



Examining the Duality of Law and Ethics in Children's Access to Cyberspace

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Introduction

The expansion of cyberspace usage across all aspects of human life necessitates specific legal attention, which often emerges only after these tools become widespread in society. Among these, the use of cyberspace tools concerning children—particularly in information dissemination, education, and entertainment—requires stricter and more stringent regulations compared to adults. According to international statistics, children's internet usage has significantly increased in recent years. Therefore, it can be argued that the internet has become an essential part of children's lives, influencing their experiences, communications, and learning processes (Shukla, 2024). This inevitably has profound impacts on children's lives, sometimes leading to challenges. The development of virtual schooling during the COVID-19 pandemic demonstrated how easily children can become trapped and exposed in this space, being directed toward various paths. Alongside, the realm of digital games has also stirred considerable debate. Historically, internet regulators primarily focused on child abuse and illegal contact by sexual offenders, but despite the importance of these issues, they are not the only threats infringing on children's rights. Although imposing restrictions on children's internet use aims to protect their interests and prevent exploitation, it is clear that such measures often undermine children's participation opportunities and restrict their rights to access information. Hence, undue restrictions not only fail to ensure children's safety but also jeopardize their psychological

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well-being. This article seeks to emphasize children's rights and address the question of how children's rights can be ensured within the framework of media literacy, and fundamentally, how the observance of children's rights relates to the enhancement of media literacy.

Research Background

Numerous studies have explored various aspects of children's rights in cyberspace. Livingstone (2021) argues that due to children's vulnerability and their key role in the digital future, special attention must be given to their rights, which should be balanced considering their best interests to ensure both protection and opportunities for growth. UNICEF (2016) critiques the traditional view of children as passive victims and emphasizes their rights to information access, privacy, and active participation. In Iran, Ghanizadeh-Bafghi and Hassanzadeh Sarshaki (1402) highlight that lack of media literacy makes children vulnerable to threats such as pornography and cyber grooming, stressing the necessity of education. Safariniya (1401) through analysis of domestic and international laws proposes media literacy education as a solution to balance free access and security, emphasizing the importance of early education for more effective outcomes. Hosseini Pakdehi and Shabiri (1396) in a comparative study demonstrate the effectiveness of media literacy training in combating misinformation and recommend its systematic inclusion in school curricula. Ethically, Drenton (2018) expresses concerns about privacy violations, negative cognitive and emotional impacts, and digital addiction risks, recommending a balanced approach between granting independence and enforcing protection.

Research Method

This study employed an analytical-descriptive method, collecting data through documentary review. The examined sources include international documents like the Convention on the Rights of the Child, Iranian laws and regulations such as the National Child Rights Document, the Child Cyberspace Service Development Support Document, Article 69 of the Sixth Development Plan, and relevant scientific articles on child rights and media literacy. The analytical framework is based on the four principles of the Convention on the Rights of the Child (non-discrimination, best

interests, right to life and development, participation) and definitions of media literacy from credible sources such as the European Commission.

Research Findings

Findings reveal that children's access to cyberspace, part of their rights to information, freedom of expression, and participation, carries multiple risks including sexual abuse, pornography, extortion, privacy violations, and negative impacts on mental health. These threats prompt parents to impose restrictions that sometimes conflict with Convention principles such as the right to information access. In Iran, legal documents like the Child Cyberspace Service Development Support Document and the Sixth Development Plan emphasize safe access and digital education, but their implementation remains inadequate, mainly due to lack of public awareness and coherent educational programs. Media literacy education emerged as a key solution, enabling children, especially through school environments, to identify harmful content, defend their rights consciously, and make responsible decisions online. This education not only alleviates parental concerns regarding safety, privacy, and negative effects but also facilitates safe and active participation, contributing to children's cognitive and social growth.

Conclusion

Cyberspace, as an integral part of children's lives, presents both opportunities for education and growth and threats to their rights and security. This study demonstrated that the conflict between children's rights (access to information, freedom of expression, participation) and ethical imperatives (protection from risks) can be resolved through media literacy education. By empowering children to analyze content, recognize threats, and make informed decisions, their rights are upheld alongside ethical principles such as privacy and safety. It is recommended that media literacy be systematically integrated into school curricula from early ages, enabling children to become active, responsible, and informed digital citizens. In Iran, strengthening the enforcement of existing laws and increasing public awareness through workshops for parents and educators is also essential to effectively balance rights and ethics.

Keywords: Child Rights, Cyberspace, Media Literacy, Digital Ethics, Privacy

References

- Hosseiniipakdehi, A., & Shabiri, H. S. (2017). Media literacy education in cyberspace: A comparative study of Canada's MediaSmarts website and Iran's media literacy website. *Journal of New Media Studies*, 3(9), 31–76.
- Safarinia, M. (2022). Children's right to access cyberspace from the perspective of domestic and international law with emphasis on interpretive theory No. 25 of the Committee on the Rights of the Child. *Journal of New Technology Law*, 3(5), 183–196. <https://doi.org/10.22133/mtlj.2022.348900.1110>
- Abedi, H., & Saei, M. H. (2022). A comparative study of documents, laws, and regulations related to children's presence in cyberspace in Iran, the European Union, and the United States. *Interdisciplinary Journal of Communication and Media Studies*, 5(18), 91–134.
- Abbasi-Kalimani, A., & Akbari, E. (2021). An approach to the right of children's learning by parents in domestic laws and international documents. *Biannual Journal of Family Jurisprudence and Law*, 26(74), 229–249. <https://doi.org/10.30497/flj.2018.71216>
- Ghanizadeh-Bafghi, M., & Hosseinzadeh-Sarshaki, E. (2023). An inquiry into the phenomenon of child pornography and cyber grooming in light of Islamic jurisprudence and Iranian law. *Biannual Journal of Family Jurisprudence and Law*, 28(78), 197–228. <https://doi.org/10.30497/flj.2022.242989.1793>
- Islamic Consultative Assembly (2017). Sixth Development Plan Law.
- Nasiri, B., Bakhshi, B., & Hashemi, S. M. (2012). The importance of media literacy education in the 21st century. *Journal of Media Studies*, 7(18), 149–158.
- Dowthwaite, L., Creswick, H., Portillo, V., Zhao, J., Patel, M., Perez Vallejos, E., Koene, A., & Jirotko, M. (2020). It's your private information, it's your life: Young people's views of personal data use by online technologies. *Proceedings of the Interaction Design and Children Conference*. <https://doi.org/10.1145/3392063.3394410>
- Drenten, J. (2018). When kids are the last to know: Embodied tensions in surprising children with family vacations. *Young Consumers*, 19(2), 199–217.

- European Commission. (2021). New EU strategy to protect and empower children in the online world.
- Jusoff, K., & Sahimi, N. N. (2009). Television and media literacy in young children: Issues and effects in early childhood. *International Education Studies*, 2(3), 151–157.
- Lasswell, H. D. (1948). The structure and function of communication in society. In L. Bryson (Ed.), *The Communication of Ideas* (pp. xx–xx). New York: Harper and Row.
- Livingstone, S. (2021). Realizing children's rights in relation to the digital environment. *The British Academy*.
- Livingstone, S., Carr, J., & Byrne, J. (2016). One in three: Internet governance and children's rights. Innocenti Discussion Paper No. 2016-01, UNICEF Office of Research, Florence.
- Malik, S. (2008). *Media literacy and its importance*. Islamabad: Society for Alternative Media and Research.
- Maloney, D., Freeman, G., & Robb, A. (2021). Social virtual reality: Ethical considerations and future directions for an emerging research space. *Human-Computer Interaction* (cs.HC). <https://doi.org/10.48550/arXiv.2104.05030>
- Marsh, J. (2011). Young children's literacy practices in a virtual world: Establishing an online interaction order. *Reading Research Quarterly*, 46(2), 101–118.
- Misztal, B. A. (2001). Normality and trust in Goffman's theory of interaction order. *Sociological Theory*, 19(3), 312–324.
- Monika, F., & Wioletta, H. (2017). Media literacy of a child at an early school age from the perspective of teachers, parents and persons preparing to become educators. Prague: Center of Higher Education Studies.
- Moyer, W. M. (2022). Kids as young as [age] are using social media more than ever. *The New York Times*. <https://www.nytimes.com/2022/03/24/well/family/child-social-media-use.html>
- Sahoo, A. (2016). Children's rights in cyberspace. *International Journal of Research and Analysis*, 4(2), 131–160.
- Shukla, M., Waghmode, M., & Bhosale, Y. (2024). The digital generation: An analysis of the seminal impact of internet usage on children. *Journal of Engineering Education Transformations*, 37(2), 197–206.

Tornero, J. M. P. (2020). Media literacy and new humanism. UNESCO Institute for Information Technologies in Education.

UNESCO. (1999). Educating for the media and the digital age. Vienna Conference.

<http://www.nordicom.gu.se/clearinghouse.php?portal=linkdb&main=reconedu.php&>

UNICEF. (2016). Children's rights in a digital world. UNICEF Essay Collection. The Netherlands: UNICEF the Netherlands.

UNICEF. (2019). Digital literacy for children: Exploring definitions and frameworks. Office of Global Insight and Policy.

Uzun, R. (2018). Protecting children from harmful content in new media: Ethical approaches. IAMCR, Leicester, UK.

Yanarates, E. (2020). Media literacy: A conceptual analysis. *Social Scientific Centered Issues*, 2(2), 89–102.