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INTERNET CHILD EXPLOITATION

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2013

PROGRAM FOR THE PREVENTION OF
CHILD EXPLOITATION IN SOUTH EAST EUROPE

Автоматска Програма Борбата
ПРОПАЈИНСКИ ОМБУДСМАН
Województwo Tatarskie
TARTOMANSKI OMBUDSMAN
Автоматска Програма Борбата
ПОКРАЈИНСКИ ОМБУДСМАН



Автоматска Програма Борбата
ПОКРАЈИНСКИ ОМБУДСМАН
Provincia Autonoma Vojvodina
OMBUDSMANUL PROVINCIAL
Автоматска Програма Борбата
ПОКРАЈИНСКИ ОМБУДСМАН



Save the Children

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Research Report of the Provincial Ombudsman

INTERNET CHILD EXPLOITATION

Program for the Prevention of Child Exploitation in South East Europe



Republika Srbija
Autonomna Pokrajina Vojvodina

POKRAJINSKI OMBUDSMAN



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Contents

Introduction.....	5
Subject of the Research	6
Research methodology.....	8
Basic terms.....	9
Purpose of the research.....	10
Research instruments.....	11
Legal aspects of ICT exploitation of children.....	13
Constitution of the Republic of Serbia.....	13
International documents.....	13
National legislation	23
Strategic framework	27
Specific activities by competent bodies	31
Cases of ICT Exploitation of Children.....	32
Data of the Police Administrations in the AP Vojvodina.....	32
Police Administration Novi Sad	33
Police Administration Zrenjanin.....	33
Police Administration Pančevo	34
Police Administration Sremska Mitrovica.....	34
Data of the Special Department for Combating High Tech Crime.....	34
The role of stakeholders in the protection of children from internet exploitation.....	37
State institutions	37
Role of the Special Prosecutor’s Office for Combating High Tech Crime.....	38
Distributers of mobile and landline telephone services and internet providers	39
Views on the use of ICT and the safety of children and youth on the internet	43
Primary school pupils.....	43
Secondary school pupils.....	47

Parents	51
Experts dealing with children	55
Representatives of the civil society organization dealing with the prevention of ICT child exploitation.....	65
Media reports on cases of ICT exploitation of children	75
Children, violence, internet and media.....	75
Access to the “invisible” in the media	76
The obvious and “between the lines”	78
Electronic violence under magnifying glass of the media.....	81
Behind virtual mirror	86
What is (not) reported to the public?.....	89
Conclusions	90
Legal Framework.....	90
Role and Conduct of the Public Authorities	91
Internet Providers and Mobile Phone Distributors	92
Positions of Children and the Youth	93
Positions of Parents.....	93
Experts Dealing with Children	94
Civil Society Organisations	95
The media.....	96
Recommendations.....	97
Cooperation	98
Internet providers and mobile phone distributors	100
The Media.....	101
The Role of Civil Society	101

Introduction

This report contains the results of the research “Internet Child Exploitation“ conducted within the project “Prevention of Child Exploitation in South East Europe – Internet Child Exploitation“, addressing the phenomenon of child exploitation through information and communication technologies (ICT), particularly through computers and mobile telephones, that is, the Internet.

In addition to the data of how the institutions and other competent administrative bodies, agencies, and establishments in the Republic of Serbia, respectively Autonomous Province of Vojvodina, dealing with children address the issue of ICT exploitation of children, the report also contains opinions and views of children and parents from primary and secondary schools in Vojvodina in relation to this social phenomenon, as well as opinions of experts from the institutions, establishments and civil society organizations (CCO) dealing with children in the field of education, social welfare, health care, and safety. A special part of the report includes data obtained from the internet and mobile telephone services providers in the Republic of Serbia, as well as the analysis of media articles on exploitation of children through ICT published by media in Serbia during 2012. The end of the report contains conclusions and recommendations of the Institution of Provincial Ombudsman in relation to the steps that should be undertaken by relevant society stakeholders – institutions, establishments and organizations, within their competences and authorizations, for the purpose of suppressing and preventing the exploitation of children through ICT in the Autonomous Province of Vojvodina and the Republic of Serbia.

The Project “Prevention of Child Exploitation in South East Europe – Internet Child Exploitation” was implemented in late 2012 and early 2013, by the Institution of Provincial Ombudsman, with the support from the international organization Save the Children International. This project is a part of the program implemented by the referenced organization in the region of West Balkans. Within this program, the same project dealing with the internet child exploitation is being implemented by two other institutions of Ombudsman, both of which are also members of the Children Ombudsman Network in South East Europe, namely, the Ombudsman for Children of Republika Srpska and the Protector of Human Rights and Freedoms of Montenegro.

Internet Child Exploitation

The goal of the Project “Prevention of Child Exploitation in South East Europe – Internet Child Exploitation” is to enhance capacities and options for the exercise of children’s rights in line with the UN Convention on the Right of the Child, through the improvement of the social welfare system for children, to protect them from all forms of abuse, neglect, and violence, in particular the children who have experienced violence or abuse through ICT or internet, or children who are (or have been) exposed to risk of becoming victims of this form of exploitation.

It is expected that implementation of the research on exploitation of children through ICT in the Autonomous Province of Vojvodina, publishing of its results, as well as a campaign within the project aimed at drawing the public attention to this phenomena, would contribute to raising the awareness among professional and general public of the need to include all relevant social stakeholders in its suppression and prevention. In this context, it is expected that the Project of “Prevention of Child Exploitation in South East Europe – Internet Child Exploitation” would contribute to the following:

- Improvement of legal framework to protect children from ICT exploitation;
- Strengthen capacities, improve and adjust cooperation of experts from competent institutions, establishments and organizations dealing with the protection of children, in relation to the phenomenon of ICT exploitation of children;
- Raise awareness among professional and general public on the forms, causes and long-term socially detrimental consequences of ICT exploitation of children.

The institution of Provincial Ombudsman hereby thanks all individuals, institutions, establishments, organizations and business entities for recognizing the importance of this research and contributing to its implementation.

Subject of the Research

The exploitation of children through ICT is also called electronic, digital or virtual violence among layman as well as among professionals, and its most common forms relevant for the research presented in this report are clarified in the first chapter discussing the methodology of research. With respect to the age of perpetrator and the victim, it can be committed, for

Internet Child Exploitation

example, by a peer or an adult against a child. Electronic violence, in principle, involves sending or publishing of insulting or abusive contents (text, pictures, video recordings, etc.) by means of internet available on computers, mobile telephones or other electronic and/or digital means of communication.¹

Electronic violence has several sub-forms:²

- Various electronic messages with inappropriate content (i.e. vulgar messages and insults, mocking, threats and lies, such as false accusations, rumours, etc.);
- Impersonation;
- Providing personal and/or confidential data or images not intended for public;
- Malicious banishment or casting someone out of an online group;
- Establishment or (co)participation in a social network group intended “against” some person (i.e. in order to harass or downgrade the person), and similar.

Electronic violence is different from other forms of violence primarily because it requires a re-examination of the term itself and its key features (i.e. physical, psychological, peer-related, individual, group, etc). This type of violence happens in a “virtual space” and its perpetration necessarily involves electronic means of communication, that is, relevant medium or communication channel (computer or mobile telephone with internet access). Electronic violence can by no means be reduced to mere virtual communication induced by a “bad” intent. In this type of violence, message recipients might unintentionally or unconsciously become accessories in the violence against third persons, not wishing to become that or unaware that they have committed a violence by forwarding a message. Anonymity (feinted) during electronic communication has an encouraging effect on the harasser, while it demoralizes victims. Due to the very nature of this

¹ Based on Dragan Popadić (2009) “Violence in Schools”, UNICEF and the Psychology Institute Belgrade (page 45), and Predrag, Jadranka, *et al* (2001) “Experiences and Views of Children, Parents, and Teachers relating to Electronic Media”, UNICEF Croatia, Zagreb (source: <http://unicef.hr/upload/file/353/176706/FILENAME/lzvjestaj - Experiences and Views of Children, Parents, and Teachers relating to Electronic Media.pdf>, accessed on 5 March 2013).

² *Ibid*, page 46 or page 6-7.

Internet Child Exploitation

communication, the number of people who, with a varying degree of awareness, become harassers as well as victims is much higher than apparent.

The public, including both professionals and laymen, recognized the problem of electronic violence in the context of ICT children exploitation as late as upon the expansion of ICT in the private sphere, that is, when computers and internet became available not only to children and youth at their homes, but also when the issue of “(not)being” in a social network or having a certain number of “friends” became a status symbol for this population, perceived as a matter of peer prestige or even necessity. It is not only children and youth who face the problem of (real or potential) ICT exploitation, but also their parents, teachers, and other experts working with children, as well as the entire society, including state bodies of all three areas of authority, business and civil sector and media.

The subject of the research “Internet Child Exploitation” is the exploitation of children through ICT in the territory of Autonomous Province of Vojvodina. The report particularly discusses the way how the institutions and establishments with the highest statutory authorizations and competences to deal with this phenomenon, especially in relation to children, as well as media and non-governmental organizations specialized in the area of violence against children, take the phenomenon of child exploitation through ICT in the Autonomous Province of Vojvodina, the way how they treat this problem, and what actions they consider necessary in order to prevent and suppress this phenomenon.

Research methodology

Methodology of the research “Child Exploitation through Information and Communication Technologies” is based on the proposal of methodology developed by consultants of the organization “Save the Children International” carrying out the project. Considering the fact that this is a regional research which covers the territory of the Autonomous Province of Vojvodina (APV), Republika Srpska and Montenegro, the methodology is adapted to the context and characteristics of these territories in terms of legislation and language, whereas the framework of the research remained exchanged.

Basic terms

Most of the basic terms used in the research and the report are mostly of foreign origin and are mostly unknown to the persons dealing with the problem of internet child exploitation in all areas covered with the research. Therefore, it is very important to define the basic terms in the very beginning of the methodology description, in order to make them understandable, so that the report could be perceived properly with the use of terminology that provides for the best description of the problem subject of the research.

The internet child exploitation, that is, the exploitation of children through information and communication technologies (ICT) includes violence, taking advantage, abuse and/or maltreatment of children by adults or peers.³ This form of exploitation involves showing of inappropriate texts or images to children, recruiting children for various activities, grooming, sexting, cyber-bullying and other types of violent behaviour jeopardizing the rights of the child.

Table 1. Description of basic terms

Description of terms	
Grooming	The process in which children are persuaded or incited to participation in sexual interactions through internet or telephone devices, thus being exposed to ill-favoured pornographic texts or images.
Sexting	Sending disturbing contents (explicit texts, images, recordings) via information or communication technologies to another person (most often via SMS, MMS, electronic mail, Facebook or MySpace, or other social networks and chat rooms.
Cyber-bullying	Cyber-bullying means when an individual or group of people uses internet, mobile telephone, online games, social networks or any other form of information and communication technologies in order to send threats, harass or humiliate another person.

³ In this report, i.e. research, the terms of “internet child exploitation” and “ICT exploitation of children” are used as synonyms.

Purpose of the research

The purpose of this research is reflected in several major points pertaining to:

- a) identification of specific issues related to the children rights and exploitation of children through ICT
- b) getting better understanding of the legal context for child protection from ICT exploitation, by providing answers to the following research questions:
 1. What is the existing international legal framework for the protection of children from ICT exploitation?
 2. What is the national legal framework for this area in the Republic of Serbia, and how are the international commitments of the country applied at the Republic level?
 3. What instruments of protection are available?
 4. What rules of conduct are applied by major telephone and internet companies?
 5. To what extent are these rules in compliance with international and national standards or regulations in the area of child protection from ICT exploitation?
- c) Understand the problem of ICT child exploitation in a broader context:
 1. What groups of children are mostly threatened by this type of exploitation?
 2. What circumstances contribute to the children exposure to this type of exploitation?
 3. How is it manifested and what is the mechanism of cooperation between the competent bodies in charge of the children protection from ICT exploitation?
 4. What are the consequences of this type of exploitation to an individual and the society in general?
- d) Determine the best practice for the prevention of ICT exploitation of children:
 1. What are the existing mechanisms for the prevention of children exploitation through ICT and what are the best practices of protection at the regional and international levels?
 2. What are the recommendations and conclusions of the Provincial Ombudsman on the system of child protection from ICT exploitation?

Research instruments

The research is based on the qualitative collection of data, which is preferred over quantitative data, because the very phenomenon of child exploitation requires a comprehensive scientific approach which mostly focuses on impressions, knowledge, views and intentions of a selected sample. The worldwide research trends have also proven that the qualitative method is more efficient and purposeful when dealing with this type of social problems. Focusing only on quantitative data in the clarification of the phenomenon of child exploitation through information and communication technologies would not result in relevant and reliable analysis (due to a lack of relevant data), wherefore the combination of qualitative and quantitative methods is the most useful for this type of research.

Considering the fact that the research uses different types and levels of sources of data, methods and instruments, we shall present them briefly below:

The collection of data through focus groups organized with children, adolescents and parents was aimed at the analysis of degree of awareness among these groups concerning the risks that children and adolescents are exposed to when using ICT. The aim of the focus groups, together with the experts in the areas dealing with children, was to provide an analysis and define the links between competent institutions, and to understand the term ICT exploitation, as well as the protection mechanisms;

The research also included deep interviews with representatives of the civil society organization dealing with the prevention of child exploitation through ICT. This instrument was aimed at the analysis of capacities and needs of stakeholders from the civil society involved in combating the child exploitation through ICT;

Companies-providers of landline and mobile phone services or internet services used a written questionnaire in the collection of data. The purpose of this instrument was to analyse the mechanisms of child protection in the use of ICT, from the perspective of companies as service providers. The same instrument was used in the collection of data by competent institutions such as the ministries, agencies, or other organizations, in order to analyze the reported cases of ICT exploitation of children.

Internet Child Exploitation

The research also covered the *analysis of media contents* related to the problem of ICT exploitation of children, in order to provide an analysis of media approach to the ICT child exploitation and the presentation of this phenomenon to the public;

Collection of data from documents related to national legislation, international documents and codes of conduct of the private sector, through the so-called desk research⁴, was aimed at the analysis of the national and international legal framework in the area of child protection in the use of ICT.

⁴ Eng. desk research /applicable to the version in Serbian language/

Legal aspects of ICT exploitation of children

The exploitation of children through ICT is a social phenomenon which became increasingly observable and recognized in the modern society. Therefore, this phenomenon requires more efficient and adequate systems of prevention and protection of children, for which purpose many legal documents and regulations have been passed and adopted both in the international and national legislations.

Legal documents, which are the basis of legal analysis within this report and contain relevant norms and standards subject of the research, are presented further in the text as a reference to international documents, national legislation and strategic framework, as well as codes of ethics of internet providers, from the aspect of child protection from ICT exploitation.

Constitution of the Republic of Serbia

The Constitution of the Republic of Serbia contains principal provisions relative to the protection of children from all forms of exploitation. Article 64 guarantees the children right to exercise human rights with respect to the age and degree of mental maturity of the child, as well as the protection of children from psychological, physical, economic, or any other form of exploitation or abuse.

International documents

The Universal Declaration of Human Rights stipulates that everybody has the right to life, liberty and the security of person. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Motherhood and childhood are entitled to special care and assistance.

International Covenant on Economic, Social and Cultural Rights stipulates that special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their

Internet Child Exploitation

morals or health or dangerous to life or likely to hamper their normal development should be punishable by law.

Convention on the Elimination of all Forms of Discrimination against Women stipulates measures to ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Convention on the Protection of Human Rights and Fundamental Freedoms (Article 5) stipulates the right to freedom and security of each person.

Legal document specifically related to the protection of children, in relation to the subject of this research, is primarily the **Convention on the Rights of the Child**, which was adopted on 20 November 1989, under the Resolution 44/25 of the UN General Assembly⁵. The Convention on the Rights of the Child is the first international document that contains the catalogue of all children rights; it is an instrument that includes the entire scope of human rights – civil, cultural, economic, political, and social rights. Four basic principles of the Convention are non-discrimination, commitment to the best interest of the child, right to life, survival and development, and the respect of the views of the child. The Convention protects children rights by setting standards of health, educational, legal, civil and social services.

Preamble of the Convention on the Rights of the Child refers to the Universal Declaration on Human Rights which proclaims that childhood is entitled to special care and assistance.

Article 1 of the Convention defines the term child. A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Provisions of Article 3 of the Convention stipulates that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities

⁵ Ratified on 18 December 1990 by the Republic of Serbia as a legal successor of the SFRY, or SRY and Serbia and Montenegro.

Internet Child Exploitation

or legislative bodies, the best interests of the child shall be a primary consideration. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

All forms of child exploitation that threatens or jeopardizes physical, psychological and sexual integrity constitutes violation of one of the basic rights of the child, that is, the right to life, survival and development as provided under Article 6 of the Convention.

Provision of Article 13 stipulates that the child shall have the right to freedom of expression, which shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Provisions of Article 17 stipulate that the state parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

Provisions of Article 19 stipulate that states parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Internet Child Exploitation

Provisions of Article 34 stipulate that states parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, states parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- The inducement or coercion of a child to engage in any unlawful sexual activity;
- The exploitative use of children in prostitution or other unlawful sexual practices;
- The exploitative use of children in pornographic performances and materials

Article 36 stipulates that the state parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Convention ILO⁶ No. 182 concerning the worst forms of child labour defines the term of “the worst forms of child labour” as the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.

Article 6 stipulates that each member state shall design and implement programmes of action to eliminate as a priority the worst forms of child labour. Each member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

- prevent the engagement of children in the worst forms of child labour;
- provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
- ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
- identify and reach out to children at special risk;
- take account of the special situation of girls.

Council of Europe Convention on Actions against Trafficking in Human Beings stipulates the measures necessary for the prevention and suppression of human trafficking. “Trafficking in human beings” shall mean the recruitment, transportation, transfer, harbouring or receipt of

⁶ International Labor Organization, as an agency of the United Nations, promotes social justice and internationally recognized human and labor rights.

Internet Child Exploitation

persons for the purpose of exploitation. It also stipulates preventive measures, including educational programmes for boys and girls during their schooling, which stress the unacceptable nature of discrimination based on sex, and its disastrous consequences, the importance of gender equality and the dignity and integrity of every human being. We should, in particular, point at the provisions under this Convention stating that when the age of the victim is uncertain and there are reasons to believe that the victim is a child, he or she shall be presumed to be a child and shall be accorded special protection measures pending verification of his/her age. This Convention regulates, in particular, investigation, criminal prosecution, and procedural law.

Council of Europe Convention on Cybercrime from 2001 is the first international document explicitly linking the child pornography and computer system.

The Convention states that each party shall adopt legislative and other measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally and without right, the following conduct:

- *producing child pornography for the purpose of its distribution through a computer system;*
- *offering or making available child pornography through a computer system;*
- *distributing or transmitting child pornography through a computer system;*
- *procuring child pornography through a computer system for oneself or for another person;*
- *possessing child pornography in a computer system or on a computer-data storage medium.*

The term “child pornography” shall include pornographic material that visually depicts:

- a minor⁷ engaged in sexually explicit conduct;
- a person appearing to be a minor engaged in sexually explicit conduct;
- realistic images representing a minor engaged in sexually explicit conduct.

⁷ Both genders – prim. auth.

Internet Child Exploitation

Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse emphasizes in the beginning the increased use of information and communication technologies by both children and perpetrators. The purposes of this Convention are to:

- prevent and combat sexual exploitation and sexual abuse of children;
- protect the rights of child victims of sexual exploitation and sexual abuse;
- promote national and international co-operation against sexual exploitation and sexual abuse of children.

Provision of Article 6 of the Convention stipulates that each party shall take the necessary legislative or other measures to ensure that children, during primary and secondary education, receive information on the risks of sexual exploitation and sexual abuse, as well as on the means to protect themselves, adapted to their evolving capacity. This information, provided in collaboration with parents, where appropriate, shall be given within a more general context of information on sexuality and shall pay special attention to situations of risk, especially those involving the use of new information and communication technologies.

Provision of Article 9 of the Convention stipulates that each party shall encourage the private sector, in particular the information and communication technology sector, to participate in the elaboration and implementation of policies to prevent sexual exploitation and sexual abuse of children and to implement internal norms through self-regulation or co-regulation. It is necessary to encourage the media to provide appropriate information concerning all aspects of sexual exploitation and sexual abuse of children, with due respect for the independence of the media and freedom of the press.

Article 20 defines criminal offenses concerning child pornography, one of which is knowingly obtaining access, through information and communication technologies, to child pornography.

Article 23 of the Convention defines the term “solicitation of children for sexual purposes” and stipulates that each party shall take the necessary legislative or other measures to criminalise the intentional proposal, through information and communication technologies, of an adult to meet a

Internet Child Exploitation

child for the purpose of committing any of the offences against him or her, where this proposal has been followed by material acts leading to such a meeting.

It also stipulates that each party shall take the necessary legislative or other measures to ensure that investigations and criminal proceedings are carried out in the best interests and respecting the rights of the child.

Purpose of the *United Nations Convention against Transnational Organized Crimes* is to promote cooperation to prevent and combat transnational organized crime more effectively. The Convention shall apply to the prevention, investigation and prosecution of offenses which are transnational in nature because:

- It is committed in more than one State;
- It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;
- It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State;
- It is committed in one State but has substantial effects in another State.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime is interpreted and applied as a part of the Convention. Its purpose is to prevent and combat trafficking in persons, especially women and children.

This Protocol is applied to the prevention, investigation and prosecution of perpetrators of criminal offenses defined under Article 5 of the Protocol. Other parts of the Protocol regulate the assistance to the victims of illegal trafficking in persons and their protection, exchange of information and training, safekeeping and control of documents.

Special protection of child against exploitation is also provided under the *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*. This international treaty contains provisions pertaining to:

Internet Child Exploitation

- Catalogue of measures for the provision of the child right to protection;
- Prohibition of sale of children, child prostitution, and child pornography;
- Criminal proceedings and penalties;
- Protection of children-victims;
- Preventive measure;
- International cooperation and assistance.

The states parties emphasize the need to protect children from all forms of exploitation, as defined in the Convention, and further emphasize the increasing risks, primarily due to the easier access to internet and other developing technologies. The concern over this tendency is emphasized in the Preamble to this Document. It is significant to note that the state parties recall the Conference on Combating Child Pornography on the Internet (Vienna, 1999) and, in particular, its conclusion calling for the worldwide criminalization of the production, distribution, exportation, transmission, importation, intentional possession and advertising of child pornography, and stressing the importance of closer cooperation and partnership between Governments and the Internet industry.

Recommendation of the Council of Europe Committee of Ministers, R(91)11 on Sexual Exploitation, Pornography and Prostitution of, and Trafficking in Children and Young Adults refers to undertaking special measures in the field of raising public awareness, education and information, as follows:

- make appropriate documentation on sexual exploitation of children;
- include in the programmes of primary and secondary school education information about the dangers of sexual exploitation and abuse to which children and young adults might be exposed, and about how they may defend themselves;
- promote and encourage programmes aimed at furthering awareness and training for those who have functions involving support and protection of children and young adults in the fields of education, health, social welfare, justice and the police force in order to enable them to identify cases of sexual exploitation and to take the necessary measures;

Internet Child Exploitation

This Recommendation also contains provisions on criminal law and criminal proceedings.

Resolution 1099(1996) of the Council of Europe Parliamentary Assembly on the Sexual Exploitation of Children calls upon member states to combat child pornography in all forms (publications, video records, internet). The member states are called upon to unite their efforts and their resources combat child prostitution, trafficking and pornography, in order that the sexual exploitation of children may cease. The Assembly calls upon creating new criminal offenses, as follows:

- the possession of pornographic material, such as videos, documents or photographs involving children;
- the manufacture, transport and distribution of pornographic material showing minors;
- the broadcasting and recording of pornographic images of minors.

It is necessary to enact legislation providing that all sexual offences involving children should be classified as serious offences; such offences should under no circumstances be included in a category of less-serious offences; and the states are called to incorporate into their legislation the principle that a minor under the age of 15 years cannot give her or his consent to sexual relations with an adult. The Assembly asks member states to take concrete measures to put an end to sex tourism.

Recommendation of the Council of Europe Committee of Ministers (2001)16 on the Protection of Children against Sexual Exploitation recognized the role that advertising and the media, particularly the Internet, can play, in the spreading as well as in the prevention of this phenomenon. The aim of this Recommendation is the planning and implementing measures, policies and practices with regard to the fight against sexual exploitation which take into consideration the views and experiences of children themselves. The Recommendation recommends the establishment of a national mechanism to provide regular information on the best practices and most effective measures to prevent, combat and deal with the effects of sexual exploitation of children. A special section is related to the internet, stating that it is necessary to include Internet service providers in raising awareness about sexual exploitation and its risks, especially on the Internet.

Internet Child Exploitation

It is necessary to ensure that Internet service providers work alongside the authorities to identify and to combat the various means through which the Internet can be used for the purpose of sexual exploitation of children.

In this regard, the internet providers should do the following:

- develop a code of conduct appropriate to the modern information and communications technologies to prevent the sexual exploitation of children;
- identify abuses of such a code and technologies;
- take measures to inhibit and suppress such abuses;
- provide information to parents, caregivers, all others responsible for children and children themselves on the risks of sexual exploitation on the Internet (the forms of child exploitation and abuse and the protective measures available);
- create hotlines and encourage citizens to report cases of child pornography or of incitement to child prostitution on the website, thus enabling the appropriate law enforcement authorities to take specific legal action.

It is also necessary to introduce research priorities related to the evaluation of the use of the Internet in the prevention of sexual exploitation of children through ICT.

Resolution of the Council of Europe Parliamentary Assembly 1307(2002) on Sexual Exploitation of Children points out that the problem of sexual abuse of children is aggravated when the Internet is used as a medium, because of the anonymity and ease of use, and the contacts it permits. The Assembly calls the states to declare the combating of sexual exploitation in any form as a national objective and to give precedence to eradicating the dangers posed to children by the Internet. The Assembly asks every member state to acquire the means to combat computer crime, especially child pornography, and, to this end, to set up a special sufficiently staffed and equipped police unit comprising members trained in children's rights and new technologies. At the same time, co-operation with Internet professionals at national and international level should be improved in order to develop the appropriate technical and legislative means for the protection of children against illicit and harmful content related to sexual exploitation. The Assembly invites the states to encourage and draw attention to the duty of ordinary people to report sexual crimes and abuses

Internet Child Exploitation

against children; make emergency hotlines available free of charge; and provide assistance, especially of a financial nature, to those non-governmental organisations which are already active in this field, particularly in respect of the use of new technologies, such as the Internet.

National legislation

Article 6 of the *Family Law* stipulates that everyone has the duty to be guided by the best interest of the child in all activities involving the child. The state is obliged to undertake all necessary measures to protect the child from neglect, from physical, sexual and emotional abuse, and from any form of exploitation. The state is obliged to respect, protect and improve the rights of the child.

Article 45 of the *Law on the Basic Principles of the System of Education and Upbringing* forbids violence, abuse and neglect of children. Article 45(1) states that the institution is forbidden to apply physical, psychological and social violence, abuse and neglect children and pupils, physically punish and insult the person, or to sexually abuse children and pupils or employees.

The basic form of the protection of minors from abuse for pornographic purposes is defined in the *Criminal Code* of the Republic of Serbia.

Article 185 of the Criminal Code stipulates that “showing, obtaining, and possessing pornographic material and abuse of children for pornographic purposes” constitutes a criminal offense, and stipulates punishment for different forms of this criminal offense:

- Whoever sells, shows or publicly displays or otherwise makes available texts, pictures, audio-visual or other items of pornographic content to a minor or shows to a child a pornographic performance, shall be punished with a fine or imprisonment up to six months.

If the criminal offense is committed against a minor, the perpetrator shall be punished by prison sentence ranging between six months and three years.

- Whoever uses a child to produce photographs, audio-visual or other items of pornographic content or for a pornographic show, shall be punished with prison sentence ranging between six months and five years.

Internet Child Exploitation

If the criminal offense is committed against a child, the perpetrator shall be punished by prison sentence ranging between one year and eight years.

- Whoever obtains for personal use or for others, holds under possession, sells, publicly exhibits or electronically or otherwise makes available pictures, audio-visual or other items of pornographic content resulting from the abuse of minor shall be punished with prison sentence ranging between three months and three years.

The specified items shall be confiscated.

Article 185a. stipulates the criminal offense of “inducing minor to attend sexual acts” as well as the punishment for this criminal offense.

- Whoever induces minor to attend upon rape, participate in a sexual intercourse or an equal act or some other sexual act, shall be punished with prison sentence ranging between six months and five years, and a fine.

If this offense is committed by use of force or threat, or against a child, perpetrator shall be punished with prison sentence ranging between one year and eight years.

Article 185b. stipulates the criminal offense of “abuse of computer networks or other means of communication to commit criminal offenses against sexual freedom of the minor”, and punishment for the criminal offense:

Whoever with intent to commit criminal offense of rape, sexual intercourse with helpless person, sexual intercourse with a child, sexual intercourse by abuse of office, prohibited sexual acts, pimping and procuring, mediation in prostitution, showing, obtaining and possessing pornographic material and abuse of children for pornographic purposes, and inducing a minor to attend sexual acts, by using computer network or communication with other technical devices, arranges a meeting with a minor and appears at the agreed meeting location, shall be punished with prison sentence ranging between six months and five years and a fine.

Whoever commits the afore-referenced criminal offense against a child shall be punished with prison sentence ranging between one year and eight years.

The *Law on Organization and Competences of State Bodies in Combating High Technology Crime* regulates the education, organization, competences and authorizations of special organizational

Internet Child Exploitation

units of state bodies, for the purpose of detection, criminal prosecution and trial of the criminal offenses specified under this Law. Pursuant to this Law, high-technology crime means committing criminal offenses using computers, computer systems, computer networks, computer data and products in either hard copy or electronic form, as objects or means of perpetration of the criminal offense. This Law is applied for the detection, criminal prosecution and trial of the criminal offenses against security of computer data as provided under the Criminal Code. The Law also stipulates that the Special Department for Combating High Tech Crime shall be established at the High Prosecutor's Office in Belgrade. The Special Department shall perform jobs of the internal affairs bodies in combating criminal offenses within the Service for Combating High Tech Crime of the Ministry of Interior of the Republic of Serbia.

The Law on Electronic Communications stipulates that the goals and principles in regulating the relations in the field of electronic communications shall be based on providing a high level of protection of personal privacy and user's privacy, as well as ensuring safety and integrity of public communication networks and services. This Law regulates actions of the operator – person performing the activities of electronic communications in the submission of data to competent authorities and the protection of data confidentiality. This Law also regulates the rights of users and subscribers (Article 116) in relation to malicious and harassing calls. The operator of public telephone services who receives written report by subscriber on a malicious or harassing call is obliged to record the information on identification of the incoming call. If the malicious or harassing call is made from a subscriber's number, the operator is obliged to warn the subscriber thereof and, in a case of repeated harassment, to take other adequate measures to prevent further harassment. Should the operator determine that the harassing call was made from a subscriber number from another operator network, he/she shall forward the report on harassment to that another operator. Should there exist a risk of threat against security or integrity of public communication networks and services, the operator is obliged to notify subscribers thereof, as well as of the available protective measures.

The subject of this research is directly related to the following laws:

- *The Criminal Procedure Code*, which regulates procedural mechanisms for establishing the state of facts in the criminal procedure,

Internet Child Exploitation

- *The Law on Juvenile Offenders and Criminal Protection of Minors*, which provides for a special protection of minor persons as well as of the injured parties, and introduces specialization requirements for all participants in the criminal procedure,
- *The Law on Police*, which stipulates the requirement for specialization of police officers dealing with the criminal offenses against minor persons,
- *The Law on Social Welfare* specifies the child as beneficiary of the rights and services provided under social welfare,
- *The Law on Health Care* regulates the right of the child to health care,
- *The Labour Law* stipulates that an employment can be established with a person who is minimum 15 years old. A person under 18 years of age may be employed only upon the consent of a parent, adoptive parent or guardian, provided that such employment does not threaten the person's health, morals, and education, that is, if such employment is not prohibited by law,
- *The Law on Public Information* contains provisions on the protection of the rights of minors in public media,
- *The Law on Radio Fusion* regulates general program standards and orders the prohibition of broadcasting the programs that jeopardize physical, mental or moral development of children and young adults,
- *The Law on Advertising* contains provisions on advertising intended for minor persons,
- *The Law on Electronic Marketing* regulates the conditions and the manner of providing services through information technology,
- *The Law on the Protection of Personal Data, and*
- *The Law on the Protection of Consumers.*

The Codes of Ethics of the companies such as *Telekom Serbia* and *Vip Serbia* are not satisfactory from the perspective of children's rights, because they contain bleak provisions about legal protection in the stage of establishing and during the subscriber relationship, as well as the provisions on data protection.

Internet Child Exploitation

An exception is the *Telenor Serbia Company*, which contributes to the online safety. The *Telenor Serbia's 2011 Report on Sustainable Business Operations*⁸ states that in 2010 this company signed an agreement with the Ministry of Interior of the Republic of Serbia concerning strategic cooperation in order to introduce filters for blocking illegal sites with elements of sexual abuse of children. *Telenor* customers who attempt to access such site from mobile telephones or computers are forwarded to the section "Stop". Since the beginning of the project implementation, there have been 116 of such cases. At the same time, the Ministry of Interior of the Republic of Serbia submitted to *Telenor* a list of locations with illegal materials as determined by the Ministry and the Interpol.

Strategic framework

The Information Society Development Strategy in the Republic of Serbia until 2020 contains provisions on information security, defining the following priorities: improvement of legal and institutional framework for the information security, protection of critical infrastructure, combat against high technology crime, scientific research and development in the field of information security.

The Strategy indicates that, in addition to the increasing demand for ICT skills, the Internet has changed the manner and dynamics of knowledge and information sharing in all fields. It is necessary to integrate ICT in all aspects of educational process, with an aim of higher effectiveness and efficiency of education.

According to the Strategy, the information security means the protection of systems, data and infrastructure in order to preserve confidentiality, integrity and availability of information. One of the requirements for creating sustainable information society is the presence of adequate degree of information security in all forms of ICT use. It is necessary to pass regulations in the field of information security, which would additionally regulate the information security standards, areas

⁸ The Report on Sustainable Business Operations 2011
http://www.telenor.rs/media/TelenorSrbija/Fondacija_Izvjestaj_2011-engleski.pdf. Accessed on 22 March 2013.

Internet Child Exploitation

of information security, and competences and duties of individual institutions in this area. This document emphasizes the importance of scientific research in the field of information security.

National Action Plan for Children is a strategic document of the Republic of Serbia Government defining the general country policy for children for the period until 2015. The Plan includes priority measures, activities and programs to be undertaken in the forthcoming years for the purpose of creation as favourable as possible living conditions for children, conditions for their growth and inclusion in the society. One of the priorities is the protection of children from abuse, neglect, exploitation and violence. It also defines the following activities:

- Define short-term, medium-term and long-term policies of the country in relation to the protection of children, that is, a framework providing for further development of programs, services, legal regulations, and other measures;
- Establish multi-sectoral body, which would develop a comprehensive National Strategy for the protection of children from all forms of abuse, neglect, exploitation and violence (NCZD) and monitor its implementation;
- Adopt National Strategy for the protection of children from all forms of abuse, neglect, exploitation and violence (NCZD) by the Government of the Republic of Serbia.

There is a particular emphasize on the following activities related to the protection of children from abuse, neglect, exploitation and violence, by spreading information and raising public awareness:

- Systematic and continuous raising of public awareness, including children (through media, public speeches, publications, campaign against violence against women and children, brochure on non-violent methods of children education, etc), on the rights of the child to protection from abuse and neglect;
- Advise the public as to how to identify an abused and neglected child, and where to seek help. Train the children in self-protection;
- Instruct the media to abandon sensationalism when writing about abuse and neglect of children, respecting the dignity of the child and family, and to carry out continuous training of journalists in this matter.

Internet Child Exploitation

Train the experts dealing with children, to acquire knowledge and skills needed for the protection of children from all forms of abuse, neglect, exploitation and violence. This training involves a special type of activities as follows:

- Determine the minimum knowledge and skills required for the persons working with children, necessary for the prevention, identification, assessment and reaction at abuse or neglect of children;
- Develop adequate training programs (“training packages”) for different profiles of experts, taking into consideration their scope of work;
- Accreditation of programs and continuous training of experts.

National Strategy for the Prevention and Protection of Children from Violence (for the period 2008-2015 and the action plan for the implementation of this strategy) defines the development of safe environment enabling the exercise of all rights of the child, child protection from all forms of violence, and establishment of the national system for prevention and protection of children from all forms of abuse, neglect and exploitation. This strategy includes specific objectives, as follows:

- Raise awareness among citizens and children about the problem of violence, and form views of unacceptability of all forms of violence in any environment, with active participation of citizens and children;
- Develop tolerance by understanding and accepting the differences and fostering non-violent types of communication;
- Empowerment and support to family (biological, foster, adoptive) in the prevention of violence and protection of children from violence;
- Encourage and support children participation in the development and implementation of programs for the prevention of and protection from violence;
- Develop services and units for work with victims and offenders;
- Acquire new knowledge and skills among all persons who work with children or for children, in relation to the ways of prevention of violence and protection of children from violence.

Internet Child Exploitation

Draft National Strategy for the Prevention and Protection of Children from Trafficking and Exploitation in Pornography and Prostitution (2012-2016) is a comprehensive document that defines general and specific strategic goals and measures at the national level, the implementation of which will improve the existing system and contribute to the resolving of this problem. The *Action Plan for the Prevention and Protection of Children from Exploitation in Pornography by Abusing the Information and Communication Technologies* was made for the period 2012-2014. This document includes actions for implementation of a part of the National Strategy for the Prevention and Protection of Children from Trafficking and Exploitation in Pornography and Prostitution (2012-2016).

General Protocol for the Prevention and Protection of Children from Abuse and Neglect contains the following objectives:

- Advise the experts working with children and for children, as well as general public including children, how to act in case of a suspicion that a child is a victim or may become a victim of abuse or neglect;
- Establish cooperation between experts in all areas necessary for the protection of children;
- Reach a common level of understanding of the basic principles and objectives of protection;
- Establish efficient and operational procedure providing for prompt and coordinated actions in case of abuse and neglect, protecting the child from further abuse and neglect and ensuring adequate help to the child and the family.

Establishment of an efficient, operational, multisectoral network for the protection of children from abuse and neglect requires cooperation between relevant Ministries in charge of social protection and legal protection of family, judiciary, internal affairs, health and education. The Ministry of Labour, Employment and Social Policy has a coordinating role in the process of protection of children rights. As a part of the *Special Protocol for the Protection of Children and Pupils from Violence, Abuse and Neglect in the Institutions for Education and Upbringing*, it is ascertained that the development of modern communication technologies causes the occurrence of violence in the use of information technology. This phenomenon is also called the electronic

Internet Child Exploitation

violence and includes messages sent by electronic mail, SMS, MMS, web sites, chats, participation in forums, etc.

Specific activities by competent bodies

In 2009, the Ministry of Telecommunications and Information Society raised an initiative within its competence to improve children safety on the internet as a part of the project for the establishment of website *Klikni bezbedno* /Click Safely/, where young people and parents can get various informative, educational and entertaining materials providing information on safe use of internet.

In 2012, the Regional Secretariat for Sport and Youth implemented the project “STOP Electronic Violence – Training for Peer Trainers” within the project in the area *Omladina* /Youth/ and the Action Plan of Youth Policy in the Autonomous Province of Vojvodina 2011-2014.

Cases of ICT Exploitation of Children

Data of the Police Administrations in the AP Vojvodina

Data of the Police Administrations (PU) in the AP Vojvodina, that is, the police stations in the territory include the number of reported, rejected and processed cases during 2011 and 2012.

Illustration 1. Overview of the number of reported cases according to Police Administrations



During 2011 and 2012, there were only few recorded cases of internet child exploitation in the AP Vojvodina. On the territory of as many as three Police Administrations (Sombor, Subotica and Kikinda) there were no recorded cases, whereas 14 cases were recorded in the territory of the remaining four Police Administrations. Most of the cases (five) were recorded in the territory of the Police Administration Novi Sad, which is the largest Police Administration, while the same number was reported in the territory of the Police Administration Pančevo. The Police Administration Zrenjanin and the Police Administration Sremska Mitrovica each have two reported cases.

Police Administration Novi Sad

According to data of the PU Novi Sad, during 2011 there were *three criminal reports* against three individuals, due to the committed criminal offenses of Showing, Obtaining and Possessing Pornographic Materials and the Abuse of Children for Pornographic Purposes. These criminal offenses are regulated under Article 185 of the Criminal Code of the Republic of Serbia.⁹

Until November 2012, *two criminal reports* were filed in this PU, against two persons, due to the criminal offenses of Showing, Obtaining and Possessing Pornographic Materials and the Abuse of Children for Pornographic Purposes.¹⁰

In four out of five cases, many pornographic materials were found in suspects' computers, when the injured parties were minors. In one case, the injured party was a ten-year old child who had been shown films with pornographic content by the suspect.

During 2011 and 2012, the PU Novi Sad did not have criminal reports for the Abuse of Computer Network or Communication with other Technical Devices for the Perpetration of Criminal Offenses against Sexual Freedom against Minor.

Police Administration Zrenjanin

In the territory of the PU Zrenjanin, there were *two reported cases* of internet child exploitation. One case involved cyber-bulling, when the offenders were children or persons under 14 years of age. Given that persons under 14 are not criminally liable according to national legislation, no criminal proceedings were instigated against them.¹¹

The second case involved sexting. At the time of writing this report, the procedure in case was still pending.

⁹ All perpetrators are men; two were born in 1963 and one in 1977.

¹⁰ Both perpetrators are men, one of which was born in 1948, and the other one in 1990.

¹¹ The report on this criminal offense was submitted to the Higher Public Prosecutor's Office in Zrenjanin.

Police Administration Pančevo

During 2011 and 2012, there were total of *five cases* of child internet exploitation in the PU Pančevo. In 2011, there was one reported case of Endangerment of Safety (Article 138 of the Criminal Code of the Republic of Serbia), which involved sending disturbing messages via SMS, that is, via the social network Facebook. This criminal report was rejected.

During 2012, there was one recorded case punishable under the Criminal Code of the Republic of Serbia (Article 185), which involved Showing, Obtaining and Possessing of Pornographic Materials and Abuse of Minor for Pornographic Purposes. The case involved showing pornographic materials to a minor via mobile telephone. The criminal report in this case was processed and the procedure is pending at the time of writing this report.

The remaining three reported cases were related to sending photographs with insulting contents (via false Facebook profile). The reports on these cases were forwarded to competent Prosecutor's Offices and the procedures are pending.

Police Administration Sremska Mitrovica

In the territory of PU Sremska Mitrovica, there were *two reported cases* of internet child exploitation, both reported in 2012. One case involved Endangerment of Safety, that is, violent behaviour in the form of threat via social network Facebook.

The second case involved the criminal offense of Showing, Obtaining and Possessing Pornographic Materials and Abuse of Minor for Pornographic Purposes (Article 185 of the Criminal Code of the Republic of Serbia) committed by recording a minor and showing pornographic content to other minors via MMS messages.

According to data of the PU, both reports have been processed.

Data of the Special Department for Combating High Tech Crime

The Special Department for Combating High Tech Crime was established under the Law on Organization and Competences of the State Bodies for Combating High Technology Crime in 2005,

Internet Child Exploitation

within the then District Prosecutor's Office in Belgrade, covering the territory of entire Republic of Serbia. By changes and amendments to the Law in 2010, the subject-matter competence of this department included criminal offenses against sexual freedom involving computers, computer systems, computer networks and computer data, and its products in hard copy or electronic form, used as an object or means of perpetration of the criminal offenses.

According to quite thorough and systematized data of this department submitted for the purpose of this research, during the period covered by this research (2011 and 2012), there have been several dozens of criminal reports, investigative actions, indictments and verdicts.

Table 2. Data of the Special Department for Combating High Tech Crime for 2011/2012

Year	Criminal reports	Number of persons	Investigative actions	Prosecutor's motions	Request for investigation	Indictments	Verdicts
2011	40	40	39	39	1	1	30
2012	17	19	14	14	-	-	6
Total	57	59	53	53	1	1	36

The overview of the collected data indicates a decreased number of criminal reports in 2012 in relation to 2011 and, therefore, the decreased number of persons against whom the criminal reports were filed, investigative actions taken and prosecutor's motions filed. During 2012, there was not a single request for investigation, and no indictment has been filed by the time of writing this report. Until November 2012, the number of rendered verdicts was five times smaller in relation to the number of verdicts rendered in 2011.

Characteristics of suspects and accused based on the analysis of collected data:¹²

- Criminal offenses against sexual freedom of minors and children in Serbia have been committed by men (no female offenders have been reported so far);

¹² Data of the Special Department for Combating High Tech Crime.

Internet Child Exploitation

- The cases involve older men: 34% aged over 45, and 30% between 25 and 45 years of age;
- Most of them live in Vojvodina (40%), in Belgrade and the surrounding area (22%), whereas 40% offenders reside in the towns with over 200,000 inhabitants.
- Half of the offenders completed secondary school, and 24% of them completed a faculty. In three cases, the offender had PhD;
- 30% offenders are employed in technology occupations, while the percentage of employed and unemployed is equal (44%)
- 22% offenders own a property;
- Most offenders have their own families; 18 of them are married, six are divorced, and two live in a common-law marriage;
- 44% offenders have children;
- Five offenders were acquitted of the mandatory military service (illness, disability), and 64% served the military service;
- Five persons had been convicted, while one offender had been convicted several times.

The role of stakeholders in the protection of children from internet exploitation

State institutions

As a part of the research “Internet Child Exploitation”, the institution of the Province Ombudsman sent questionnaires to the following institutions and agencies:

1. Ministry of Justice and State Administration
2. Ministry of Labour, Employment and Social Policy
3. Ministry of Foreign and Internal Trade and Telecommunications
4. Special Prosecutor’s Office for High Tech Crime
5. Republic Radio Diffusion Agency (RRA)
6. Republic Agency for Electronic Communications (RATEL)

The institution of Province Ombudsman received feedback only from two out of the six listed institutions, that is, from the *Ministry of Justice and State Administration* and the *Special Prosecutor’s Office for High Tech Crime*. Representatives of the *Ministry of Justice and State Administration* pointed out that this Ministry was not in charge of taking actions from the reports on internet child exploitation and therefore, did not have information requested for the purposes of this research.

On the other hand, as indicated in the previous chapter, *the Special Prosecutor’s Office* submitted a quite comprehensive report with the requested data, which have been very significant for this research.

Definition of the term

As regards the term of internet child exploitation, that is, the exploitation through information and communication technologies, the Prosecutor’s Office notes that the term means illegal activities presented in table 3.

Table 3. Internet Child Exploitation

Internet Child Exploitation as defined by the Special Prosecutor's Office:
• Production of child pornography
• Offering or making available child pornography
• Distribution or transmission of child pornography
• Possession of child pornography
• Knowingly getting access to child pornography using information or communication technology
• Using ICT for the purpose of meeting minors and children and arranging meetings for the purpose of criminal offense against sexual freedom.

As indicated in the very definition of internet child exploitation, the key term in the definition is the *pornography*. The Special Prosecutor's Office for High Tech Crime primarily prosecutes this and similar criminal offenses, given that the legal legislation does not identify other forms of child exploitation through the internet, such as sexting, grooming, cyber-bulling, etc.

Role of the Special Prosecutor's Office for Combating High Tech Crime

The role of the Special Department for Combating High Tech Crime is primarily based on the criminal prosecution of perpetrators of this type of criminal offenses, with an aim of general and special prevention. Although the Prosecutor's Office, as such, exercises this role after perpetration of the criminal offense, i.e. takes actions to process the cases of such criminal offenses, the judicial authorities, that is, the courts of law have even more significant role in the prevention of these criminal offenses. The Prosecutor's Office holds that the major problem in relation to the criminal offenses of Showing, Obtaining and Possessing Pornographic Materials and Abuse of Minor for Pornographic Purposes, and other similar criminal offenses, is the *mild punishment policy*. By pronouncing mild sentences, the very process of prevention is not efficient, and the purpose of punishment is under question.

Communication with other persons involved

As regards the communication with others involved in the protection of children from internet exploitation, the Special Prosecutor's Office states that it takes actions pursuant to the Criminal

Internet Child Exploitation

Procedure Code. The Public Prosecutor has the authority to request submission of information from the state bodies, institutions, organizations, companies and internet providers, as well as from all other relevant entities, for the purpose of collecting relevant information and evidence necessary for the criminal proceedings. The communication and cooperation is carried out in accordance with the specified authorizations, in order to obtain the requested data as soon as possible and act accordingly. All cases of the Special Prosecutor's Office also involve engagement of the Department for Combating High Tech Crime of the Ministry of Interior of the Republic of Serbia, Service for Special Investigative Methods, internet providers and other relevant services.

Cooperation with the relevant Ministry and experts

The cooperation between the Special Prosecutor's Office and the relevant Ministry and experts in the problem of internet child exploitation is assessed as very good, and all participants are ready to do their part of the job as successfully and as promptly as possible. There is a special emphasis on the project of the Ministry of Telecommunications and Information Society from 2009 titled *Klikni bezbedno* /Click Safely/ (<http://www.kliknibezbedno.rs>) which helps the youth and their parents to use internet safely.

Recommendations

The Special Prosecutor's Office for Combating High Tech Crime gave the following recommendations for the improvement of the system of child protection from internet exploitation:

- Train children on the safest ways of internet use, including projects in schools;
- More efficient role of media in presenting and calling public attention to this matter;
- Introducing more severe sanctions for the perpetration of this type of criminal offenses.

Distributers of mobile and landline telephone services and internet providers

The role of mobile and landline telephone providers and internet providers in the field of child protection on the internet is interpreted in various ways. The providers, however, perceive their role in the internet child protection quite uniformly. This is indicated by responses of the providers

Internet Child Exploitation

in the territory of the Republic of Serbia, as very few of them responded in order to contribute to this research. In the course of data collection, the Provincial Ombudsman distributed the questionnaire to the addresses of 16 companies (table 4) dealing with the provision of mobile and landline telephone services and internet services.

Table 4. List of providers who were submitted the questionnaire

Providers to whom the questionnaires were distributed as a part of the research "Internet Child Exploitation"		
Telekom Srbija A.D. Beograd	VIP mobile d.o.o. Beograd	Telenor Srbija Belgrade
SBB Beograd	Orion Telekom, Beograd	Eunet d.o.o. Beograd
Beotelnet ISP d.o.o. Beograd	MadNet d.o.o. Pančevo	SKS Company, Senta
Sabotronic d.o.o. Senta	Tippnet d.o.o. Subotica	Parabola d.o.o. Temerin
Voysat d.o.o. Ada	Bus Computers, Kikinda	Nordnet d.o.o. Subotica

Four out of 16 providers submitted their responses: SBB- *Srpske kablovske mreže* /Serbian Cable Network/, Orion Telekom, Tippnet and Voysat. Although the response rate was quite low (25% of the total number of providers who received the questionnaire), and based on the data from four providers we could not make general conclusions on some relevant issues in the field of child protection in the use of ICT, it is evident that in the responses of all four providers certain views are shared to a greater extent than the others (table 5).

Table 5. Overview of responses submitted by providers

Description of ICT exploitation of children	All the providers state that the exploitation of children on the internet or ICT means the abuse for the purpose of achieving some other goals, such as collection of personal data or taking criminal actions that constitute criminal liability.
Role of internet and telephone companies in the prevention of ICT child exploitation	Providers do not see their role in the prevention of internet child exploitation, because they believe that their role is limited only to the provision of services or providing conditions for the use of the services. According to them, their role in the matter commences when some of the competent institutions requests certain data due to the suspicion that a criminal offense has been committed. They think that they could, in theory, notify parents of certain control techniques and

Internet Child Exploitation

	<p>methods for the use of internet and telephone. They think that this matter is not within their scope of activities and, therefore, do not believe that they have any special role in this.</p>
<p>Role of internet and telephone companies in the <u>protection</u> of children from ICT exploitation</p>	<p>As regards this field, the providers believe that their role primarily involve communication with competent state bodies. Filtering the contents, blocking certain contents is not in the scope of providers' activities, unless it involves the contents produced by the providers themselves.</p> <p>On the other hand, the providers hold that they might play a bigger role in educational projects and campaigns.</p>
<p>History of providers' actions in the field of protection of children who use their services</p>	<p>We should note that one provider carried out campaigns in primary schools on the territory of town where it operates, with an aim to train the children how to use internet properly and safely.</p> <p>Other providers hold that the protection is the exclusive responsibility of the state institutions as they are the ones who need to raise initiatives and provide clear guidelines on actions to be taken.</p>
<p>Familiarity with legal regulations on the protection of children from ICT exploitation</p>	<p>Three of four providers who answered the questionnaire point out that they are not familiar with legal obligations, and one provider states that the Law on Electronic Communications lays obligation on the providers to intercept and keep data, that is, to provide data based on court's decisions when required for criminal proceedings.</p>
<p>Measures taken by the providers to increase the safety of children who use their services</p>	<p>Providers did not undertake specific measures, but mostly provided information verbally in the course of signing contracts on the provision of services, mostly internet services.</p> <p>On the other hand, the providers note that a highly efficient system for restricting inappropriate contents would require the subscriber's consent, and point out that such an advanced system does not still exist.</p>
<p>Being familiar with available technical mechanisms and methods for the prevention of exploitation and the protection of children on the internet, and mechanisms used by the providers themselves</p>	<p>Two representatives of the providers note that they are not familiar with available mechanisms of methods for the protection of children from exploitation, while the other two note that the easiest mechanism for the child protection on the internet is to have a single password known only to parents, and to allow children to access the internet only in the presence of parents. Thereafter, the parents can check the visited sites, i.e. history of reviewed and visited web contents.</p>
<p>Existence of the Codes of Ethics and/or Conduct with a special</p>	<p>Three representatives of the providers answer that their companies do not have codes of ethics/conduct that lay a special emphasize on the</p>

Internet Child Exploitation

protection measure against ICT exploitation of children	internet exploitation of children. Two representatives note that they do not have a plan to render such a document, and one respondent states that they would consider this option in future.
Priority of the prevention and protection of children from ICT exploitation	Three representatives of the providers note that the protection of children from ICT exploitation is not one of their priorities, while one representative notes that it is the responsibility of the entire society, not only of the providers. One representative also states that the state should raise an initiative, not only the providers.
Direct or indirect inclusion of representatives of the providers in special cases of ICT child exploitation within their scope of work	Three representatives of the providers state that they have not been directly or indirectly involved in a case of children exploitation within the activities of the provider itself. One representative states that he had such a case, which involved cooperation with the state bodies based on the court order. There was no feedback from the state bodies about the effect of the cooperation, and only after the actions have been undertaken it was concluded that the participation in the procedure was successful.
Regular communication or formal cooperation between providers and state institutions or non-governmental organizations within the combat against ICT child exploitation.	Two representatives of the providers state that there is not any form of cooperation with the state institutions, while two representatives state that there is cooperation and communication with competent agencies, but only in the areas that are not actually linked to the ICT exploitation of children. As regards civil society organizations, representatives of the providers who responded to the questionnaire claim that the cooperation and communication has not been established with any of them.

As implied in the responses of the providers' representatives, the state should take the major role in the protection and prevention of ICT exploitation of children, and the state should raise initiatives, campaigns and projects in which the providers would have a rather secondary role. Although in the modern society - the society of modern technologies, internet is available not only at homes, but also on mobile phones and other contemporary devices, telephone companies can undertake a bigger role in the protection and, first of all, in the prevention of ICT exploitation of children. In addition to its "classical" role it has played so far, which involved oral communication, nowadays the telephones have all functions of computers, and the telephones are widely used for internet access, especially by young people.

Views on the use of ICT and the safety of children and youth on the internet

Views on the use of ICT and internet safety for children and youth were examined through focus groups made of pupils of primary and secondary schools, their parents and experts who work with children.

The total of *10 focus groups* of pupils were organized in schools in *nine Vojvodina towns/places*, which included the total of *80 primary school pupils* (44 boys and 36 girls), and *74 secondary school pupils* (40 girls and 34 boys). The total of five focus groups made of parents were held in nine Vojvodina towns/places, which included *43 parents* (34 mothers and nine fathers).

The focus groups with *39 experts from 17 Vojvodina places* or local self-governance units were made of 14 male representatives and 25 female representatives of Province bodies and institutions, social welfare centres, police administrations, prosecutor's offices, schools, school administrations, pupils' homes, homes for children without parental care, and institutions for children with developmental disabilities.

Primary school pupils

The use of computers among children is inevitable nowadays. However, instead of its educational and informative purpose, the computer is used primarily for fun, which is confirmed by statements of children and parents during this research.

In the course of group interviews conducted with pupils between 10 and 13 years of age, we recorded that each of them has daily access to internet. *Primary school pupils in Vojvodina state that they use internet or computer between 30 minutes and three hours a day.* Due to their school duties during work days, parents often limit the internet time for their children, but they are more flexible during weekend, so that at the end of the week the children spend on the internet around one or two hours more.

Based on the interviews, we have concluded that almost all focus group participants of primary school age were active in some social networks. However, what raises concern is their statement

Internet Child Exploitation

that *their parents or cousins opened their profiles in these networks, as early as several years ago in some cases*. Most children state that they accept friend requests in the social networks only from people they know. Those who decide to add an unknown person to the list, do that usually in order to have more joint friends with other peers, or because they have common interests, etc. One girl states that she accepted a friend request from an unknown older boy, but after he made comments on her photographs and asked for personal information, she talked to her parents and deleted him from the friend list.

In this regard, *the children share the opinion that it would be wrong to give their addresses or telephone numbers to someone they met on the internet*. Most of the children explain that the reason is the fear of abuse of their data, because they do not know what the persons who requested their data would be capable of doing. In the course of discussion, some of them admitted that they had been in a similar situation, but they blocked such a person, ignored him/her or gave false data.

Some of them think it is justified to share their personal data with unknown friends on the internet, but only when they make sure they can trust the person.

One pupil states that he accepted a friend request from an unknown person from Indonesia, who was presumably a man. When the person asked for his phone number later, the boy got scared and told everything to his parents, but since the unknown person no longer bothered him, the person is still on the boy's friend list.

Example of a girl who explained that giving information on the address of residence might help an unknown person to rob her house indicates that some children are not sufficiently aware of the dangers lurking on the internet, and think that the abuse of data obtained on social networks could only result in a material damage.

As regards personal photographs, participants of the focus groups also agree that they would not send photographs to unknown persons whom they met on the internet. However, we learned during the interviews that all participants in the focus groups posted their photographs on Facebook profiles, but only their friends can see them. Although some of them do that rarely,

Internet Child Exploitation

while others do that regularly or even frequently (i.e. after vacation, birthday parties, etc.), almost all of them confirm that they do that with help and under supervision of their parents or older brothers and sisters.

One participant complains that he does not want to post his personal photographs on social networks, but his mother and sister keep persuading him to do so.

A girl from the seventh grade told about her problem related to this matter. An unknown person called her on the phone and requested her to send her photograph. When she complained to her parents, they thought that she was supposed to resolve her “problem” and told her to inform the call centre. Since she did not have enough credit on the phone to make the call, she still has not done that despite the continued harassing phone calls.

Unknown persons often insist on personal contacts, that is, to meet “in person”. *Although most children would not dare to meet in person the individuals they meet on the internet*, some of them state that they would accept such a call. Some of them would bring parents, brothers, sisters or friends, and one girl would bring a dog for her own safety. The meeting point they choose are often crowded places with lots of people around.

A few pupils have false profiles and use them only to play online games. One girl explained that she opened a false profile to communicate with a boy she liked, but she soon deleted her false profile because the boy ignored her.

Participation in internet games of chance, which require providing personal data, is not equally attractive to all participants in the focus groups. Most of them state that they would never participate in these games, while a few would accept it if the game would be tempting enough. A few would give their details only if it involves a “familiar” game of chance, while some others would play it only upon consent of their parents.

One participant holds that participation in an internet game of chance could infect his computer with a virus, which is why he avoids playing it. Two participants say that they registered false data for a game, but should they win a price they would not know what to do.

Internet Child Exploitation

Parents often apply punishments for educative purposes and state that one of the most efficient is to forbid the use of internet. Children state that their parents often resort to this educative method, thinking that depriving the child of internet as a very significant activity for children would contribute to the child's school achievements and other extracurricular activities.

On the other hand, *it was interesting to learn that almost all participants in the focus groups would violate the punishment posed by their parents.* During visits to their friends or relatives, most children would use the opportunity to visit internet. Some of them told the rest of the group that as soon as their parents leave the house and close the door, they instantly sit in front of the computer. They justify this with the belief that if the parents do not know that the punishment has been violated, their misbehaviour is not that significant.

One pupil complained that his parents do not need to pose a punishment on him, as he has himself set a time limit for internet use, because otherwise he would use all his free time at the computer.

Focus group participants between 10 and 13 years of age believe that they are completely safe and protected when using internet. However their perception of the danger often includes only viruses that could attack and disable the computer system. *Their understanding of adequate protection means antivirus programs.*

These answers again imply that children of this age are not still fully aware of potential dangers or mechanisms for the protection from abuse on the internet.

Some primary school children experienced inconveniences on the internet. One thirteen-year old girl says that she and her girlfriend communicated with thirty-old young man from Arabia, via Skype, when they used camera. After some time, he started calling her "darling" and said that she might "become his darling one day". The girl got scared, so after she talked to her parents she blocked his profile and thus disabled further contacts for this person.

Another girl participant received various insulting and threatening messages from other girls - her acquaintances via social network. When she decided to delete them from the friend list and report it to the homeroom teacher, they opened another (false) profile in her name and announced that

Internet Child Exploitation

she was in a romantic relationship with a girl. The school psychologist had advisory meetings with her to help her overcome unpleasant feelings caused by this incident.

Younger focus group participants experienced unpleasant situations on the internet when their friends made jokes by sending video clips that they found scary (i.e. scarecrows or zombies jumping out of boxes).

During the conversation, children stated that they would not react to provocations and unpleasant messages sent via social networks; instead, they would delete the person from the friend list, ignore or block the person.

Secondary school pupils

Children and youth between 14 and 18 years of age take internet as a life style and use it increasingly for fun, play, learning, socializing and spending their free time. On social networks, they meet new friends or talk to old friends, find information of their interest, play games, watch movies, and read news.

Based on their different needs and interests, young people spend between one and four hours a day on the internet. There are some more extreme cases, when children spend whole day on the computer playing games. Social games, YouTube, movies, and music are also on the list of contents that draw their attention on the internet.

Most secondary school pupils who participated in the focus groups claim that they ignore friend requests on social networks from unknown people. Some children first “study well” the unknown person, and accept the friend request only if they conclude that they have a number of joint friends or share the same or similar interests. Sometimes, a pleasant physical appearance of an unknown person of opposite sex is a decisive element in the decision to accept friend request on a social network.

Few participants state that in the beginning they used to accept all friend requests, but now they carefully and cautiously consider all requests from unknown people. One respondent states that

Internet Child Exploitation

he knows about 70 % of his online friends, while he accepted the others due to a game on the social network.

Another interesting answer was given by a focus group participant who said that she accepted friend requests only from persons she knew well. When asked by the moderator how many friends she had on the Facebook, she answered “around 500”.

Most participants think that the information about address of residence or phone number is personal and would not share it with an unknown person on the internet. Some respondents answer to such requests by giving false data or simply block the unknown person.

Most focus group participants were never asked by unknown persons to send their photographs on the internet, and say that they would not do that if they happened to be in such a situation. Only two participants (girls) sent their photographs to an unknown person on the internet. Both of them exchanged personal photographs with a person they met on the social network, but they say that they did not have an unpleasant experience in this regard. A great number of participants use to post their photographs (from vacation, school trips, parties, birthday parties, evening parties and similar events) on social network profiles, and majority of them allowed access to these photographs only to friends. A few participants allow access to their photographs to everyone. When posting photographs, they chose the ones on which they “look good”, while a few also accept suggestions from their parents.

Some participants shared with others their experiences involving meeting in person the individuals they communicated with only on the internet. A number of them arranged meetings in the town, while others did it in the company of their friends. Some point out positive experiences, saying that they are still friends with some people that met in this way. One participant told how she met a boy with whom she is still in contact. He came by car to take her for a drink. She did not think about possible consequences.

Another interesting story was told by a participant who states that for a certain time he communicated with an unknown girl he met on the social network. Since he also liked her physical appearance, they agreed to meet in person. He says that he was unpleasantly surprised at the first

Internet Child Exploitation

meeting because he did not recognize the girl “as she did not at all resemble the girl on the photo”.

Most focus group participants say that they did not have unpleasant experiences in relation to the use of internet or mobile phones. A few of them received a disturbing message or picture, but did not find it necessary to seek help from someone. However, even though they denied that they experienced unpleasant situations, some respondents shared with the group experiences of their friends and acquaintances. For example, one girl took photographs of her intimate body parts and sent the photographs to a boy, who later posted them on the social network. The photographs were available to everyone. Even the girl’s parents could see them. According to their information, the boy did not suffer any consequences. Another girl was stocked and harassed by phone by unknown persons, who let her know that they knew what she was wearing, where she was going, etc. She had a few unsuccessful attempts of changing her phone number, but eventually she talked to the mobile telephone operator. One girl participant said that her sister’s boyfriend used to send threatening messages to her sister, mentioning bombs and knives. The harassment stopped only after she reported it to the police.

Public fight arrangements on social networks are not uncommon among participants in the group discussion. Some of them had such experiences. Two girls received announcement from their Facebook acquaintances about the time and place of fight, but the incident was prevented after they talked to their parents and the school authorities. Boys say that the usual cause of fight is affection/lack of affection of a girl.

None of the participants have been asked by mobile phone internet provider to give the logging password for email or Facebook to repair their status. They explicitly state that should they be in such a situation, they would not provide the requested details.

A few participants confirm that they talk to their parents about the safe use of internet. They have such conversations only after the parents learn from the media about a troubling story regarding the abuse of children through information and communication technologies. At that point, they try to warn and instruct the children about the ways of protection from unwanted contents. A

Internet Child Exploitation

significant number of participants state that their parents often tell them that they trust them or just give them advise to “be careful and not to do anything stupid”.

Parents of most of the respondents are familiar with their use of internet. However, *the young people claim that many parents are absolutely unfamiliar with the internet communication and show no interest to learn more about the use of internet.* The participants believe that they have advantage over their parents in relation to the knowledge of and familiarity with the use of computer or internet. One pupil says that his father “does not even know how to turn on the computer”. On the other hand, a number of parents are well familiar with the internet and use it actively due to the nature of their jobs or due to personal interests. Some of them have their own profiles on social networks, but children of this age quite often ignore their “friend requests” to keep their privacy.

Bearing in mind the time the children spend on the internet, it is not surprising that many parents are trying to limit the internet time for their children when they find it necessary and believe it could bring positive effects in other fields (most often in order to intensify the studying or to remedy bad grades). However, an insignificant number of focus group participants claim that they would consistently respect the parents’ “punishment”. They say that in such situations, the internet access is possible only on modern types of mobile phones. Despite the ban imposed by their parents, they access internet via mobile telephones the first time they see their friends, i.e. when away from parental supervision.

The pupils demonstrated high self-confidence in relation to the internet use, but pointed out a certain degree of mistrust in other users of social networks. Specific arguments given by the focus group participants indicate that they are well informed and highly aware of potential dangers lurking on the internet. Accordingly, almost all participants believe that they are safe enough when using internet, and that they do not need any additional training in this field. One participant says “it cannot be me among so many people”, pointing out that he is aware of the potential dangers but he is sure that it will bypass him.

Parents

Parents who participated in the group discussions confirmed that their children spent several hours a day on the internet. Younger children spend on the internet around one to two hours a day under the supervision of their parents. Older children spend more time on the computer (most often around three hours a day), but the possibility of internet use on mobile phones disables the parents to have a full insight and control of both the time and the contents their children visit on the internet.

According to parents who participated in the focus groups, their children spend most of the daytime on social networks, including Facebook and, to a lesser extent, Skype and Twitter. Online games also draw children's attention, especially of the boys. Some mothers raised concern over the fact that their children sometimes sit in front of the computer for hours playing games. One participant states that her son often "works full time" on the computer. Some other sites that children visit less, according to the parents, are YouTube, sites offering music, movies, fashion, car sites, etc.

Only in one school, the parents state that the option of electronic learning is a positive side of the internet. This school offered site with educational materials in many subjects, as well as tests of knowledge, which, according to the parents, bring positive effects and contribute to more efficient learning. It is important to note that these learning innovations can be linked to the fact that the director of this school has a university degree in IT science.

Most parents think that the internet has its pros and cons. According to parents, the main advantage of the internet is the speed and availability of different types of information. Internet is a contemporary means of communication which, as one mother says, "is cheaper than telephone". Parents think that the use of internet stimulates creativity and logical thinking. The internet offers learning options as a part of mandatory educational program, and this type of communication has become an integral part of everyday life, as the parents concluded.

However, the internet has its disadvantages. Parents think that children are offered too much information without selection, which often confuses the children. Children quickly obtain unverified information on the internet and accept it as true and accurate. Internet takes much of

Internet Child Exploitation

the children's time, while they are not aware of that. As the parents say, the children got mentally lazy, they rarely read books, and they lose their working habits. Verbal communication with others is much worse as compared to previous generations: children are not able to express themselves either orally or in writing; they forget to write correctly (i.e. one mother states that children sometimes write "dj" instead of "đ", or "sh" instead of "š"). All this implies that the children have forgotten how to socialize "in person"; young people have become estranged from their families as well as from their friends. The parents state that sometimes their children sit together but communicate over SMS. *Too much time on the computer creates addiction. Spending time in a closed space, physical and mental inactivity, as the parents believe, can cause various health problems.*

Children are insufficiently aware of the dangers lurking on the internet; however, the parents are not fully aware of all the risks to which the children and youth are exposed on the web.

Parents who participated in the focus groups have different opinions as to whether the real world is more dangerous than the virtual world and vice versa. Some parents agree that the real world and the virtual world are equally beautiful and equally dangerous. Parents who believe that the real world is more dangerous than the virtual world and that all the dangers come from the real world are more worried when their children go out in the evening, because dangers are lurking on the street, where parents do not have full control over the children as compared to home where they spend time on the computer under parental supervision.

One mother says that the "real world is more painful because the virtual world cannot cause pain". She reasoned it by saying that some parents found the virtual world more dangerous without providing specific reasons and say that the virtual world is unknown to them and that they lack adequate control mechanisms.

Almost all parents believe that their children add to the friend list only the people they know. According to them, these people are their family members, relatives, school friends, friends from different hobby groups, clubs. Some of them say that older children in the family take care of and control younger brothers and sisters on the internet. *Parents trust their children and believe that*

Internet Child Exploitation

they are sufficiently informed and aware of all the dangers and possible abuses on the internet, and that they are responsible when it comes to different contents offered on the internet.

Most parents have their Facebook profiles. Parents of younger children are often on their children's friend lists on this social network, as they believe that it enables them to see the child's profile and see the information about the friends they accept or photographs they post.

None of the parents heard about sexting, grooming and cyber-bulling. When they were explained the meanings of these terms, the parents tried to give examples from their experiences. One mother said that her daughter told her about a girl who committed suicide because a man bothered her on the Facebook; so they talked about that. Another respondent advised her daughter to be careful with photographs she posted in her profile (not to be provocative, i.e. not to send kisses to camera), in order not to send a wrong message and provoke unwanted reactions.

Due to a lack of information about adequate protection of children from internet exploitation, parents quite often decide to take the matter into their own hands or let the children deal with the problem on their own. For example, one mother forbade her daughter to write to an unknown man who disturbed her, but then the mother decided to continue the writing to check what kind of person he was. Another example involves a girl who received offensive comments about her looks and decided to change it herself. So, in a few months the girl lost 15 kilograms. With this story, the mother wanted to point out that her daughter managed to resolve the problem on her own, emphasizing a very stressful period that the girl experienced together with the entire family. However, it is interesting that the mother proudly pointed out that neither she nor her daughter sought help from anyone because they thought that nobody could help them.

Most parents do not know whether their children met in person the individuals with whom they made the first contact on the internet or social networks. A few of them shared their personal experiences with other participants in the focus group. One mother said that her daughter met a girl on social network, because they wanted to enrol the same faculty, and later they were even roommates for six months. Some parents support their children's meeting people from other countries, because they see it as a way to improve foreign languages.

Internet Child Exploitation

Parents are not able to have full control over their children while on the internet, but they try to learn about the sites they visit, which should be adequate for the child's age. This mostly involves parents of younger children. They are trying to make an agreement with their children and somehow limit the internet time, giving priority to school duties. Parents of older children find it much harder to establish the control and limit the internet time, because at that age young people find different ways to circumvent the rules or parental supervision if they find it restrictive. The parents are aware that internet is not available only on computers at home, but also on mobile phones with which the children can access internet, so that this type of punishment is often worthless.

One mother says proudly that she "fools her children" when she wants to deny internet use, because she deliberately pays the bills for these services late, and then says that she has forgotten to pay. Another respondent mentioned with pride that she found the safest way to disable her son's access to internet when she found it necessary. Every evening when she goes to bed, she simply takes the monitor of the child's computer to her bedroom upstairs. She admits it is not easy at all, so she might switch to another method applied by her friend who takes the child's keyboard in her car.

There are parents who apply more drastic measures. One mother, who is a teacher by occupation, says that she and her husband have a password for access to the computer. Each of their three sons are allowed to use internet only at specified time when the parents decide so, disregarding the children's age or their different needs and interests.

The parents believe that the conversation and support are the only ways to protect their children from unpleasant situations and dangers lurking on the internet. It is a fact that the internet has become a part of everyday life and available to everyone, and the parents' main task should be to inform their children about all the risks of the internet. That would be the best protection. Most parents also think that prohibition would not resolve anything, because children find even more fun in the forbidden things. It is also confirmed by children's responses, who say that they could not endure the prohibition from the use of internet, so when they are with friends, almost each of them would use the opportunity to at least check what is new on the social network or to play a game.

Internet Child Exploitation

Discussions with the respondents imply that *many parents know of various filters for monitoring the internet, but most of them do not use the filters*. Some parents say this is because the children nowadays have much better IT literacy than their parents, and there is no need for such a control. Some others think that these programs are not efficient, and that it is necessary to talk to children, to gain their trust, and offer them support and advise how to protect themselves. A few parents are familiar with the protection options on the internet and use the safety filters. These include filter program K9 Web Protection, which forbids access to certain contents and sets time limit on the internet use, Relieve Key Logger and My Computer Security.

Experts dealing with children

Information related to the understanding of the term exploitation of children through information and communication technologies confirm that there is agreement between almost all focus group participants and experts dealing with children who define this phenomenon as a form of abuse. Each of them explained the meaning of this phenomenon from their professional perspective and practical experience.

Representatives of police administrations define the child exploitation through information and communication technologies as impingement upon privacy, disclosure and abuse of private data. According to definition of another participant, the term means sexual exploitation through internet, that is, direct violation of the rights of the child, including pornography and paedophilia. Some respondents employed in the police administrations hold that the use of social networks without a control, scheduling fights, threatening messages, inappropriate photographs on the internet, as well as the abuse of children by their peers can be a part of the definition of child exploitation through information and communication technologies.

Everyone agrees that the basic problem is obviously the lack of understanding of this term, that is, the fact that the law does not clearly define how to treat and prosecute the cases of internet child exploitation. The Police takes actions only when a criminal offense has been committed, and quite often the injured parties are the ones to decide whether or not the criminal proceedings would be initiated.

Internet Child Exploitation

School representatives defined the term of child exploitation through information and communication technologies as an abuse of children's innocence for different purposes. Some of them define abuse as sexual exploitation, while others define it as giving vent to one's lowest instincts against children through Skype or other social networks.

One participant described the term as a conscientious or unconscientious abuse of personal data. According to the participant, conscientious abuse is any situation in which a child deliberately uses a peer to satisfy his/her personal interests, while unconscientious abuse occurs when the abuser posts photographs on the internet that provoke offensive reactions and comments.

A school administration representative holds that the child exploitation through information and communication technologies means the abuse of children through social networks.

Respondents employed in the Province authorities of the AP Vojvodina explain this phenomenon as a trap for naive persons and add that this form of child exploitation, according to their understanding, means the abuse of child's immaturity and naivety in order to publicly disclose private data by malevolent individuals or groups. They further state that it is a form of influence on the child's cognizance without a control, using inappropriate contents, which results in a permanent damage. One of the participants defined exploitation as manipulation in terms of sexual exploitation and misleading the children.

Representatives of the homes for children without parental care define digital exploitation as spiritual exploitation, given that various games give undesirable guidance to children. Since they view the world through games without thinking of possible consequences, they disclose their personal information in public either knowingly or unknowingly. This form of exploitation is, in fact, abuse of social networks or a form of beguilement with different aims, involving the obtaining and giving of data.

A focus group participant from the prosecutor's office thinks that the exploitation means the abuse of all pieces of information about a child, by unknown persons as well as by parents and closest friends, which does not necessarily mean the sexual abuse of children.

Internet Child Exploitation

One respondent described this form of exploitation as abuse (of data, personality or sexual abuse) through internet or mobile phones as the means to contact the child indirectly and exploit him/her. The exploitation of children for pornography is another connotation of the term digital exploitation.

According to representatives of the social welfare centres, it means any form of abuse of a person's data. It also includes the abuse by peers who post personal photographs and videos (from parties, birthdays, school trips) and therefore jeopardize his/her own privacy as well as the privacy of others, and the access to inappropriate contents and insufficient knowledge among children and youth about the way of use of social networks. Digital exploitation also included sexual exploitation (publishing private information from one's life), recording children and broadcasting the videos which constitutes a violation of their right to privacy. One respondent adds that the term of internet child exploitation is also related to inadequate parental care and corroborates it with the fact that parents publish photographs of their newborns on the social networks.

Participants of group discussions from the homes for pupils understand digital exploitation as a production and distribution of child pornography, which means the abuse and exposure to ridicule, jeopardy of privacy and exploitation (both in terms of relation between children as well as relation between the parents and the children). According to their understanding, the term includes any abuse with a connotation of criminal offense, which brings inconceivably detrimental consequences for children, that is, any abuse of child's innocence and naivety.

According to school representatives, their role in the prevention of internet violence is to act as advisory bodies, to educate children and parents on positive sides of internet and the protection mechanisms.

A school administration representative explains that quite recently the new evaluation system was introduced in schools, which includes external evaluation. This involves an overview of seven key standards covering, among other areas, the safety in school, and when asked whether the school is a safe place the answer was based on the issue of abuse of social networks.

Internet Child Exploitation

The social welfare centres say that the prevention is not the focus of their work, but they play an advisory role which is implemented only when a specific problem occurs. Some of them also organize and participate in public discussions, but think that it is not sufficient. Experts gave lectures in school and carried out advisory activity with pupils of one school. However, they do not have feedback as to the effect of that lecture. One respondent points out that the culture of communication is very important for the protection of children, and that everything related to children should be confidential and secret.

Representatives of the APV Government say that their role is not targeted to that matter, and that none of them is a member of a group dealing with this issue; that they do not have experience and have not taken specific actions on this matter.

Representatives of the home for children without parental care say that the internet time is very limited for the inmates, but the children go to playrooms and open their profiles which poses the major threat, because the caregivers cannot control them there. However, the institution often organizes different educative lectures.

In schools and homes for children with developmental disabilities, the rule is to have the duty caregivers present all the time during the children's stay in the computer rooms, and the use of internet by these children is fully controlled. According to their internal arrangement, the employees and the children cannot be friends on social networks. For the purpose of prevention of electronic exploitation, they occasionally organize workshops for parents.

It is interesting that the issue of child privacy is perceived differently in different homes for pupils. While some homes carry out permanent control, the teachers supervise them in the classroom, and the computers have different filters for the protection and review of the content, the other homes hold that this type of control would jeopardize the child's privacy.

The participants from pupils' homes state that they regularly communicate with the children and instantly react when they learn about possible problem. In digital classrooms of the homes, there are posted rules for the use of computers and the time limit, and some homes have restrictions or prohibition to access inappropriate contents. There are written rules on the use of computers, so

Internet Child Exploitation

that the time is limited for personal use, while the computers are always available when needed for school duties. They take preventive approach, and if there is a doubt of a danger, the children are encouraged to report the problem to the team for protection from violence, abuse and neglect, to organize discussions, establish successful cooperation with the pupils' parents.

The prosecutor's offices do not have direct experience in the field of digital violence. Their role is not preventive, but they take actions only when a crime has been committed, and even then they forward the case to the Special Department for Combating High Tech Crime.

According to the respondents, situation in the police was similar as regards exploitation of children through information and communication technologies, because they react only when the injured party reports the case. The preventive work is not under the police competence, and representatives of one police administration stated that they organized lectures for five-grade pupils in the field of safe internet use.

Out of all focus group participants including experts dealing with children, only one participant heard of the terms sexting and grooming, and only three of them heard of the cyber-bulling. However, nobody could give a clear definition of these terms. The other participants have not heard of any of these three terms so far, and some of them thought it was a pun or manipulation with terms and phrases.

School representatives who participated in group discussions shared their practical experiences with other participants, involving exploitation of children through information and communication technologies. They mentioned an example when one pupil posted a link on the official school site referring to a group formed to collect money for a girl (pupil) in order to take a bath. The school instantly informed the girl's mother, the police and the school inspection. In this case, the police administrations and the school inspection did not react, but the school initiated the only adequate mechanism of punishment, that is, disciplinary proceedings, which ended with a settlement. The referenced group allegedly apologized to the girl in public. The social welfare centre was not involved in this specific case.

Internet Child Exploitation

The pupils state that sometimes during classes, pupils record each other while answering a lesson, or post inappropriate photographs on social networks. That's when the school team for the protection from violence, abuse and neglect interferes and tries to resolve the problem in cooperation with parents.

Respondents from the social welfare centres indicate that the school quite often reports problem to the centre too late, and that they were not involved in many cases. Some of them stated examples when the guardianship body was involved within its competences.

One girl was photographed with mobile phone by her girlfriend during a school trip while she was taking a shower, and later the photographs were posted all over the town. Although this was meant to be a joke, later it turned into a serious problem. The expert team of the centre carried out advisory work with the families. The support was given by the school pedagogue and psychologist. Parents' meetings were organized. The cooperation with other bodies was not established.

A sixteen year old girl, who was previously insulted and physically punished by her class mates, allegedly due to her sexual orientation, later sent offensive messages to everyone via Facebook network. According to expert staff, this action was a revolt by a victim of peer-violence. Advisory work was carried out with the entire class as well as individually with the girl and her parents.

The children in pupils' homes, as the staff states, often ask advices from them. There were no cases of electronic violence, except in one home, where one girl inmate gave her profile password to her boyfriend, who used it to insult her girlfriends.

There were no cases of serious digital violence in the homes for children without parental care. The focus group participants state that there were some cases when users invaded each other's profiles on social networks. For example, one boy sent messages with offensive language from another person's profile. In these cases, the staff working in the home first talks to children or impose sanctions in terms of time limit for the internet use.

Representatives of the prosecutor's offices note that the major problem they often face is the impossibility to obtain evidence in the proceedings even when they have information on a

Internet Child Exploitation

committed electronic violence. As an example, they say that there were cases when children got threatening messages from their peers who wanted to extort money from them. There are also examples of hoax bomb calls, which are usually reported from telephones of other persons. One case of abuse of false profile was forwarded to the Department for High Tech Crime. A case when a group of minors maltreated their peers and took photos and videos of the incident and then posted it on internet was processed and an institutional measure was ordered. According to respondents from the prosecutor's office, the child's interest is threatened in the investigative procedures also when media publish information and photographs of the crime scene prior to the crime scene investigation.

Representatives of police administrations gave a few examples of electronic violence from their own experience. The first case involved two girls who took photographs of each other in underwear, in apartment of one of the two girls. Since one photograph was saved in the phone, a girlfriend of theirs who saw the photograph posted it on the internet. The news about the posted photograph spread fast and even reached the girl's parents. According to the police representatives, although the case involved a girl of rather unrestrained behaviour, now she suffers serious consequences because she has to deal with constant ridicule and insults. The girl who published it will be punished, and when the injured parties were advised to file criminal complaint, they were indecisive. Another case involved a recorded fight in a secondary school, which was seen by the entire town. It involved the fight of two pupils while about 30 other pupils watched it. Misdemeanour proceedings were instigated due to this fight. The school director ignored the entire incident, making excuses that he did not have information about that.

Another example involved a fight at a private party, which was recorded by a girl, while others watched it. Parents do not want to admit that they do not have enough control over their children and do not take seriously incidents of this type. Representatives of the police administration claim that they have a good cooperation with the social welfare centres. Another example of a processed case involved sexual abuse of twins with developmental disabilities who were abused by their roommates in their pupils' home. The case was reported by their mother. According to allegations, the roommates recorded the incident. The case was processed, and the offenders were

Internet Child Exploitation

ordered institutional measures. It is interesting that the pupil who initiated the violence had been proposed as a candidate for the best pupil of the generation.

There is a case of a girl who recorded sexual intercourse with her boyfriend, and later her girlfriend published the video which was seen by the entire school and the village. There was also a case when fifth grade pupils from two schools scheduled a fight on the social network. The duty teacher reacted and reported the case to the police, but bearing in mind the age and the criminal liability (or absence thereof) of the participants in the fight, the case report was just forwarded to the prosecutor's office and the social welfare centre. A police representative told about another case when a minor announced suicide on the Facebook. The police, in cooperation with the school pedagogue, parents and the social welfare centre, reacted in time and prevented the tragedy.

Prosecutor's offices, police administrations, police stations and social welfare centres have established procedure for the cases of electronic violence, and they mutually exchange information. All representatives of these bodies hold that their mutual cooperation is successful and functional.

Other participants in group discussions including representatives of the pupils' homes, homes for children without parental care, institutions for children with developmental disabilities, Provincial administrative bodies, schools and school administrations, state that there are no mechanisms of formal cooperation with other institutions when it comes to electronic violence phenomenon. Each institution acts within its competences and authorizations in trying to solve a problem, and when found necessary other competent institutions get involved in the case.

All participants were asked to give recommendations based on their professional experiences in relation to the problem of children exploitation through information and communication technologies, for the purpose of better understanding of the problem and more efficient approach to the problem, that is, the prevention and protection of children from possible abuses.

The *police administration* representatives recommended the following:

- It is necessary to amend laws, to qualify the internet exploitation as a criminal offense prosecuted ex officio;

Internet Child Exploitation

- Legislative changes in relation to minors should include lower limit of criminal responsibility;
- There is a need for staff changes, so that each police administration and police station has a work post for expert in high tech crime.
- Upgrade technical tools.

Representative of the *school administration* holds that it is necessary to organize training and seminars for directors, teachers and parents, as well as to introduce continuous exchange of information. Changes in legislation and competences cannot be a prerequisite for action, but each institution should act within its competences to intensively and continuously work on the prevention of digital violence.

Schools believe that the systematization should cover a work post of administrator who would monitor the school network and educate the employees and the pupils. It is also necessary to introduce IT science as a mandatory teaching subject in schools. Additionally, each school should have a media librarian, who would give a great contribution to the school prevention of digital violence.

The *social welfare centres* gave the following recommendations for the purpose of better protection of children on the internet:

- Prevention and education of all participants in the protection mechanisms;
- Organize public discussions, encourage youth activism;
- Better inter-institutional cooperation.

Representatives of the *AP Vojvodina Government* gave the following recommendations:

- It is necessary to ensure stronger links between all participants;
- Legally regulate duties of responsible individuals in relation to actions to be taken;
- Education and prevention are essential and require the use of existing resources (i.e. IT experts in schools should explain to the parents the internet protection programs and mechanisms);

Internet Child Exploitation

- Find system solutions at the national level in order to use all the positive sides of the internet for the purpose of education.

Representatives of the homes for children without parental care believe that it is necessary to establish counselling centres in local communities, while a *prosecutor's office representative* recommends the following:

- Lower the age limit for criminal responsibility of minors to 10 years;
- Change the regulations to initiate proceedings ex officio;
- Permanent control of the work and conduct of experts who work with children aimed at the safe use of internet;
- It is necessary to introduce training of both experts and children to decrease the risk of abuse through information and communication technologies.

Recommendations of *representatives of the pupils' homes* in relation to the prevention of internet violence against children are the following:

- Establish network of all relevant institutions;
- Render regulations specifying the procedural actions of all competent institutions;
- Preventive work and continuous education of parents, children and caregivers;
- Ensure protection on the internet within information technology which should be a mandatory teaching subject;
- Improve inter-sectoral cooperation, and specify which experts and institutions are responsible for taking actions in the cases of internet child abuse.

Institutions for children with developmental disabilities see the solution in preventive work, continuous education and stricter educational policy.

Representatives of the civil society organization dealing with the prevention of ICT child exploitation

Interviewed representatives of the civil society organization (CSO) dealing with the prevention of ICT child exploitation, for the purpose of this research, included two coordinators¹³ for the prevention of violence and abuse at the *Centre for Prevention of Deviant Behaviour among Youth – Target from Novi Sad*. The Centre for Prevention – Target was established in 2008 and deals with the prevention of violence and abuse of children and youth. Since 2010, the Centre has dealt, in particular, with the ICT violence, which is defined as a type of violence by the two collocutors. In this organization, there is also the *Counselling Centre for Parents and Children on the Safe Use of Internet* in Novi Sad. The Counselling Centre was opened in early 2012. This was the first centre of this type in the Republic of Serbia. In addition to the office for providing professional assistance to general population, education and counselling, the Counselling Centre is envisaged as a link between all institutions dealing with the problem of so-called virtual violence.¹⁴

The collocutors claim that their organization is the only in the AP Vojvodina specialized in the activities related to ICT violence against children, and one of the few organizations with this profile in the Republic of Serbia. After five years of work and numerous activities in schools, which primarily included educative, informative and research activities in Novi Sad as well as in the territory of AP Vojvodina and the Republic of Serbia, this Centre has already been recognized as a reference organization dealing with the prevention of virtual violence against children.¹⁵ In

¹³ **Biljana Kikić Grujić** (39), program coordinator, expert in criminal law; she has worked actively with the organization during the last five years, that is, since its establishment. Her deputy **Ivana Šobić** (26), psychologist by occupation, joined the organization about two year ago. The interview was conducted on 8 February 2013, on the premises of the Target Centre, at No.7 Trg mladenaca, Novi Sad.

¹⁴ Electronic violence, digital violence, cyber violence or cyber abuse, etc. are also used as synonyms for this type of violence which includes the use of computers, mobile phones or other contemporary means of communication with internet access.

¹⁵ From among the partners who supported their activities, except the City of Novi Sad, they single out the Provincial Secretariat for Education, Administration and National Communities; international organizations Save the Children and UNICEF, as well as the Ministry of Education, Science and Technological

Internet Child Exploitation

addition to the research conducted with primary school pupils in Novi Sad, and over 500 workshops for children, parents and experts dealing with children all over Serbia, this Centre made a step forward and accredited its seminar with ZOUV¹⁶ titled “Violence and Abuse of Children through ICT”, which is intended for psychological and pedagogical services and school teams for the prevention of violence, teachers and directors.

According to our collocutors, the ICT exploitation of children is the following: any type or form of criminal offense existing in the real world, as well as anything good or bad existing in the virtual world. This includes exploitation of children through various forms of ICT abuse (i.e. online seduction, paedophilia, different groups and associations, internet exploitation of children for pornographic purposes, access to unpermitted and harmful contents, peer violence, internet trafficking in children, etc.). Quite often, people do not understand how someone can perform any type of exploitation through internet, so they need to be explained that internet is just the means that those people use to exploit children and get easier access to children. They mentioned paedophilia as an example, because it is the most common form of exploitation mention in the public, which existed even before the use of internet. Internet offers safety (to offenders), easy access to the victim, and a possibility of impersonation.¹⁷

As a key problem within this context, the collocutors point at the raising of awareness, not just among children, but also among parents in relation to the ways how a child can become a victim while sitting in front of the computer in his/her room. Parents do not consider that their children have several hundreds of friends on social networks, that there is a possibility of impersonation, and that it is very hard to know for sure whether someone provided false or true identity. Under the “home” circumstances, it is not possible to verify someone’s alleged age or gender stated in the profile on the internet, and at the point of verification the person may already be a potential

Development, Ministry of Interior or SBPOK (Service for Combating Organized Crime) and the Ministry of Telecommunications and Information Society of the Republic of Serbia.

¹⁶ Institute for the Improvement of Education and Upbringing.

¹⁷ The collocutors state that another word for paedophilia used among experts is online seduction or virtual seduction, because the Internet user does not know the person he/she communicates with. Pedophils are also called predators, and they say that grooming or the period required to make a victim of a child lasts between one and two years.

Internet Child Exploitation

victim. *According to our collocutors, this is something that children do not understand: to go for a meeting with a person presuming it is a peer you “socialized” with on the internet “may be life threatening”.*

When asked about internet, both the parents and the children provided identical answer: Internet equals Facebook, that is, the purpose of internet, as they see it, is the communication through social networks.

*Our collocutors assess that the **awareness about this matter is extremely low** among children, as well as among teachers and parents and the general public. The reason is the fact that the expansion of internet use among children in our society began as late as about 15 years ago (it expanded during the last few years), primarily due to globally increasing popularity of social networks.*

During their educational activities, the collocutors have pointed out to parents and children that social networks, as such, have extremely useful and interesting features, but only if used properly and safely. *However, people in our society use a wrong approach to these networks, from the aspect of their proper use and personal safety of the user. The terms of use are similar in all networks and available to all users, but in over 500 primary and secondary schools in Vojvodina and Serbia included so far in the activities of the Target Centre, not a single child between 11 and 19 years of age read those terms of use. During the research of the ICT violence and abuse conducted by this Centre in primary schools in Novi Sad, 76 % of children stated that they experienced some kind of internet violence.* The terms of use of social networks clearly state, inter alia, that the network will not take responsibility for the abuse of personal data, photographs, etc, and everything posted on the internet will always remain on the internet. Private profiles in these networks are personal, however they are part of the “public space”, so that the information posted in such space (although the space is “virtual”) is subject to the same rules and may be abused and sanctioned as is the case in the real world.

“Internet has become a natural environment of a child” stated our collocutors. Nowadays, children are born in the environment offering various ICTs and their advantages. On the other hand, parents must get used to that, as they did not face the phenomenon of omnipresent ICT in their

Internet Child Exploitation

childhood. Parents all over the world start “living their first virtual youth” in their adulthood. In technologically developed countries where this phenomenon was recognized earlier as a very significant factor for the development and protection of children, i.e. countries of Western Europe, there is a developed system of the education of teachers, parents and children on the proper use of ICT and possibilities for the protection of children and all other users from this type of abuse, while it does not exist in the Balkan region (during the last few years Bulgaria did a lot within a project of the Safer Internet Centre).

The legal and strategic framework regulating the issue of child protection from ICT exploitation is inadequate, that is, insufficient, according to our collocutors, in terms of insufficiently specific provisions regarding this type of child exploitation, wherefore Serbia does not have a special regulation on the protection of children from ICT exploitation. The Criminal Code has one Article mentioning the means of electronic communication exclusively in the context of pornography. However, this is just one form, a way and possibility of internet child exploitation.

The Centre also works with parents. The Centre states that parents are not aware of the phenomenon of ICT child exploitation and its implications, regardless of whether they live in urban or rural area. Even if they heard something, it was usually on ad hoc basis, when they heard from media about arrests related to the distribution of child pornography, and the “issue is topical for two days, and that’s it”. Parents do not understand what this type of “distribution” involves: the suspects used ICT, meaning that they first collected photographs on the internet. Wishing to share their joy due to their newborns or a nice holiday with children, parents post these photographs on the internet and thus make them available to unknown individuals. In doing so, they do not consider that it is the same as if they called unknown persons in their homes to see their personal photo albums, to take photos they like for some reason, and later to do with the photos whatever they want.

In December 2010, a few Republic ministries¹⁸, under the auspices of the international organization Save the Children, gathered a group of experts in order to develop the Action Plan

¹⁸ Ministries competent in the field of education, health, social protection and internal affairs. The Target Centre participated as a CSO in this process.

Internet Child Exploitation

for the Prevention and Protection of Children from Exploitation in Pornography. According to our collocutors, only a draft was developed, that is, the document was not discussed later, nor was it adopted.

Activities of the Target Centre are focused on the school children of all ages: from fifth to eighth grade of primary school, secondary school pupils, and a year ago the Centre also started working with first grades of primary school. The reason is that the age limit for the use of social networks is reducing, and they had the opportunity to see eight year old children in second grade of primary school who have profiles on these networks and, as the collocutors say, “already live their virtual lives”.

Children do not have enough life experience in order to be able to realize that the posting of photographs on the internet is a (real or potential) problem, but what raises more concern is when the parents and teachers are not aware of that, and they are the ones who should warn the children of such phenomena and help them to protect themselves. *Another detail that causes particular concern is that many children stated that should they face a problem on the internet they would not tell their parents, for two reasons: the first reaction of parents would be to “turn off or cut the internet use” (i.e. prohibition), and the second reason, according to children, is because they “do not want to disappoint their parents”, that is, they do not want to fail to meet their parents’ expectations.* The collocutors think that a great problem arises when children believe that when they face such a problem, they are not free to talk to their parents for some reason, or to seek help from competent institutions, through their parents, because it is unrealistic to expect that children would be able to resolve the problem independently without consequences.

According to our collocutors, the role of CSOs in the prevention of ICT exploitation of children is to draw public attention to the issues of social interest, that is, to recommend that the society, first of all relevant institutions, place more focus on these issues, or to find some other purposeful way to deal with this matter from the aspect of protection of the rights of the child. In addition to the fact that the civil sector often applies innovative and creative approaches to seemingly less significant issues, which is why the society is often denied of these topics, CSOs in our society are the ones who should point out to decision makers and law makers about a problem in the society,

Internet Child Exploitation

as well as of (another) ways for resolving the problem. The CSOs specialized in certain topics and areas also offer specific services that give an example of how specific problems can be resolved; however, when it comes to issues of wider social interest, it is important to address them systematically, whereby all participants in the process – both institutional and non-institutional – should take part in the resolving, prevention, and protection of vulnerable social groups, in accordance with their competence and possibilities.

In the context of ICT exploitation of children, it is most important to point the children and parents to the existence of this problem, primarily from the aspect of protection. The most efficient way to do that is to talk directly to children and parents about the matter and give them specific information how to use ICT safely, how to protect themselves and where to seek help in case of a doubt about any form of abuse. The purpose of this approach is to teach the children and parents how to recognize a problem they face with the ICT and how to react to the problem, and not to intimidate them or create an impression that they are guilty for experiencing the abuse or violence by means of something that just recently became the part of their lives.

The collocutors find it extremely significant that children speak frankly during the workshops, ask specific questions and describe their experiences about this matter, which most often involve sexual abuse among older children. Concerning the specific actions of the Centre in relation to the ICT exploitation of children, our collocutors gave example of a secondary school pupil attending the second grade, who is a member of the LGBT population. His profile on the social network was hacked and an unidentified person invaded his communication with friends. This boy originates from a small community. He said at the workshop that he would kill himself if the Centre does not help him. In addition to the boy's evident problem with ICT, it seemed that he had serious intentions to commit suicide. The team from the Centre talked to him for hours. The boy paid visits to the Counselling Centre, his internet profile was restored, and in the meantime he was trained how to protect his profile data. Based on what our collocutors said, during their conversation, the boy found it the most essential to learn that he should not post on the internet or share electronically the information he did not want to disclose. In the end, the boy sent a gratitude message to the Centre saying that the collocutors "saved his life". They believe that this is "the meaning of this job": on one hand, to enable a person to independently recognize his/her

Internet Child Exploitation

problems, the ways to resolve them, where to seek support, as well as to do a job of a wider significance that can provide concrete results.

Another example involved a group of children which in the end of summer holidays created an internet group called "Who hates (name of a girl)". The girl came home and told her parents that she no longer wanted to go to school, because the "entire school hates her". The children from that group posted on the internet various fake photographs, as well as a price list of sexual services allegedly offered by the harassed girl. Her parents talked to the school, but the school did not know what to do. The parents then addressed the police, and the department for juveniles in the respective police administration took the case. They also called the Target Centre to get involved. After two conversations with the children, the problem was resolved. The person who created the group on the network was identified, and the entire process was discussed with the children. The most important thing is that the children were explained the long term consequences of this behaviour. The internet group was terminated, and the psychology and pedagogy unit later informed the Centre that the children apologized to the girl whom they had harassed, because they were not aware of how their "jokes" affected her.

Particularly in the cases of peer violence through ICT, the collocutors believe that it is the most important to talk to children during their work, and through the children, to talk to parents and teachers, explain them that the consequences of such a case, which had been intended as a joke, may be long-term and tragic, from hurt feelings of a victim to suicide (attempts), which can eventually also hurt the offenders.

When it comes to ICT violence, the most important is the prevention, i.e. it is necessary to talk about the issue and learn to identify the problem, protect oneself and whom to report potential violence prior to its occurrence, primarily because it is still a new phenomenon in our society. In this way, the matter will not be addressed only when a tragedy occurs, at a point when individuals, institutions and the society can no longer influence it.

Cooperation between the CSOs dealing with this matter and the internet providers is sporadic and based on projects. As an example, they mentioned activity during which Telenor supported a series of workshops mediated by the Ministry of Telecommunications and Information Society in

Internet Child Exploitation

2009, as a part of the Ministry's project "Click Safely". At the time, the Centre held workshops in Vojvodina schools. Since then, they have not cooperated with any providers, because the programs of small CSOs are quite modest, which makes them less competitive in relation to the participants with more own resources intended for the project.

The collocutors assess that the greatest challenges and obstacles in the work of CSOs such as the Target Centre are related to the "lack of understanding by institutions and the society in general concerning the problem we face". This means that the ICT exploitation of children already exists in Serbia; that a problem is most often identified in schools, because most children go to school, and that the schools and parents, who most often address the Centre, do not know how to act in the cases of ICT violence. They note that it is not only the children who are the victims of various forms of ICT violence.

This lack of understanding is also reflected in inter-sectoral (lack of) cooperation. Even the CSOs that, to a certain extent, became recognized in certain topics and deal with the interests of vulnerable social groups or topics (in)sufficiently covered by institutions, face serious obstacles in inter-sectoral cooperation. As an example, the collocutors mentioned the premises that the City of Novi Sad ceded to the Centre and the problem of landline telephone that has not been established even after the one year of work of the Counselling Centre, and it is still uncertain whether it will be free-of-charge for the users¹⁹. This approach raises the issue of sustainability of all CSOs dealing with specific social phenomena, like this Centre, as well as of purposefulness of the activities undertaken at the instances that (may) act systematically. This issue is even more topical in the cases of ICT exploitation of children, i.e. in other types of violence or HIV and AIDS, since this phenomenon will not "disappear" by itself. On the contrary, should this phenomenon be ignored, its negative consequences will be more and more visible and detrimental, and its removal

¹⁹ Although the Centre is located in the very centre of the town, its premises are on the fourth floor, in the attic, and there is no elevator. Entrance to the area is at the end of the yard. The Counselling Centre office is at the very end of the corridor and can be reached through several winding hallways without natural light and many stairs. The issue of utility bills payment has not been resolved yet, that is, it depends exclusively on projects.

Internet Child Exploitation

would require far more social resources; however, at that point it will be too late for the prevention.

The Ministry of Education, Science and Technological Development is essential in this process, as it is necessary to include the protection from electronic violence and practical training in this issue in the regular educational program as a part of Information Technology subject, whereby the issue should be addressed more extensively, and not only during a single teaching class as currently the case. The topic of electronic violence against children should be included as a mandatory subject, to be addressed once a month and during homeroom classes for all ages. The only solution for a continuous and efficient dealing with the issue and its prevention is to constantly talk about the issue, both with children and parents, as well as with the teachers. In the countries of Western Europe, the electronic violence is discussed every school year at all ages, as long as the children attend the school, because the information thereof should be repeated as the children grow, to make them understand and recognize the issue properly, learn how to use properly ICT, know to protect themselves and seek help when needed.

The lack of awareness about this problem is also reflected in the fact that competent institutions such as schools and social welfare centres do not have persons trained in the field of prevention of ICT violence and work with the victims. The lack of connection between these institutions and their actions is also reflected in these cases. There is a great problem in the fact that school protocols for actions in cases of violence treat the electronic violence just as one of (marginal and rare) forms of violence against and among children, instead of treating it as a problem to which children are mostly exposed nowadays.

In the context of schools, the collocutors particularly note the insufficiently identified ICT violence and absence of school teams' reactions when the violence occurs. As regards regulations governing this matter, they note that the major problem is that relevant regulations and documents are not being implemented due to the insufficient recognition of the problem, despite the fact that the country and its institutions and establishments as parts of the system ratified different conventions and protocols on the rights of the child and thus undertook to comply therewith, as the lack of awareness of these documents does not justify the lack of action by the competent bodies. Moreover, the experience of the collocutors in the schools in Serbia as a

Internet Child Exploitation

country following the latest trends in the use of different ICT (computers, mobile phones, etc.), it appears that many teachers view the electronic violence against and among children as a private problem. The collocutors claim that during their seven accredited seminars for teachers, they learned that *in 70% cases the teachers did not recognize their legal obligation to react in the cases of electronic violence*, and that even the members of the school teams for combating violence were not able to clearly identify and grade certain types of violence defined in the reference manual.

According to our collocutors the institutions dealing with children and their protection (educational, social, health, police) play the key role in the improvement of work in this field and the prevention of ICT exploitation of children. In addition to the recognition and identification of this phenomenon in relevant regulations, which requires the raising of awareness about the problem within the institutions themselves, the specific activities should include adoption of relevant laws and bylaws and their implementation.

Media also play the key role in this process. When reporting about the problem, the media should “lay emphasis on education instead of sensation”. It is necessary to develop programs dealing with violence and abuse of children through ICT, because the public must understand this as a new form of violence. The public should also understand that (absence of) action against this form of violence is the responsibility of the entire society, as well as of individuals. Therefore, “each of us has the duty to get familiar with the issue in order to protect oneself”, his/her family and friends, as well as others.

Media reports on cases of ICT exploitation of children

Children, violence, internet and media

Most participants, starting from high school students, their parents, representatives of civil society, to the experts dealing with children, recognized the media as an important factor of information and education of public about children exploitation through ICT. It is evident from their answers given in previous chapters that young people and their parents, but also experts of various profiles, do not consider the internet to be media in classical sense, i.e. it is not comprehended the same way as the so-called traditional print and electronic media, like newspapers and magazines, radio and television. Their answers also indicate that they are aware that the internet, by its nature, (has a possibility) to consolidate manners of functioning of all currently known types of media, and thus to have a kind of cumulative potential of influencing its users. It is evident from the answers of young people and adults who participated in this research, in accordance with their age and life experience, that they recognize and clearly identify both good and bad sides of above-mentioned media potential of the internet. However, in the context of the media and their reporting on children exploitation through ICT, their attitude that children and young people equalize computers primarily with the internet and – mostly very uncritically – with entertainment which is available in that way, is of exceptional importance for this research.

Analyses of media reports in Serbia on various types of violence against children²⁰ agree that the media, although very interested in reporting on social occurrences and problems related to children, i.e. to violence of their rights, most frequently do that in a way which is – at least – not in accordance with ethical principles of the Code of Serbia Journalists.

²⁰ Like the one within the regional project on combating sexual abuse and exploitation of children “Pandora’s box” available on www.pandorasbox.rs, which deals with reports of print media in Serbia on this subject in the period 2009-2011 or monitoring of print media on violence against children in schools which was done during the second half of 2012 and analysis jointly made by UNICEF and UNS.

Internet Child Exploitation

Reasons for that should be sought primarily in the conditions of market economy in which, in simplest terms, the profit of the media depends on sale, i.e. viewing figures. The selection of topics and manner of professional processing of those topics, as well as the messages being sent to public this way, are mostly second priority in such conditions.

Analysis of media texts on ICT exploitation of children in the media in Serbia during 2012, which follows in this chapter, showed that during 2012, the media in our country first time intensively dealt with the subject of so-called electronic, i.e. digital violence against children in December, only after the results of research on occurrence of such cases in elementary and secondary schools were published.²¹ Information on this type of violence against children in the media can mostly be found only indirectly, i.e. in the context of reporting on a different type of violence, like peer violence, sexual or domestic violence or human trafficking.

Access to the “invisible” in the media

The basic research question on which the analysis of media contents in this research is based, is following: What messages does the public get in regard to ICT exploitation of children, i.e. electronic violence against children? From a methodological point of view it is important to stress that the focus of the analysis was primarily the impression that analyzed content gives, i.e. (explicit and implicit) messages being spread in public, rather than their form and manner in which they are sent, on the media through which they were sent to public and the territory in which they were distributed.

While creating a point of view regarding the scope and details of the analysis of contents for the purpose of this research, there was a tendency to observe the texts in the corps, in conditional terms, in the view of wide, layman public, which does not have many information on ICT exploitation of children, or thinks about the ideological level of media discourse.

²¹ Research was jointly conducted by UNICEF Serbia, Ministry of Education, Science and Technological Development of Republic of Serbi and Telenor Foundation. First results of this research are presented at the conference in Belgrade, on 13 December 2012.

Internet Child Exploitation

Access to selection of research corps, i.e. media texts, was also unusual. The initial corps was taken from the press clipping base of the institution of Provincial Ombudsman,²² but after a preliminary review of its contents, it was decided that the corps will be extended also to the clipping base available on the website of the above-mentioned project “Pandora’s box”. This approach was applied due to the fact that, during the review of the initial corps, it has been noticed that violence against children through ICT in media texts is often not in their primary focus, i.e. it is located “in the shadow” of other types of violence against children, which was already mentioned. Therefore, extended corps is made of 203 media texts published during 2012 in both above-mentioned sources relating to various types of violence against children, while the narrow corps includes 110 texts selected from the extended corps, which in any way relate to (i) electronic, i.e. digital violence.²³ Relative uniformity of the content of (extended and narrow) corps for the purpose of this research was ensured through the use of written materials published on their websites, especially in the case of electronic media²⁴, and in exceptional cases, for the purpose of explanation, transcripts of radio and television broadcasts were used, mostly of broadcasts which contain statements of various stakeholders.

The corps includes a total of 38 print and electronic media²⁵ with various levels of coverage and sale records, and their profile ranges from the so-called serious, via semi-tabloid, to tabloid media.²⁶

²² For the purpose of this research, additional media texts from print and electronic media were provided by the Agency for monitoring and analysis of media contents “Nina media” by the key phrase “Exploitation of children on the internet”

²³ Through the internet, mobile phone, or other electronic means of communication.

²⁴ Radio, television, and internet portals.

²⁵ The list of media in corps (in alphabetical order): 24 sata, Akter, Alo, B92, Beta, Blic, City Magazine, Danas, Dnevnik, Fonet Glas javnosti, Informer, Kopernikus, Kurir, Mondo, Narodne novine Niš, Nezavisne novine, Novi magazin, Novine novosadske, Novosti, Personal magazin, Politika, Pravda, Press, Radio 021, Radio Beograd 1, Roditelj & dete, RTS, RTV, San, Smedia, Studio B, Telegraf.rs, Trojka, Večernje novosti, Vesti online, Vreme i YU Eko.

²⁶ In the sense in which this is stated on page 95 by Prodanović in Valić-Nedeljković, D. ur. (2011) „Media Discourse of Poverty and Social Exclusion”. Philosophy Faculty, Novi Sad.

Internet Child Exploitation

All media texts were analyzed with support of a special code list representing a version of standard code for analysis of contents in print media, adjusted to the subject of this research. The above-mentioned code list contains three basic groups of data on media texts which provide for a valid quantity and quality analysis of their technical and contents aspects relevant for this research (e.g. headings under which the text was published, whether it was published on the cover page and signed, the area of life to which this subject relates, most frequently used words and expressions, types of violence and stakeholders mentioned, as well as the quality of the text itself from the aspect of objectivity and best interest of the child).

The obvious and “between the lines”

What was conspicuous during the first review of extended corps was the fact that the media in Serbia report at least once in average two to three days (203 texts in 2013) about some type of abuse or violence against children, most often sexual one, while ICT exploitation of children is being reported at least once every three days in average (110 texts during 2012). Texts on violence against children find their place under as many as 30 different headings, and over 73% of texts (149 of 203) are being published as extended news or a short text in the chronicle.

The authorship of almost 78% of these texts is not transparent (i.e. in 152 texts there is no signature of the author, signed with initials or as an editorial office, or it is stated that the text was taken over from some other source), and 70 texts (over 34%) is announced on the cover page as well. During the search by key words, the texts on electronic violence against children are most frequently listed under the words “children rights” (30%, i.e. 33 out of 110), “children exploitation on the internet” (18%, i.e. 20 out of 110), and “domestic violence” (3%, i.e. 4 out of 110), as well as under “education”, “social issues”, “gender equality”, “persons with disabilities”, etc.

The types of violence which are being mentioned most frequently in the texts of the wide corps are following:

Table 6. Types of violence in media texts in wide corps

Type of violence	No. of texts	%	Type of violence	No. of texts	%
Peers	33	16	Message	28	14
Paedophilia	167	82	Video / movie	45	22
Domestic violence	16	8	On the computer	110	55
Incest²⁷	25	12	Others*	65	32

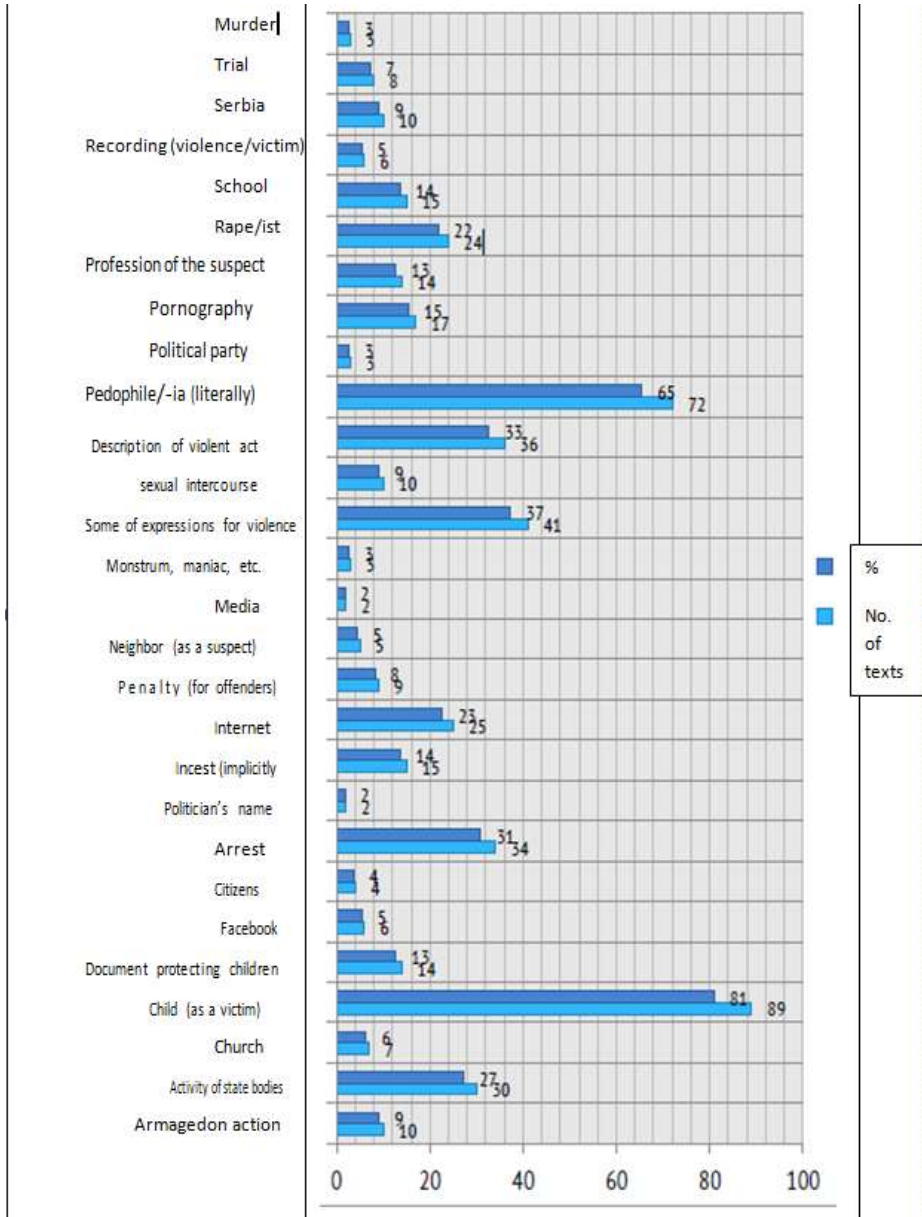
* (Photographs, human trafficking, various subjects and manners of child abuse, which cannot be listed under any of above-mentioned types).

By analysing the frequency of certain words or descriptions (actions) represented in the titles of texts in wide corps, it is visible already at the first sight which type of violence against children is the most represented one in the media in Serbia in 2012:

²⁷ Perpetrators are exclusively men.

Internet Child Exploitation

Chart 1. The most represented words or descriptions (actions) in the titles of media texts in narrow corps



Internet Child Exploitation

It is concluded from the titles of the texts on violence against children, based on the data from the Chart 1, that in the media in the corps, children are primarily shown as victims of paedophilia, i.e. sexual violence or pornography, out of which rape or sexual intercourse are most frequent. In this context, internet and Facebook are only seemingly secondary means. However, it was established through additional analysis of texts that the violators use the internet and mobile phones mostly in two ways: in order to reach their victims or to keep them in fear and submission after the violent act has been committed.

Various expressions for violence (e.g. sexual intercourse, blackmail, abuse, kidnapping, etc.) are mostly used when there is a tendency to use more objective, politically correct wording, or quotation of legal provisions relating to felonies for which the suspect will either be or already was processed by authorized bodies. The suspects are mostly immediately qualified as violators, i.e. as persons which unambiguously committed the act that they are being suspected of,²⁸ while state bodies are mostly involved in bringing those persons to justice, mainly by arresting them and bringing them for hearing by the investigative judge.

Electronic violence under magnifying glass of the media

By analyzing only the narrow corps which includes 110 texts that deal with (i) electronic, i.e. digital violence in any way, which involves use of computers or mobile phones, it came out that the perpetrators of this type of violence, i.e. the violators in the texts in the corps, unless it is about peer violence among children and young people, are exclusively adult men, mostly between the age of early adulthood to early 70-ies. In one single recorded case, where perpetrators were women, those women were high-school girls which lured her school friend through Facebook to come to their place, and physically assaulted and molested her.

Children are by the rule being mentioned in all texts as victims of this type of violence. Girls as

²⁸ And whose involvement is still to be proved – whether somebody likes it or not – in accordance with valid principles of human rights and regulations.

Internet Child Exploitation

victims are mentioned in 25% of the texts (i.e. 22 texts), and as many as 91% of victims are older children 6-10 years of age and teenagers 11-15 years of age. More or less explicit mentioning of children age in the texts is shown in the table below:

Table 7. The age of children in texts

	Baby	Small child	Older child	Teenagers	Adolescents
Number	6	23	36	64	11
%	5	21	33	58	10

Although they are being explicitly mentioned in only 34% of texts (i.e. 37 texts), as the most frequent indirect stakeholders in the cases of electronic violence against children, parents are by the nature of the subject always being implied in those texts. General image which is being built about the parents on the basis of texts in the corps is that they feel helpless, that the other stakeholders see them as such, and that they are even ashamed of the things that happen to their children. Children confide in them rarely, and when they do it, parents most often immediately turn to police, especially in cases of peer violence. However, in cases of sexual violence, which is a “disgrace” of the family, but exceptionally attractive subject to the media due to its nature, one may see from such texts that male family members, and even the fathers, are often violators themselves, while mothers in such cases are presented as helpless, secondary victims, and even accomplices in the violence, because they did not react to the violence in time. It is evident in many texts that there is more than one child in the families where the violence occurs, so that the other children, along with parents and family members living in the same household, become secondary victims. It is important to mention that stating the names of the parents or family members of the violated child in the media is mostly the way in which the identity of that child and/or his/her family is being disclosed, which stigmatizes them additionally due to the nature of the subject that brought them into the media, especially in small towns.

Indirect stakeholders, which are being mentioned most often in the media in the context of children exploitation through ICT, are shown in the table below:

Table 8. Indirect stakeholders in the texts

Stakeholder/-s	Number	%	Stakeholder/-s	Number	%
Peers	42	38	Prosecutor’s Office	18	16
School	40	36	Court	42	38
Police	84	76	Media	14	13
CSR*	6	5	Others**	65	59
Health institutions	9	8	* Social welfare centre.		

** Various other state institutions, international and local organizations and business societies, individuals (especially public persons from the sphere of state administration on various levels), as well as representatives of local community (e.g. intimidated neighbors, courageous citizens, astonished family members, all of which have a role in a certain way in the “people’s voice”).

The police are mostly mentioned due to the nature of the act, due to the fact that the victims usually turn to police first requesting protection, as well as due to the fact that electronic violence in the texts of the corps is being mentioned in cases in which there is a suspicion of paedophilia,²⁹ which is also indicated through the data given in the table no. 8 shown above. Courts are mostly mentioned in the context of enforcement of investigation procedure, collection of evidence, trial, verdicts, i.e. changing the sentences, and prosecutor’s offices are being mentioned in the context of qualification of the (criminal) act for which the court procedure will be initiated. The fact that other indirect stakeholders are often mentioned in the context of electronic violence against children states that they are aware of social significance of this subject relating to violation of rights of one of the most vulnerable groups in the society.

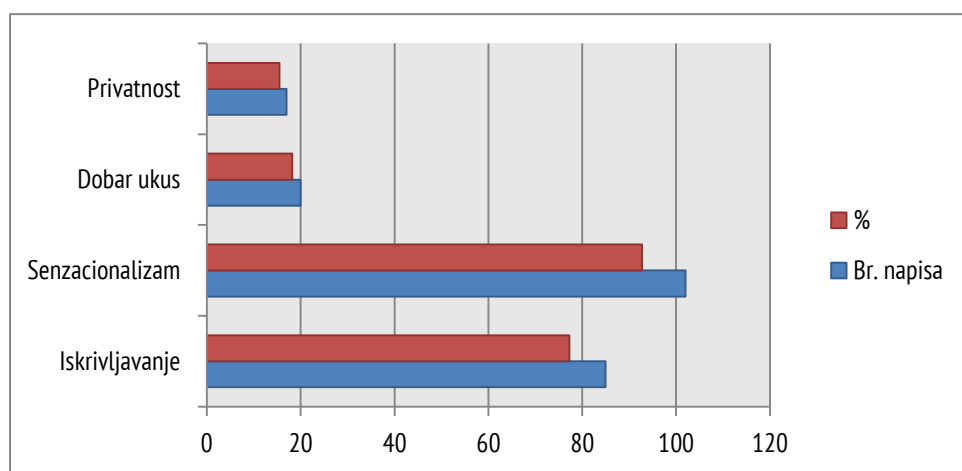
However, depending on whom it is about, the indirect stakeholders use media in various ways for their goals. It is evident that the stakeholders holding the positions of superior social power, although they may seem to be “secondary characters”, are more aware of various levels of media influence and use those media in such opportunities to send messages to public which will make their image more favorable. On the other hand, stakeholders with less social power, although

²⁹ In the sense of Articles 185, 185a and 185b of the Criminal Code of Republic of Serbia.

being equally “secondary” in relation to the victims and violators, are basically only being used: either by the media, in order to make the story as distinct as possible, or by already mentioned influential social stakeholders as perpetrators which implicitly give legitimacy to their actions.

Considering all of the above-mentioned facts, data on the quality of above-mentioned texts shown in graphic no. 2 below, are in this research also not encouraging from the aspect of actual and possible role of the media in prevention and suppression of violence against children and youth, including the electronic one:

Graphic 2. Obeying criteria and principles of quality of media texts³⁰



Privacy – Good taste – Sensationalism - Distortion

Privacy of children is mostly infringed by the media publishing the parents’ names along with the details of investigation, the name of the place or, in cases of cities, the part of the city in which the case occurred. Although the percentage of 15% of texts violating this principle seems small, it is in no way insignificant, considering long-term consequences of violence to children who were subject to that violence, which inevitably negatively affect child’s family, friends and immediate

³⁰ Based on Valić-Nedeljković, Dubravka (2002). „Praktikum novinarstva”. Privredni pregled. Belgrade.

social surrounding. Apart from journalist codes, protection of juveniles in the media in Republic of Serbia and sanctioning of their abuse by the media is regulated by three Laws.³¹

The principle of good taste is mostly violated by the media describing the details of violence against children. For instance, apart from describing the details of attempted rape of a child, which the violator first lured through the internet, the media may imply, by providing excessive details and supposedly objective description of the event, especially in cases involving girls, that the girls provoked the violator more or less consciously, and even intentionally, by posting their summer vacation pictures on Facebook.

From the aspect of sensationalism, the sole nature of violence against children represents the biggest media challenge, especially in cases of criminal acts against sexual freedoms of juveniles. Such acts are completely contrary to basic principles of human rights and their occurrence should certainly be pointed out in every society. This circumstance is beneficial to the media in the sense that its disclosure draws much attention of the public. However, media are also obliged to pay attention to the so-called larger good, meaning to make as little side damage as possible by publishing information, especially if that would involve (additional or repeated) victimization of jeopardized social groups, in this case children.

Apart from already mentioned subject, the texts in the corps of this research are primarily being made sensational by the language and pathetic way of writing which reduces the stakeholders to victims, violators and passive observers which pine away on the edge of general panic due to the sad event, in which individuals do not have any power over the dark side of human nature. Instead of fulfilling their primary duty and informing and educating the public by giving them clear, objective, accurate and checked information, encouraging and motivating every individual user of the media to positively contribute to suppression of violence against children, by reporting in a sensational way in the texts in the corps, the media do exactly the opposite.

Apart from the above-mentioned, the distortion of message in the texts in corps also reflects in the creation of so-called moral panic in the public. By reading these texts, one may get an impression that violators prey children everywhere. While on one hand they prey on the internet and wait for a chance to, according to the texts in corps, reach naive young boys and not naive

³¹ Law on public information (Articles 41 and 42), Law on radio-diffusion (Article 68, Paragraph 5), and Law on publicizing (Articles 72-85).

teenagers through Facebook or mobile phone, lurk them to a meeting, and then assault them, parents, in their blissful ignorance and inability, wait for somebody else to do something immediately now. Although it seems, judging by the texts, that authorized law enforcement and prosecution bodies do their work fast and efficiently, it cannot be concluded from any of the texts, even after reading several times, how and to whom is violence against children being reported, or how the procedure against the suspects for (electronic) violence against children is being led from the beginning to the end.

Behind virtual mirror

Participants of focus groups within this research recognized the media as an important factor in forming the awareness of the public about the issue of ICT exploitation of children, i.e. electronic violence against children. Information and education capacity of the media was estimated as potentially large and significant, but it was concluded in the conversations with focus groups, with regret and even resignation, that entertainment prevails in the media in Serbia nowadays, the quality of which is to a large extent dictated by market oriented business. Under such conditions, it is much more difficult for the media to consistently obey principles of professional ethics and the principles in the field of human rights. However, this can in no way be a justification for situations when they report on subjects relating to severe violations of right of most vulnerable social groups, like children and youth.

The analysis of reporting of the media in Serbia on ICT exploitation of children during 2012 showed that the text on this subject appears in one of the media once in three days in average. Considering the significance of the subject and its implications on children and whole society, as well as the fact confirmed in numerous research materials that media texts on a certain subject mostly represent the tip of an iceberg of large social problems, this data seems troublesome. However, considering the fact that such texts, almost all having elements of sensationalism and to a large extent distorted messages, are mostly being published as extended news and short texts with non-transparent authors in chronicles, one may ask whether it is time for all stakeholders nowadays in Serbia and the region, who deal with children, to ask themselves what is under the surface?

During 2012, media in Serbia reported about electronic violence against children as about something which primarily relates to criminal acts against sexual freedoms which include

juveniles, child pornography or sexual violence against children, and which they automatically named paedophilia. It was evident from the analyzed texts that the persons, later suspected or sentenced for such acts, used the internet and mobile phones for grooming (i.e. recruitment and preparation of children for subsequent sexually motivated meeting with them), for harassment and molesting of children, including “sexting” (i.e. showing pictures or video clips of explicit content), as well as for cyber bullying (i.e. insulting and harassment through ICT), in order to intimidate victims after violating them, aiming to keep them submissive and to molest them again. Cyber bullying was reported in media texts in the corps in several cases of peer violence.

Violators in media texts on electronic violence with sexual elements are exclusively adult men. Such result matches with the data from this research, received from Police Departments and Special Department for combating high-tech crime. Apart from suspects of violence, key stakeholders in these texts are certainly children, young children, and their parents, regularly presented as passive victims of the violator, who are also very often estranged from each other and whose only hope for protection from electronic and related violence against children rests with state bodies. On the other hand, state bodies are shown as powerful and proactive protectors, who arrest, detain and process the suspects, and state their attitude both about above-mentioned procedures and about the state and future activities in this area. However, only in some of the texts one may sense, but not unambiguously conclude, the fact that, for instance, persons arrested or detained for being suspects of violence against children of any type may be released pending trial, after the detention or court hearing. Also, it also remains unclear what type of support and protection during that period is available for the children who were the victims of violence, or to their parents and families.

Even the texts in the corps that were estimated as completely correct according to all criteria of quality estimate are characterized by exceptional criticism, defeatism and creation of an atmosphere of helplessness of all stakeholders, both individual and institutional ones, in relation to the problem that they deal with, which is contrary to what is expected from the media by previously mentioned participants of this research, who are at the same time the so-called consumers of media content. The title of one article in print media about an event taking place mid December 2012 in which the first research about digital violence among elementary and secondary school children in Serbia was presented, a message was sent that the schools in Serbia were safer and that the danger to the children lurks from the internet. In the context of this whole

research, as well as its part on media reporting on ICT exploitation of children, a few more remarks and questions arise.

Republic of Serbia belongs to the first six demographically oldest countries in which only a little more than 50% of households have a computer. Children and parents which participated in focus groups during this research claim that young people are much more computer literate than their parents. The fact that computer users are younger and more skilled in its use compared to (older persons) adults is also confirmed by the experts with whom we spoke, which is logical considering above-mentioned demographic data. All this leads to a conclusion that older generation are consumers of the so-called traditional media and younger people of the modern ones. During the last couple of years, only several sites containing information about the ways of protecting children while they use internet, i.e. sites through which it is possible to directly report cases of abuse and harassment of children on the internet, became available to children, young people, and their parents in Serbia, through several stakeholders, including state bodies. Various information are available on these sites, which just like previously mentioned safer schools, in regard to (electronic) violence against children, do not explain the two key questions: How to report violence and how does the procedure after that looks like? Having this in mind, the data from this research is not surprising, which states that in AP Vojvodina, during 2011 and 2012, a total of 14 cases of ICT exploitation of children were reported, while on the territory of Serbia, judging by the data of State Ministry of Interior stated in the media,³² during 2012, 15 persons were arrested due to “exploitation of children for production of pornography and its distribution on the internet”³³, and “³⁴criminal charges were filed against 63 persons. The victims of paedophiles are most often children on the social network Facebook.”³⁴ From the aspect of (expected) information and education role of the media, the results of the research on the manner and degree in which the media in Serbia in 2012 have passed these information to public, in a socially and functionally completely unconstructive, i.e. sensational and distorted way, are however indicative.

³² Source: http://www.b92.net/info/vesti/tema.php?yyyy=2013&mm=02&nav_id=683708 (visited on 01 March 2013)

³³ Ibid.

³⁴ Ibid.

In a country in which the first association to the media is still mostly newspapers and which on the European level is among the first ones in number of hours which its inhabitants spend watching TV, not one media text from the corps explains following: violence of any type, including the violence against children, is best to be reported to the police. After that, the police inform the prosecutor's office, which then contacts the social welfare centre and court. The court runs an investigation and social welfare center talks to juvenile perpetrators of criminal acts, victims of violence, parents, etc. The center sends its results and opinion to the court, just like the other institutions and offices which collect evidences for the court (police, health care centre, etc.). After that, the court returns all evidences to the prosecutor's office, which qualifies the (criminal) act of violence on the basis of those evidences. After that, a court procedure for this case starts before superior court, and this procedure may take some time, while the suspects are released pending trial.

What is (not) reported to the public?

By reporting on ICT children through in 2012, the media in Serbia reflected social reality in which various stakeholders face this occurrence, but they did not deal with its causes in detail, nor did they essentially deal with its consequences. They have reported on this phenomenon, rather than spoke or informed the public about its nature, which implies that they dealt with it mostly after the violence against children has already occurred. By doing so, they gave their contribution to informing the public about the existence of this occurrence and to clarifying the usual practice of sanctioning the perpetrators of violence against children. On the other hand, their approach to processing this subject in the public increases at the same time the impression that individuals themselves can do and contribute only a little to prevention of (electronic) violence against children without having the system support of state bodies, which is not true. However, something that is not being said even between the lines is that all social stakeholders, individual, collective or institutional, each in their own domain, still can do something (more).

From the media texts on electronic violence against children, which were analyzed for the purpose of this research, it still remains unclear when and how?

Conclusions

Legal Framework

Not one legal or strategic document analysed for the purpose of this study at either national or international level recognises or defines the ICT exploitation of children as a special form of ill-treatment, violence against and/or abuse of children. Computer systems and ICT are only mentioned in both national and international regulations and strategic documents as an instrument, that is, method for sexual exploitation of children. Therefore, it is not surprising that, according to information contained in this study, even the competent authorities primarily address this matter from the criminological aspect and, in tackling this problem, they are more focused on the punishment of the perpetrators of the criminal offence of child exploitation who, in acting so, also used ICT, and on the fight against it after it has already been committed, than on its prevention by informing children and adults and by educating them in an adequate use of ICT and preventive protection.

Additional problem is the fact that, for example, children are not mentioned at all, that is, they are not separated as especially vulnerable group in the context of ICT exploitation in the Strategy for the Development of Information Society until 2020. On the other hand, the National Strategy for Prevention and Protection of Children from Violence, as well as the National Action Plan for Children until 2015, state that children are being protected from all forms of abuse, neglect, exploitation and violence, but they do not explicitly refer to ICT exploitation of children as a new form of violence which, as stated by the participants in the study and also supported by data from other studies, has been expanded over the last decade.

Bearing this in mind, the context in which ICT exploitation of children³⁵ is mentioned in the national and international documents analysed during this study primarily refers to the terms of grooming and sexting, in the sense in which they have been used in this study. However, cyber-

³⁵ Exp. In the Council of Europe Convention on Cybercrime or in the Criminal Code of the Republic of Serbia.

bullying which is characteristic for ever increasing peer-to-peer violence through ICT amongst children and youth, of which most participants in this study talked, has not been recognised at all as a special form of exploitation of children through ICT. It is important to recognise and define this type of electronic violence in the legal regulations for two reasons: to enable the work on systemic informing and education of children and youth and its prevention within the school system, and also to provide its direct and indirect victims with adequate assistance and protection.

Role and Conduct of the Public Authorities

Data showing the number of reported, dismissed or processed cases of the ICT exploitation of children received from the Police Departments on the territory of the APV and a Special High-Tech Crime Department of the Higher Prosecutor's Office in Belgrade indicates that, except for the criminal offenses against sexual freedoms, that is, in the context of child pornography, this incidence has not yet been recognised in our society as a special form of child exploitation. In such cases, these authorities most often refer to Article 185 b of the Criminal Code of the Republic of Serbia.

Based on data obtained from the Special High-Tech Crime Department, we hereby point at two important facts: the only suspects for these offenses in Serbia are adult males, middle or older age predominantly, most of whom live in the urban environments, that is, large cities, most often in Belgrade or in Vojvodina.

Answers offered by the Special Prosecutor's Office for High-Tech Crime indicate that the ICT exploitation of children is only connected to the criminal offenses against sexual freedoms, that is, child pornography. This makes the activities of the relevant public authorities limited to prosecution and processing of the suspects, which these authorities interpret as a preventive measure. However, the Special Prosecutor's Office believes that general prevention in these cases is inefficient, primarily due to the punishment policy against the perpetrators being too lenient.

The Special Prosecutor's Office is of the opinion that its cooperation with other actors (especially public authorities, internet providers and other experts) is very good. The cooperation is based on

the Criminal Procedure Code: the relevant Prosecutor's Office "gathers" other authorities during the investigation, while other actors cooperate with them within the scope of their respective authorities and due to being legally bound to act accordingly.

In order to promote the system for protection of children from exploitation through ICT, the Special Prosecutor's Office recommends the children to receive information on the safe use of the Internet within the educational system, the media to have a more efficient role in making this subject closer to the public and more severe punishments to be imposed on the perpetrators of these criminal offences.

Internet Providers and Mobile Phone Distributors

The Internet providers and mobile phone distributors look at their role in the protection of ICT exploitation of children through the market prism, that is, in the light of the relationship between the service provider and a consumer. Only 25% of providers to whom the study questionnaire was forwarded responded to it, which also indicate to which extent they are (not) interested in better protection of children in this field. It follows from their responses that they basically do not threat children as a special or specific group of consumers exposed to the increased risk of exploitation via technology and/or services they offer.

Providers believe that the public authorities, those in the field of the legal regulations in particular, should primarily deal with the child protection from exploitation via ICT. In this context, they see their role in the educational activities and campaigns.

Most providers did not address this issue in their work, nor did they take any specific measures to that end. It clearly follows from their answers that the knowledge of the legal obligations of these companies' providers is questionable, and so is their knowledge of the available mechanisms and methods for protection from ICT exploitation of children. Even if they exist, most of the providers' codes of ethics do not address ICT exploitation of children as a separate issue, nor is this incidence among the matters of priority in their business activities. This is not surprising considering their statements that the providers seldom face the cases of ICT exploitation of children. Even if the relevant authorities contact them during the investigation, providers most often learn from the media about the outcome of the proceedings in which they provided information. While there exists sporadic cooperation with the relevant public authorities, there is practically no communication and cooperation with CSOs.

Positions of Children and the Youth

Computer and the Internet, which children and young people most often consider to be one and the same and equal them with social networks such as Facebook, are nowadays an integral part of their lives since their young age. Through computers, they have access to the Internet for several hours a day and a ban to access the Internet is being experienced by them and imposed by parents as punishment or a disciplinary action.

In principle, children and young people are aware that disclosure of personal details and posting a photo on the Internet is dangerous as much as going to meet with a person they came to know via the Internet, but they are not fully aware of the kinds of abuse they might be exposed to and in which manner. As children grow, their awareness of these dangers grows with them.

Although some of them have experienced embarrassments via the Internet, most children and young people do not know about the efficient manners in which they may protect themselves while using the Internet.

Most children would not respect the agreement with their parents about restricted or prohibited use of the Internet and they would breach it given half a chance. It is particularly worrying that a small number of them talk with their parents about the safer use of the Internet at all. The reason primarily lies in a fact that, in comparison with their children, parents are less informed and skilled in the use of the Internet and are not interested as a consequence. Besides, parents' knowledge of their children's "virtual life" is at a very low level.

Positions of Parents

Apart from confirming all of the foregoing positions of their children and young people most parents experience computer, that is, the Internet as being something negative in their children's lives. While parents in one school only emphasised that the possibility of learning through the use of electronic devices is a positive side of the Internet, the majority of them consider the Internet to be a (cheap and unreliable) source of information which takes much of their children's time, estranges them from one another, reduces their capability of expressing themselves verbally, makes them dependent on computer and physically inactive, thus jeopardising their health.

Like their children, parents equally point at the peer-to-peer violence through the Internet and its consequences. In addition to claiming that they trust their children, most parents believe that only by talking to and supporting them they can protect their children from embarrassments and threats they are exposed to through the Internet. Despite the fact that many of them know that there exist various filters for the Internet content, most parents do not use them, and only a few of them are truly aware of the specific possibilities of protection or use them indeed.

Experts Dealing with Children

Experts dealing with children define the ICT exploitation of children as a form of child abuse through computer or the Internet. The abuse occurs because children are naive and lack knowledge, and the perpetrators may be adults or their peers. According to the examples of peer-to-peer violence they experienced in their work, peer-to-peer violence through ICT is frequent among children and the youth. The basic problem of this phenomenon is the lack of understanding of the term ICT exploitation of children in the society and the fact that it has not been defined by law as to how the cases of the ICT exploitation of children should be treated and processed.

All experts see their roles in their respective field of work (exp. schools in the educational activities, Centres for Social Work in the advisory work, etc.), but they believe that this problem should be addressed in a systematic manner, that is, that the formal mechanisms of cooperation with other institutions should be established in the case of electronic violence.

Apart from networking of all relevant institutions in order to promote cooperation and preventive activities through exchange of information, the experts working with children agree that the work should be focused on education of children, youth, parents, professionals and public about the nature of the incidence of the ICT exploitation of children and about the protection mechanisms thereof. This phenomenon should be recognised in the existing regulations as a separate and specific form of abuse and violence against children, and the detailed procedures for acting in the cases of the ICT exploitation of children should be established. Furthermore, particularly with regard to peer-to-peer violence via the Internet, some representatives of the prosecution authorities suggest that the limit for the criminal responsibility of minors should be lowered to the age of 10.

Civil Society Organisations

Representatives of the SCOs specialised in the field of ICT exploitation of children confirmed the findings and data obtained from other participants in the study. They consider the phenomenon of ICT exploitation of children to be a more frequent and therefore more dangerous phenomenon than abuse and violence against children in real life. Computer, the Internet, social networks and entertainment are almost synonyms, because nowadays the Internet is a natural environment of children. Apart from making it easier and faster for the bullies to reach children through computers and the Internet, the virtual space offers them certain safety due to the possibility of introducing themselves falsely.

The Serbian legal and strategic framework addressing the ICT exploitation of children is inadequate, because not a single regulation has recognised this type of the child exploitation as a separate and specific phenomenon, although a working group at the Republic level was established in 2010 to develop a national strategy and action plan pertaining to the protection of children from abuse through the Internet.

From the aspect of prevention, it is important to draw attention of professionals and the largest laymen public to the fact that the ICT exploitation of children is a social problem which will evolve progressively if not addressed systematically, and to the importance of participation and cooperation of all social actors in resolving it. The relevant institutions and institutes have not yet employed (sufficiently) trained personnel to work with the victims and prevent violence through ICT, which is also reflected in the failure to recognise this problem as a specific kind of violence. Therefore, the relevant school teams most often do not (efficiently) react even when it happened, while other instances do not even (re)cognise the regulations based on which they are obliged to react, nor do they think that acting upon them is their legal obligation.

The key issue in this context is raising awareness not only of children and the youth, but their parents as well, including the relevant institutions, about the manner in which children, even at their homes, may become the victims of bullying via computers and the Internet. Apart from the enactment of the relevant regulations which would recognise this specific type of the child exploitation and secure the legal framework for the actions by the institutional and other actors, the media also plays an important role in the process. The Ministry of Education, Science and Technological Development still has the key role in the process: while, within their educational

systems, the technologically developed countries have developed a system for education of teachers, parents and children about the appropriate use of ICT and the possibilities of the protection, there is no such system on the Balkans yet.

The media

While reporting on the ICT exploitation of children during 2012, the Serbian media basically properly depicted social reality in which different actors faced this phenomenon, however, they did not address its causes, nor did they essentially address its consequences. Most media reported on this phenomenon in a sensational manner, after the violence had already occurred. Despite the fact that they basically treated it as a secondary offence in the context of the criminal offences against sexual freedoms, the media nevertheless drew the public's attention to the existence of the child exploitation (through ICT) and to the standard practice of the public authorities which predominantly focus on the apprehensions, conduct of the proceedings, that is, punishment of perpetrators. However, such approach (of the media and the relevant authorities) is actually opposite to their preventive, informative and educational role which the participants in the study expect from the media as well.

In their articles, the media also pointed out that, without a systemic support by the public authorities, the individual efforts to prevent (electronic) violence against children is "but a drop in the sea" relative to the extent and the seriousness of this problem. However, what cannot be read even between the lines is that all social actors, individual, collective or institutional, are obliged and has to do something within their respective domains. The media articles about electronic violence against children, which were analysed for the purposes of this study, do not indicate either when or how this could possibly happen.

Based on the conducted study and conclusions rendered by the focus group participants, the Provincial Ombudsman gives the following

Recommendations

In order to prevent and fight against the ICT exploitation of children, it is necessary the existing legal framework to be improved and the applicable legal regulations of the Republic of Serbia to include the obligations from the ratified and published international treaties signed by our country, in which the ICT exploitation of children is recognised as a specific form of the child exploitation, that is, ill-treatment, abuse and violence against children and/or minors.

The Criminal Code of the Republic of Serbia to foresee cyber grooming and sexting as a criminal offence, that is, as an unlawful and committed act, and to also stipulate adequate sanctions against the perpetrators of these criminal offences.

The Law on Foundations of Education and Upbringing to stipulate that the subject information technology should mandatorily be introduced in the overall system of fulltime education for all age groups and the syllabuses to also cover the issue of the appropriate use of ICT and the protection of children from exploitation via ICT, apart from intensified education in the field of computers and information technology.

When implementing the Family Law, in the lawsuits instigated to protect the rights of the child and those related to exercising, that is, deprivation of the parental rights before the judicial or administrative authorities, when assessing the socially unacceptable behaviour of parents, such as abuse of their rights (exp. if they induce their child to bad habits), gross neglect of their duties and malpractice in terms of their rights and duties, it should also be evaluated if the parent takes all actions to protect his/her child from exploitation via ICT.

The provisions of the Law on Social Welfare, in part related to the public authorisations of Centres for Social Work, should be supplemented by stipulating the obligations of Centres for Social Work to report to the relevant authorities any suspected ICT exploitation of children they experienced in the processes of the assessment of the need for social protection.

Implementing the Law on Social Welfare, in case of any suspected ICT exploitation of children, Centre for Social Work should instigate a procedure for the assessment of the needs and strengths

of the user and the risks he/she has been exposed to and, pursuant to the Law, it should plan to provide social protection, if required.

When taking the prescribed actions, as well as when instigating and participating in the lawsuits and other proceedings, Centre for Social Work should be mindful of the parental rights under the Family Law, from the aspect of socially unacceptable behaviour of parents, such as neglected exercising of parental rights and responsibilities.

Within its authorities under Article 40 of the Law on Social Welfare which foresees a group of social welfare services such as counselling and therapy, and social and educational services – services of intensive support to a family in crisis; counselling and support for parents, foster parents and adoptive parents, etc., Centre for Social Work that has learned about the case of ICT exploitation of children should also offer educational service, counselling and psycho-social therapy to children who are victims of exploitation through ICT, to their parents and other family members.

The activities at the international level should be followed and, when the conditions are met, the issue of treatment of children dependent on the Internet should be regulated through the Law on Health Care, in order to prevent permanent damage to health as a consequence.

The Law on Electronic Communications and the Law on Protection of Consumers should prescribe the obligation for all Internet providers and mobile phone distributors to regulate the issue of protection of children from exploitation through ICT in their codes of ethics and other internal acts, considering that in their existing acts children, being a vulnerable group, are invisible.

Cooperation

In order to prevent and fight the ICT exploitation of children, it is necessary that the institutional, collective and individual actors in the public, business and civil sector establish a mandatory inter-sectoral cooperation. Enactment of by-laws would enable the development of efficient mechanism of cooperation between the relevant actors at the state, provincial and the local self-governance level.

Based on the established practice, all institutions should develop a realistic, efficient, purposeful and sustainable strategic framework and apply the appropriate action plans in this field.

It should be ensured that children are involved in the public debates when making decisions on the matters of importance to children themselves, in order to, by their active participation and giving structured proposals, give their contribution to exercising their rights and in the best interest of all children.

Pursuant to the Book of Rules on the Protocol for Treatment at the Institution in Response to Violence, Abuse and Neglect, it is necessary that all primary and secondary schools, schools for children with special needs, Pupils' Homes, Homes for Children without Parental Care and Centres for Social Work, take the following actions :

- together with pupils, to define clear rules to guide their behaviour when using the Internet and mobile phones at school, and to make sure that they are applicable, and to carry out continuous controls of children in order to comply with these rules.
- to make a long-term plan and programme for protection of children from violence which shall specify the prevention activities and interventions in case of the Internet-related violence, including clearly defined roles of any actor.
- to have filter programmes installed in any computer used by children at the institution in order to, by reviewing the sites children visit, that is, by limiting certain programmes or time, protect children from any form of embarrassments when using the Internet.

Due to inadequate expertise in this area, professionals in the relevant institutions and institutes dealing with children require continuous training, primarily to become capable of recognising the ICT exploitation of children and of treating the (primary and other) victims, perpetrators and other actors, in accordance with the national and international regulations and strategic documents.

It is necessary to promote the role of information technology teachers and professors, as well as the school teams for fight against violence and prevention and fight against ICT exploitation of children, that is, the pedagogy-psychology service in its work with both victims and perpetrators (in case of peers), including their friends and families, which primarily should be done by the Ministry, that is, the Provincial Secretariat for Education.

Schools should be obliged, within the standard educational system, to organise for parents the mandatory educational programmes on protection of children from exploitation via ICT and on appropriate use of ICT.

Through periodically conducted studies, the Ministries of Education, Justice and Informing should monitor frequency of the incidence of ICT exploitation of children, that is, efficiency in the implementation of the adequate measures at all levels. Based on the obtained data on the extent of the incidence, the Ministry, in cooperation with the public service, shall conduct the informing campaign and educational projects targeting a specific audience (exp. children from vulnerable social groups, the media, etc.).

All of the activities require adequate funds to enable the work of the educational and other institutions to carry out education.

Internet providers and mobile phone distributors

In order to prevent and combat the ICT exploitation of children, it is necessary to legally bind the companies offering the Internet and/or mobile phone services to issue internal documents/rules by which they would specifically regulate the protection of children who are, being a vulnerable social group, especially exposed to the risk of exploitation via ICT, considering that this issue has not been regulated yet.

The Books of Rules issued based on law should contain the actions and procedures to be taken by the company in order to protect children from exploitation via ICT and prevention of this incidence from happening to the user. It should be foreseen that such company has the obligation to inform its users, children and their parents in particular, about this incidence

(especially about its prevention, user protection methods, reporting and punishing the perpetrators). In order to raise awareness of wider public of the methods for protection from (children from) exploitation through ICT and to promote socially responsible business dealings, the companies should plan to conduct a campaign for the wider public, with the special focus on the visits to schools by providers and the visits to providers by pupils.

The regulations should stipulate the mandatory establishment of an adequate agency as a supervisory body to be tasked with monitoring and controlling these companies on a regular basis with regard to the incidence of the ICT exploitation of children. This matter may be solved in a manner to grant this authority to an already existing agency or regulatory body.

The Media

In order to prevent and combat the ICT exploitation of children, it should be stipulated that the Government has the duty to bind the public media services with making a part of their programmes intended for socially useful purposes, including the information on importance of the use of ICT for the educational purposes, while a mandatory periodic programme would refer to child protection from exploitation via ICT and its prevention. The media would fulfil its educational-informative role in the children and school programmes.

For the public media to meet its role in an easier manner, the professional associations should have the obligation to train their editors and journalists in this incidence and to encourage them to approach to this topic in an informative and educational manner. The role of the public authorities would be to support the media and to enable its cooperation with other actors in the area of prevention and fight against the ICT exploitation of children (within campaigns, projects, etc.).

The Role of Civil Society

The Civil Society Organisations, particularly those dealing with children within the protection of human rights, might also have a significant role in the fight against exploitation via ICT. On one hand, mobility, flexibility and capability of reacting promptly to the needs of the society and, on the other, their experiences in public campaigns, informal education, detection and reporting to the relevant authorities on the various forms of violence, ill-treatment and abuse of children make these organisations an important partner in the fight against exploitation through ICT. Making efforts to ensure as carefree childhood as possible to children, non-governmental organisations should make the fight against this form of exploitation an integral part of their agendas

