threats.

Naturally, the period of adoption of the Convention on the Rights of the Child (1989) and the present are fundamentally different. Because the expansion of today's technical capabilities and the availability of information and communication systems, as well as the fact that the Internet has great opportunities to influence the behavior of children, show that thousands of children around the world are victims of information attacks and threats to the Internet.

Based on the above, it is proposed to develop and adopt at the UN level the Optional Protocol to the Convention on the Rights of the Child "On the protection of children from information threats in the digital space", aimed at protecting the rights of children in the digital world. We consider it appropriate to specify the following tasks in this document:

- ensuring information literacy of children,
- protection of children's right to privacy when using new technologies and information and communication services,
- implementation of information and educational campaigns on digital security at the national level, creation of a safe environment for children on the Internet and protection of their dignity, safety, etc.

The above analysis shows that the issue of ensuring the safety of children in the information space is a multifaceted field of activity, and only a systematic approach to it can bring success. Based on this, we

believe that the adoption of the concept at the national level, consisting of comprehensive measures embodying specific goals and systemic views in this area, also serves as an important policy document in the field of protecting children from unpleasant information influences and Internet threats. We consider it expedient to adopt the Concept of Information Security of Children in Uzbekistan, which defines the basic principles of ensuring the information security of children in our country, the priorities of state policy in this area, as well as clear directions of the system of legal, organizational and technological measures.

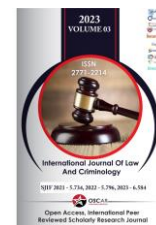
CONCLUSION

In conclusion, it can be said that the implementation of the tasks proposed above serves both at the international and national levels to form a culture of information consumption and critical thinking skills in children, to increase the level of media literacy, as well as to combat online violence involving children and youth on the Internet.

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