

## Legal Safeguards Against Online Child Sexual Exploitation



Received: 06/10/2024; Accepted: 21/06/2025

Maria ZEBIRI \*

Faculty of Law and Political Science, Abbas Leghrou University Khenchela (Algeria)  
Laboratory: State and community security: health, food and legal  
mariazebiri81@gmail.com

### Abstract

The rapid advancement of technology has given rise to the alarming phenomenon of child sexual exploitation online, posing a significant threat to the mental and physical well-being of minors. This situation underscores the urgent need for robust protective measures for children at risk of encountering the pervasive pornographic materials available on the internet, which not only violate moral standards but also represent a profound breach of public decency within society. In light of these challenges, it is imperative to tackle these emerging crimes by enacting laws that criminalize such activities. However, this objective is complicated by the legal intricacies involved in enforcing legislation aimed at combating juvenile sex trafficking. Therefore, to effectively confront this pressing issue, it is essential to strengthen and intensify both national and international initiatives that align with the principles of prevention, control, and public awareness.

### Keywords

Cybercrime ;  
Sexual exploitation ;  
Incitement to prostitution ;  
Sexual permissiveness ;  
Criminal protection.

### الكلمات المفتاحية

جرائم الانترنت؛  
الاستغلال الجنسي؛  
التحريض على الدعارة؛  
الإباحة الجنسية؛  
الحماية الجزائرية.

### الحماية القانونية ضد استغلال الأطفال الجنسي عبر الإنترنت

#### ملخص

نتيجة للانعكاسات السلبية للتطور التكنولوجي تبرز ظاهرة الاستغلال الجنسي للأطفال عبر الإنترنت ويتنامى نطاقها، مما يشكل منتهى الخطورة على الصحة الذهنية وجسدية للأطفال، الأمر الذي يبرز الحاجة الملحة لتوفير الحماية اللازمة للقصر الذين يكونون عرضة لخطر المواد الإباحية المنتشرة في الفضاء السيبراني، والتي تشكل انتهاكا لحرمة الأخلاق وإخلالا جسيما بالأداب العامة في المجتمعات، مما يستدعي ضرورة المجابهة من خلال تجريم مثل هذه الجرائم المستحدثة، و يبقى هذا المطلب صعب التحقق في ظل الإشكالات الجزائرية التي يثيرها تطبيق قوانين مكافحة في مجال تجارة الجنس الخاص بالأحداث، ولأغراض تتعلق بتفعيل المكافحة وجب دعم وتكثيف الجهود الوطنية والدولية على حد سواء حسب متطلبات الوقاية والمراقبة والتوعية.

\* Corresponding author, e-mail: [mariazebiri81@gmail.com](mailto:mariazebiri81@gmail.com)

Doi: <https://doi.org/10.34174/0079-036-002-013>

## **Introduction :**

While technology significantly contributes to the progress of human civilization and the enhancement of overall well-being, its misuse can lead to severe negative consequences, particularly in the hands of criminals who exploit it for illicit activities. One alarming manifestation of this is the sexual exploitation of children through the internet, a phenomenon that experts consider highly detrimental to both the mental and physical health of minors. This pressing issue highlights the critical necessity for robust protective measures to shield vulnerable children from the pervasive exposure to pornography available in cyberspace, especially on dedicated pornographic websites..

This situation presents a considerable threat to the public interest, undermining social values and religious principles while exacerbating the prevalence of immoral crimes and promoting the adoption of Western practices within Islamic societies. Such actions constitute a serious violation of public morals, demanding a decisive response, including the criminalization of these emerging offenses that transpire in virtual environments and fall under the category of violations against societal ethics. In this context, a pressing legal question arises: How effective is criminal protection in addressing the growing phenomenon of child sexual exploitation on the internet?

In light of the outlined approach, this study employs both a descriptive and analytical methodology to address the issue of child sexual exploitation via the internet. The descriptive method allows for a comprehensive understanding of the subject, while the analytical approach is applied to legal texts, ensuring that the analysis is in alignment with the objectives of the research. To provide a thorough examination, it is crucial to address both the substantive and procedural dimensions of combating child exploitation. Accordingly, the study will first explore the substantive scope of crimes related to the sexual exploitation of children through the internet in the first section. The second section will focus on the criminal issues and legal challenges involved in combating these crimes.

### **I. Exploring the Thematic Landscape of Online Child Sexual Exploitation Crimes**

The alarming increase in child sexual exploitation via the internet can be attributed to the misuse of online platforms for disseminating illegal activities, particularly through pornographic websites and the promotion of prostitution. These practices seek to expand the sex trade by enticing and exploiting children in various ways, resulting in significant psychological and physical harm to the victims. The different forms of sexual exploitation can be categorized into two primary types: first, crimes where the child is the recipient of exploitation, and second, crimes where the child is the subject of exploitation<sup>1</sup> (secondly).

#### **1. Forms of Sexual Exploitation Crimes Targeting Children as Recipient Victims:**

Unlike direct sexual crimes, which involve physical acts committed against the victim's body to fulfill the offender's sexual urges or for motives of revenge or humiliation, sexual crimes facilitated by modern information technology are classified as indirect offenses. These crimes primarily seek to exploit the victim's body by promoting prostitution and moral corruption, either directly or indirectly. They pose a significant threat as they often aim to commodify the victim for financial gain or other advantages, simultaneously jeopardizing the victim's reputation and leading them toward moral decay and deviance.

One form of online child exploitation involves exposing minors to pornographic content that varies in severity. This includes everything from explicit images and inappropriate conversations to actual sexual acts. Granting children access to such material online amounts to inciting them to participate in sexual activities.

##### **a. Displaying Images, Videos, and Conversations that Violate Morals and Public Decency:**

The proliferation and exhibition of pornographic images and materials online through digital technology result in a serious violation of public morals and ethics, especially concerning the exploitation of minors in the sex trade<sup>2</sup>.

Crimes related to the distribution of obscene images and actions that compromise public decency manifest in various forms, including the display, publication, or dissemination of indecent or explicit content. These offenses are further compounded by the existence of numerous pornographic websites that not only promote explicit content but also actively draw in visitors, particularly children. Many of these sites are specialized and free, automatically showcasing pornographic material that is easily accessible<sup>3</sup>. Even more concerning is that these websites often provide access through other sites that users may already be visiting, particularly via connections or subscriptions to unrelated platforms. As a result, minors may inadvertently encounter pornographic content without realizing it, highlighting the urgent need for measures to protect young individuals from such exposure.<sup>4</sup>

The internet allows users to circumvent various barriers and restrictions, making local monitoring systems largely ineffective. This unrestricted access enables individuals, including minors, to view pornography that is otherwise

restricted by age-related conditions<sup>5</sup> imposed by regulatory measures. As a result, exposing children to pornographic content is considered a form of sexual exploitation.

Accordingly, legislation criminalizes any act by which an individual seeks or attempts to corrupt a child's morals, and has established severe penalties for offenders. In line with this approach, the Algerian legislator has criminalized such actions under the provisions of Article 342 of the Penal Code, which states: "Anyone who incites a minor under the age of nineteen, whether male or female, to debauchery or moral corruption, or encourages or facilitates such acts for them, and anyone who commits this act incidentally concerning minors under the age of sixteen, shall be punished with imprisonment from five to ten years and a fine ranging from 500 to 25,000 DZD. An attempt to commit the misdemeanors referred to in this article shall be punishable by the same penalty prescribed for the completed misdemeanors."<sup>6</sup>

The positions of legislators regarding the display of pornographic materials vary. For instance, the Moroccan legislator has opted to prohibit the display and distribution of pornographic materials, whether directed at adults or minors, based on religious principles. In contrast, the French legislator intervenes only when children are the subject of pornographic materials or when there is a risk of children accessing such materials if the operators of pornographic websites fail to implement technical safeguards to prevent minors from accessing these sites<sup>7</sup>.

Some legislations, such as that of the Egypt, require that the intent behind the activity be specifically to corrupt the morals of children, meaning that the presence of special intent must be established. This requirement often allows many offenders to evade punishment. Therefore, it is crucial to mandate the presence of general intent in the commission of crimes involving the corruption of a child's morals to ensure adequate protection for the child<sup>8</sup>.

## **b. Inciting Children to Commit Online Pornography**

A crime occurs when an adult orchestrates sexual performances or relationships involving a child, whether by having the child participate or merely being present, and subsequently uploads this content to computer disks or internet websites.<sup>9</sup> When a minor accesses a site related to pornographic material, they become an easy target for the promoters of this trade. These sites offer opportunities for sexual contact, facilitate such contact, provide technical support via phone, and even arrange fictitious meetings with the other party to engage in specific sexual acts. This is done through a system of images and video clips that describe the situation, with the aim of luring children into certain sexual activities or inciting them to engage in such acts<sup>10</sup>.

It is important to note that the instances of exposing a child or minor to deviant behavior are not exhaustively defined. The use of the internet to influence minors, particularly in leading them toward debauchery, immorality, or prostitution, is a significant concern. The sheer number of websites offering access to pornographic images and media underscores how easily such content can be obtained. These resources promote immoral behavior, and given that minors are naturally curious about the internet, they become especially vulnerable to these influences. This susceptibility aligns perfectly with the intentions of those seeking to mislead young individuals. The internet is filled with countless images, stories, and descriptions directly related to sexual content, providing access to publications that are either censored or restricted to adult audiences only<sup>11</sup>.

Corrupting a minor's morals and inciting him to debauchery is done in two ways. Firstly, it is done directly through activities conducted through chat rooms or forums that encourage moral corruption and depravity. Additionally, it involves using email to invite minors to participate in pornographic mailing lists, download pornographic films, and provide them with addresses of locations and establishments where prostitution is practiced. The danger of enticement is even greater when the material shared by the perpetrator includes images of minors engaging in sexual acts, as this may be used to persuade them to engage in similar behavior. Secondly, indirectly by involving the creation of pornographic websites, and the dissemination and display of pornographic images and acts over the internet. Such actions fall under the category of crimes that violate public morals and decency within societies<sup>12</sup>.

## **2. Crimes in which a child is the subject of sexual exploitation**

Research indicates that there are around one million images, stories, or descriptions on the internet that are explicitly related to sex. These websites not only distribute explicit sexual images of children but also offer information about brothels located in various countries worldwide. Furthermore, investigations have revealed that international criminal organizations are utilizing children to make phone calls discussing explicit sexual content.<sup>13</sup>

According to Article 2 of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography<sup>14</sup>, and with reference to the Arab Model Law on Cybercrime and the EU<sup>15</sup> Council Framework Decision, the exploitation of children in pornography is defined as the depiction of any child, by any means, actually or simulated, as participating in explicit sexual activities in audiovisual materials that use children in sexual practices. These materials include the visual depiction of a child engaged in explicit sexual activities or the lascivious display of their sexual organs. This encompasses the following activities: Producing pornographic material jointly for the purpose of distributing, displaying, making available, distributing, publishing, arranging to obtain for oneself or another person on a computer or on a storage medium on a computer.<sup>16</sup>

Photographing and montaging images of children on naked bodies and in indecent sexual positions constitutes an assault on childhood, morals and ethics, as well as an assault on a person's ownership of his image and its financial exploitation or any exploitation for any other reason<sup>17</sup>.

This technology provides perpetrators with a range of undefined methods to create sexually explicit images of male or female minors. These images may be real and obtained through illegal means or may be digitally manipulated images and clips created using various alteration techniques. The resulting content is then repurposed for criminal activities involving the exploitation of minors. When the obscene image produced is accessible, the perpetrator shifts focus to the associated aspects of exploitation.<sup>18</sup> So, the production process is not intended in itself as much as a step towards achieving the sexual exploitation of minors via the Internet<sup>19</sup>.

For a crime to be established regarding the exploitation of a child's image, whether static or recorded, the image must depict a real child, not a virtual or fictional one; otherwise, the crime cannot be constituted. The primary aim of criminalizing this act is to safeguard the child's image. Additionally, it is essential that the child depicted in the image was under the age of eighteen at the time the image was taken or displayed, and that the image portrays the child's body in an indecent or obscene manner.<sup>20</sup>

When these movies and images are uploaded online, the risk of child exploitation within pornographic content significantly increases. Once they are posted, they remain permanently accessible on the hosting sites, leading to widespread distribution and continuous circulation. Consequently, each time these pornographic materials are downloaded or viewed, the victimization of the child is perpetuated, forcing them to confront the consequences for the rest of their lives. Moreover, these videos can serve as a powerful tool for blackmail, coercing the child into further exploitation,<sup>21</sup> even if they are not publicly displayed.

As for the sale of pornographic materials, it refers to the perpetrator transferring ownership of such pornographic material involving a minor to another party in exchange for payment. An example of this would be selling oil paintings containing pornographic depictions of children by displaying images of them on the perpetrator's website to one of the site's visitors. Regarding distribution, it involves delivering these materials to other individuals. An example of this would be a criminal distributing child pornographic images via email to other persons<sup>22</sup>.

## **II. Legal Protection against Online Child Sexual Exploitation Crimes in the Context of Criminal Offences**

Due to the inherent difficulties in proving cases of child sexual exploitation compared to more conventional crimes, traditional punitive measures have proven insufficient and fail to adequately address the criminal protection needs of at-risk minors, who serve as both victims and objects of exploitation. This reality creates numerous legal challenges in the international effort to combat such crimes, particularly concerning the sexual exploitation of children online. The same challenges are evident at the national level, particularly in relation to the Algerian legislator's approach to addressing online sexual exploitation of children. (Second)

### **1. Criminal Protection against Online Child sexual Exploitation Crimes at the International Level:**

During the 1999 Vienna International Conference on Combating the Exploitation of Children in Pornographic Materials on the Internet, key principles for enhancing international collaboration to prevent the online sexual exploitation of children were emphasized. The conference called for increased global efforts to establish hotlines that allow individuals to report websites hosting child pornography.<sup>23</sup>

The widespread nature of this issue was underscored by recommendations from the Sub-Commission on the Promotion and Protection of Human Rights and other UN bodies responsible for monitoring the implementation of children's rights in relation to the misuse of the internet for sexual exploitation. They urged governments to take specific actions to address this pressing concern.<sup>24</sup>

- Review, amend and enforce existing laws or enact new laws to prevent the misuse of the Internet for the purposes of trafficking, prostitution and sexual exploitation of women and children.
- Work more effectively to eradicate trafficking in persons, exploitation of the prostitution of others and online sexual exploitation.
- Investigate advertisements, correspondence and other communications on the Internet that promote sex trafficking, exploitation of prostitution and sex tourism.
- Achieve new levels of cooperation between governments and national and regional law enforcement agencies to combat the globalisation of this trade and the misuse of the Internet to promote and carry out sex trafficking, sex tourism, violence and sexual exploitation.

However, addressing child pornography offenses on the Internet presents practical challenges that differ from those associated with direct sexual offenses. Key issues include jurisdictional complexities, the difficulty of proving the offense, challenges in gathering evidence, and the potential for perpetrators to conceal their identities. As a result, the Internet has created a more secure environment for these crimes, exacerbated by a legislative vacuum at the national, regional, and international levels concerning enforcement.<sup>25</sup>

Criminals use the internet as a tool to carry out their crimes worldwide. It is possible for a criminal to be in one nation and the kid victim to be in another, therefore the criminal does not need to travel to carry out their crimes. If not totally removes the chance of being discovered and charged, this greatly reduces it. Furthermore, in many cases, when

sexual exploitation offenses are perpetrated online, the identity of the criminal is concealed. They may behave under false pretenses, adopt the identities of others, or use aliases regularly. Moreover, the lack of tangible traces makes it challenging to obtain evidence for prosecution<sup>26</sup>.

Moreover, the potential for committing crimes of child sexual exploitation beyond a state's borders complicates the situation, as the elements of these offenses may span multiple countries. This is particularly true when such crimes manifest as transnational organized crime, leading to inconsistencies in criminalization rules across jurisdictions. Additionally, challenges arise related to criminal prosecution and the enforcement of sentences, especially when countries refuse to extradite their nationals for prosecution of sexual exploitation crimes committed against minors in other nations.

Consequently, the effectiveness of international cooperation in criminal matters hinges on the willingness of states to align their criminal policies with evolving national legislation aimed at combating sexual exploitation crimes, particularly in light of the new challenges posed by the digital age. This need for alignment is balanced by the importance of enhancing national, regional, and global efforts in prevention, monitoring, and awareness-raising. To enable the activation of judicial jurisdiction over offenses involving online sexual exploitation, states must be willing to move beyond a rigid interpretation of sovereignty.

## 2. Criminal Protection against Online Child Sexual Exploitation Crimes under Algerian Legislation

To align domestic legislation with international conventions, the Algerian legislature has criminalized sexual acts against minors, acknowledging their severity within the Penal Code. This includes imposing strict penalties for inciting a minor to engage in prostitution or sexual exploitation. However, the legislation fails to specifically address new offenses that arise in the digital environment. Article 342 of the Penal Code is broad in scope, encompassing all forms of incitement—whether through words, actions, or any other means used by the offender to influence and encourage the minor toward immorality and moral corruption.<sup>27</sup>

The Algerian legislator has partially addressed the legislative gap in the field of cybercrime, particularly under Law No. 09-04<sup>28</sup>, by creating a legal framework more suited to the specificity of online crime, inspired in large part by the 2001 Budapest Convention, which contains recommendations on activating the role of the law to confront illegal acts through communications technology<sup>29</sup>.

Article 333 bis explicitly states that anyone who disseminates pornographic material in any form via the Internet is subject to criminal penalties. Such actions are viewed as violations of moral and public decency in society, contributing to moral corruption and inciting debauchery.<sup>30</sup>

Through Article 333 bis, we find that the Algerian legislator has broadened the forms of indecent acts and did not specify the means by which indecent images are displayed, so that the act can be achieved by any means whatsoever. The legislator's wording of Article 333 bis is general and includes images related to children and images related to adults, and does not differentiate the penalty, as the French legislator did, or as the Algerian legislator did for some offences such as the offences of inciting minors to immorality and corruption provided for in Article 342 of the Penal Code, which is stipulated in the Penal Code<sup>31</sup>.

In line with the previous article, Article 333 bis (1) of the Criminal Code indicates that the Algerian legislator has imposed even harsher penalties for acts specified in Article 333 bis, such as the manufacture, possession, publication, distribution, and exhibition of pornographic material that features images of sexual activities or sexual organs involving minors under the age of 18.<sup>32</sup>

Law No. 15-12 establishes social protection measures in addition to the legal and procedural protection that the Algerian legislators have provided for child victims of sexual abuse. These protection procedures are specifically found in Article 11 and the subsequent provisions. These steps include setting up specific facilities and services devoted to child safety as well as establishing a national organization for the preservation and promotion of childhood<sup>33</sup>.

In this context, Law No. 09-04 of August 5, 2009, which establishes special provisions for the prevention and combating of crimes related to information and communication technologies, also criminalizes the dissemination of material that may corrupt morals or incite debauchery through modern means of communication. Article 2, paragraph 1 of this law states: "ICT-related offenses are offenses against automated data processing systems as specified in the Penal Code, as well as any other offense committed or facilitated through an information system or electronic communications system."<sup>34</sup>

Given the international nature of cybercrime, there is a critical need for international cooperation in investigations and judicial inquiries to gather evidence and identify the perpetrators of these offenses.<sup>35</sup> Additionally, Article 2 of Law 09-04 requires internet service providers (ISPs) to take prompt action to remove any content they provide access to once they become aware, either directly or indirectly, that it violates the law. Furthermore, ISPs must inform their subscribers about the presence of content that breaches public order and morality, as well as implement technical measures to restrict access to servers hosting such material.<sup>36</sup>

Despite the criminal protection afforded to children in the fight against online sexual exploitation, the effectiveness of these measures is hindered by several criminal issues, which can be attributed to various obstacles, including:<sup>37</sup>

-Lack of Traditional Evidence: Cybercrimes often leave no physical traces, as perpetrators can quickly tamper with, alter, or erase any potential evidence. The nature of the Internet itself—composed of invisible electronic pulses—makes it

difficult to perceive evidence. In some cases, data may be encrypted, enabling offenders to eliminate all traces of their crimes. This situation necessitates specialized procedures for evidence collection, including the involvement of programming experts.

-Characteristics of Cybercriminals: Cybercriminals are typically intelligent and highly specialized individuals who possess expertise in committing Internet-related offenses. This reality underscores the need for law enforcement and judicial systems to develop specialized training programs focused on combating cybercrime.

-Overwhelming Data Volume: The vast amount of information generated online poses a significant challenge for authorities investigating Internet crimes. This data requires thorough examination by investigators to extract relevant evidence, necessitating technical expertise and the utilization of specialized experts in the field to effectively carry out their tasks.

As a result, there is a significant inadequacy in the Algerian legal provisions regarding the exploitation of children in its modern form through the Internet. The current framework fails to account for the rapid advancements in communication technology and neglects several practices that should be incorporated into specialized child protection laws to establish more effective prevention and protection measures. The key issues that the Algerian legislator should consider include:<sup>38</sup>

- Criminalizing the solicitation of children, which is the initial step in communicating with a child and preparing them for a sexual relationship.
- Establishing a legal system that regulates internet cafes in terms of dealing with children.
- Addressing the crime of child exploitation in pornographic acts.

## Conclusion

In light of the legal challenges surrounding the enforcement of laws against the trade of pornographic websites and solicitation of prostitution, particularly in relation to the sexual exploitation of minors, the legal protection for children is frequently perceived as inadequate. This insufficiency stems from the distinctive characteristics of sexual exploitation offenses, both substantively and procedurally, especially in the context of contemporary technologies used to perpetrate these crimes. Such tools often clash with established legal frameworks that render traditional forms of sexual exploitation illegal. Through this study, we came up with a number of findings:

- The Algerian legislature has not addressed all forms of online child sexual exploitation crimes. Law 15/12 on the protection of the child omits many illegal practices that are committed against children online.
- The shortcomings of traditional punitive texts often render them inadequate in the requirements of criminal protection for children at risk of delinquency and exploitation, in addition to the legal vacuum at the level of provisions relating to the offences of dealing in indecent objects and offences against the right to image with regard to the establishment of special protection.

In light of the findings outlined above, we propose the following recommendations:

- National legislation addressing sexual exploitation offenses must be updated to reflect the developments introduced by new crimes arising from the digital age. This alignment should be balanced with enhanced national and international efforts focused on prevention, monitoring, and awareness.
- All forms of online child sexual exploitation should be criminalized under a specialized law that comprehensively addresses both the substantive and procedural aspects of criminalization and punishment, tailored to the unique nature of child sexual exploitation crimes.
- Arab and Islamic states should prioritize the establishment of a convention on crimes of child sexual exploitation over the Internet. This initiative should align with the specific needs of civil society while respecting national constants and religious principles.
- Strict oversight of children's online activities is essential, including prohibiting their access to internet cafés. Relevant authorities must implement regulations consistent with national legal frameworks, particularly concerning illicit activities such as the dissemination of pornographic and immoral content in these establishments. Businesses that violate these policies should face sanctions, including fines, immediate closure, and revocation of business licenses.
- The role of civil society in combating child sexual exploitation crimes must be strengthened by promoting cultural awareness and safe Internet usage. Families play a crucial role in guiding, educating, and supervising children to optimize their use of information technology while instilling Islamic values and morals, particularly in the area of sexual education.

- A national body should be established to monitor websites and block suspicious content, ensuring safe Internet usage for children.
- Qualified centers should be allocated to ensure health and psychological care for child victims of online sexual exploitation, providing necessary social support. This requirement should be codified under the Family Code.

## **Bibliography :**

### **A. Legel texts:**

- [1]. Decision No. 68/2004 of 22 December 2003 on combating the sexual exploitation of children and child pornography.
- [2]. Law No. 09-04 of 05 August 2009 containing special rules for the prevention of crimes related to information and communication technologies.
- [3]. Law No. 15-12 of 28 Ramadan 1436 corresponding to 15 July 2015 on child protection, Official Gazette, 2015, No. 39.
- [4]. Ordinance No. 66-156, dated 18 Safar 1386, corresponding to 08 June 1966, containing the Penal Code, amended and supplemented by Law No. 20-06 dated 5 Ramadan 1441, corresponding to 28 April 2020, Official Gazette No. 25 dated 06 Ramadan 1441, corresponding to 29 April 2020.

### **B. Books:**

- [1]. Hegazy, B. A. F. (2002). Towards the formulation of a general theory of criminology and the cybercriminal. University Think Tank, Alexandria, Egypt.
- [2]. Al-Amin, A. M. (2009). Computer and internet crimes and cybercrime. Dar Al-Thultaqa for Publishing and Distribution, Amman, Jordan.
- [3]. Khalil, G. (2000). Rights of the child: Historical development since the beginnings of the twentieth century. Beirut, Lebanon.
- [4]. Ababsia, L. (2006). The rights of women and children in international humanitarian law. Dar Al-Huda, Ain Mellila, Algeria.

### **C. Articles:**

- [1]. Benhamou, A. (n.d.). The offence of sexual exploitation of children through internet sites in international conventions and Algerian law. *Mediterranean Journal of Law and Economics*, 2(2).
- [2]. Ben Saghir, A. (2015). The special nature of cybercrime in Algerian and comparative legislation. Paper presented at the National Forum on Cybercrime between Prevention and Control, Biskra, Faculty of Law, November 16–17.
- [3]. Ben Aziz, H. (n.d.). The impact of internet use on the growth of child sexual exploitation offences. *Mediterranean Journal of Law and Economics*, 2(2).
- [4]. Boudiba, S. (n.d.). Sexual exploitation of children through the internet. *Journal of Legal and Political Research and Studies*, (XIII). Algeria.
- [5]. Hamlaoui, A. (2015). The role of the General Directorate of National Security in combating cybercrime. Paper presented at the National Forum on Cybercrime between Prevention and Control, University of Biskra, Faculty of Law, November 16–17.
- [6]. Keshoush, R. (2020). Legal protection of child victims of sexual exploitation in the digital space. *Numeros Magazine*, 1(2), June.

[7]. Al-Kasrawi, A. H. (2006). *Cybercrime*. Journal of Judiciary and Legislation, (7). Ministry of Justice and Human Rights, Tunis.

[8]. Montasser, N., & Aban, S. (2016). Legal protection of children from sexual exploitation via the internet: A comparative descriptive study between international legislation and Algerian legislation. *Alresala Journal of Human Studies and Research*, 2(9).

[9]. Nachnache, M. (2016). Rights and guarantees for the protection of juveniles during investigation and trial proceedings. Paper presented at the National Forum on Juvenile Delinquency: Reading the Reality and Prospects of the Phenomenon, University of Batna, May 4–5.

[10]. Yagrou, K. (2012). Sexual exploitation of children through the internet. *Law Journal*, (3), June. Algeria.

[11]. Youssef, R. (2020, September 15). Online child sexual exploitation: An attempt to understand the images of the offence. Retrieved February 15, 2024, from <https://www.coursdroitarab.com>

#### D. Dissertations and Theses:

[1]. Hussein, R. (2016). Research and investigation mechanisms in cybercrime (PhD thesis). University of Batna 1, Faculty of Law and Political Science.

[2]. Jemawi, M. (2007). Criminal protection of juveniles in Algerian legislation (Master's thesis). Faculty of Shari'ah and Law, Omdurman Islamic University.

[3]. Rassa, F. (n.d.). Criminal protection of information on the Internet (Master's thesis). University of Tlemcen, Faculty of Law and Political Science.

---

<sup>1</sup> Youssef, R. (2020, September 15). **Online child sexual exploitation: An attempt to understand the images of the offence**. *Cours Droit Arab*. <https://www.coursdroitarab.com>. (Accessed on February 15, 2024).

<sup>2</sup> Al-Hashemi, A.-K. (2006). *Cybercrime*. Journal of Judiciary and Legislation, (7), 35. Tunis: Ministry of Justice and Human Rights.

<sup>3</sup> Rabhi Youssef, op. cit.

<sup>4</sup> See: Rassa Fatiha: Criminal protection of information on the Internet, Master's thesis in Public Law, University of Tlemcen, Faculty of Law and Political Science, p. 35 et seq.

<sup>5</sup> Rabhi Youssef, op. cit.

<sup>6</sup> Boudiba Saida, op. cit., p. 87.

<sup>7</sup> Rabhi Youssef, op. cit.

<sup>8</sup> Al-Amin, A.-S. M. (2009). *Computer and internet crimes: Cybercrime*. Amman, Jordan: Dar Al-Thultha for Publishing and Distribution, p. 230..

<sup>9</sup> Rahmouna, K. (2020). Legal protection of child victims of sexual exploitation in the digital space. *Numeros*, 1(2), 218.

<sup>10</sup> Rassa Fatiha, op. cit. 40 et seq.

<sup>11</sup> Hussein, R. (2016). Mechanisms of research and investigation in cybercrime (PhD thesis). University of Batna 1, Faculty of Law and Political Science, p. 102.

<sup>12</sup> Menia, N. (2016, May 4-5). Rights and guarantees for the protection of juveniles during investigation and trial proceedings. National Forum on Juvenile Delinquency, University of Batna, p. 23.

- Hegazy, B. A. F. (2002). Towards the formulation of a general theory of criminology and the information criminal. Alexandria, Egypt: Dar al-Fikr al-Jami'i, pp. 231-232..

<sup>13</sup> Khalidia, Y. (2012, June). Sexual exploitation of children through the internet. *Law Journal*, (3), 329. Algeria.

<sup>14</sup> Adopted by UN General Assembly Resolution 263/54 on May 25, 2000, and entered into force on January 18, 2002.

<sup>15</sup> Decision No. 68/2004 of December 22, 2003, on combating the sexual exploitation of children and child pornography.

<sup>16</sup> Ababsia, L. (2006). The rights of women and children in international humanitarian law. Ain Mellila, Algeria: Dar Al-Huda, p. 152.

<sup>17</sup> See: Al-Kasrawi Al-Hashimi, op. cit, p. 35 et seq.

- <sup>18</sup> Hamlaoui, A. (2015, November 16-17). The role of the General Directorate of National Security in combating cybercrime. Paper presented at the National Forum on Cybercrime between Prevention and Control, University of Biskra, Faculty of Law, p. 13.
- <sup>19</sup> Ben Saghir, A. M. (2015, November 16-17). The special nature of cybercrime in Algerian and comparative legislation. Paper presented at the National Forum on Cybercrime between Prevention and Control, University of Biskra, Faculty of Law, p. 10.
- <sup>20</sup> Malabat, V. (2015). *Droit pénal spécial* (7th ed., p. 188). Paris: Dalloz..
- <sup>21</sup> Nasreddine, M., & Seifeddine, A. (2016). Legal protection of children from sexual exploitation via the internet: A comparative descriptive study between international legislation and Algerian legislation. *Al-Risala Journal of Human Studies and Research*, 2(9), 157..
- <sup>22</sup> Ben Aziz, H. (n.d.). The impact of internet use on the growth of child sexual exploitation offences. *Mediterranean Journal of Law and Economics*, 2(2), 226.
- <sup>23</sup> Khalil, G. (2000). Rights of the child: Historical development since the beginnings of the twentieth century. Beirut, Lebanon, p. 133.
- <sup>24</sup> Yagrou Khalidia, op. cit., pp. 336-337.
- <sup>25</sup> Ibid, p. 340.
- <sup>26</sup> Boudiba, S. (n.d.). Sexual exploitation of children through the internet. *Journal of Legal and Political Research and Studies*, (XIII), 86. Algeria.
- <sup>27</sup> Ordinance No. 66-156, dated 18 Safar 1386, corresponding to 08 June 1966, containing the Penal Code, amended and supplemented by Law No. 20-06 dated 5 Ramadan 1441, corresponding to 28 April 2020, Official Gazette No. 25 dated 06 Ramadan 1441, corresponding to 29 April 2020.
- <sup>28</sup> Law No. 15-12 of 28 Ramadan 1436 (July 15, 2015) on child protection. *Official Gazette*, 2015, No. 39.
- <sup>29</sup> Benhamou, A. (n.d.). The offence of sexual exploitation of children through internet sites in international conventions and Algerian law. *Mediterranean Journal of Law and Economics*, 2(2), 245..
- <sup>30</sup> Ibid, p. 28.
- <sup>31</sup> Boudiba Saida, op. cit., p. 91
- <sup>32</sup> Jemawi, M. (2007). Criminal protection of juveniles in Algerian legislation (Master's thesis). Faculty of Sharia and Law, Omdurman Islamic University, p. 23..
- <sup>33</sup> Boudaba Saida, op. cit., p. 99.
- <sup>34</sup> Ibid, p. 36.
- <sup>35</sup> Article 16 of Law No. 09-04 of August 5, 2009, containing special rules for the prevention of crimes related to information and communication technologies..
- <sup>36</sup> Hamlaoui Abdelrahman, op. cit. p. 29.
- <sup>37</sup> Boudiba Saida, op. cit. p. 98.
- <sup>38</sup> Boudiba Saida, op. cit. p. 98.