

JOURNAL FOR LAW STUDENTS AND RESEARCHERS**CHILD PORNOGRAPHY****Shilvi Jhawar****Manipal University, Jaipur****INTRODUCTION**

Technology has revolutionized our connectivity to one another and created the world accessible in new ways. Internet is an important social and academic tool at constant time, but it had a profound impact on youngsters in terms of sex offense and exploitation. Children's online safety depends on parents/guardians taking a proactive approach to safeguard their youngsters from online sexual exploitation.

Effectively addressing these kinds of crimes against youngsters poses important challenges. In recent years, our efforts have shifted to replicate the truth of how child pornography is created. Child sex offense begins offline – in homes and even child-serving organizations among our communities, through a recording of the abuse, finally ends up on the web as maltreatment pictures and videos. child sex offense may be a major problem among our society and happens very frequently. Adults bear the responsibility for safeguarding and protecting youngsters from sex offense –as such it's necessary to know what child abuse is and to acknowledge behaviour which will signal a toddler in distress and address this issue at its core.

CHILD PORNOGRAPHY

Child pornography is publishing and transmission obscene material of youngsters in electronic kind. Cyber pornography is in easy words outlined as the act of using computer network to make, display, distribute, import, or publish pornography or obscene materials.

With the arrival of computer network, ancient pornography content has currently been mostly replaced by online/digital pornography content.

Child pornography is a visible image or depiction of a child engaged in various types of sexual behaviour prohibited by law. kinds of pornography embrace specific pictures, videos, films, and magazines. pornography may be more classified as either home-made or commercially created.

Home-made pornography is typically not sold, however rather created for private use and commercially created pornography, on the opposite hand, is formed to be sold. the child's during this sort of material tend to be older, usually homeless, and wish the money to survive. child erotica is any material with reference to youngsters which will operate as some sort of sexual instrument. Some common examples are toys/games, books/drawings, letters, fantasy writing, souvenirs, and normal pictures.

• **Defined Terms for pornography**

Indian legal framework consists of Central and State legislations and totally different Acts could outline a "child" otherwise, generally in India:

A "**Child**" is someone below the age of eighteen years.

"**Sexually specific conduct**" means that actual, graphic or simulated sexuality, as well as anal and oral; bestiality; masturbation; sadistic or masochistic abuse; or lewd exhibition of the sex organ of the minor.

• **Types of Depictions**

Any depiction of a toddler engaged in sexually specific conduct is also thought of pornography. this will include pictures, digital pictures, computer-generated pictures, drawings, videos, or animations, among others. This conjointly applies if the person within the depiction is truly associate adult however seems to be a minor. Moreover, fixing a picture or video in order that it seems to depict a minor can also be pornography (for example, writing the face of a minor onto the nude body of associate adult in a picture or video).

In recent years pornography has redoubled because of the straightforward access of the web, & simply on the market videos on the web. pornography is the most grievous crime and has instigated numerous alternative crimes like sex business enterprise, sex offense of the child etc.

OFFENDERS INVOLVED IN PORNOGRAPHY

There are a range of offenders concerned in pornography, somebody in every step of the method from producers to the particular users. so as to properly combat and eliminate pornography, the people in each step of the method should be punished. The common groups offenders are:

- **The Producers:** it includes people who use, or advertise minors to be employed in any sort of sexy material. Producers are behind the creating of each homemade and commercially created pornography.
- **The Distributors:** additional ordinarily concerned within the commercially created material, distributors are ones who sell, mail, loan, give, export, advertise, or transport any such material .
- **Coercers:** These are the people that encourage youngsters to be a part of any sort of obscene material. These people have an inclination to govern the child by providing them with things that they need like attention or cash.
- **The User:** These are the people who use and show interest in obscene material; most ordinarily paedophiles. Another issue that arises within the realm of child pornography is that the use of peer/self-exploitation or “sexting” among teenagers. In bound circumstances, sexting is also thought of criminal in nature. These might embrace the following:
 - Youth unknowingly making pornography.
 - Youth on purpose manufacturing or sharing images/videos that meet the child pornography criteria.
 - Youth partaking in behaviour that involves intimidation and/or coercion of the affected youth together with the creation and sharing of child pornography.
 - Criminal harassment, extortion, voyeurism, and impersonation.

INTERNATIONAL INITIATIVES PROTECTING CHILDREN ONLINE

1. International Telecommunication Union: It has established the child online protection initiative to create international collaboration network with a view to promote online safety of children. The initiative aims at developing strategies to bring about legal

measures, technical and procedural measures for their online safety. It aims at enhancing organizational structure, capacity building, and at promoting international cooperation in this area. It seeks to identify risks and vulnerabilities of children in cyber space, cyber awareness, develop protocols and tools to prevent the potential harm to children online.

2. OECD (Organisation for Economic Co-operation and Development): It has made several recommendations on framing policies to protect children online. According to OECD council, while framing the policies for protecting the children online, the Governments and Stakeholders must observe, inter alia the following principles:
 - a) Empowerment : The policies aimed to protect children should recognize that all stake-holders have the responsibility to make the internet safe for children by reducing the online threats to children and support the main role of parents in minimizing the risk of harm to the children both off-line and online.
 - b) Proportionality and fundamental values: The policies that protect children online should be proportionate to the risks, and maximise protection against risks that children face without restricting the available benefits of the internet. The policies must support the freedom of expression and privacy as well.
 - c) Flexibility: The policies to protect children should be appropriate for their age and accommodate developmental differences across jurisdiction. In case age restrictions are framed; all stake-holders must try to ensure that these are respected. The policies to protect children on the internet should be technology neutral in the information technology paradigms.

At the international level, OECD recommends that the government must set up hot-lines and awareness centres for online child protection and build foundations for analyzing international comparative policy, to study the effects of formed policies and assess their efficiency levels.

3. International Society for Prevention of Child Abuse and Neglect (ISPCAN): It was founded in 1977, it is based in US and is stated to be the only multi-disciplinary international organisations that brings together a worldwide cross-section of committed professionals to work towards the prevention and treatment of child abuse, neglect and exploitation globally. It aims to combat all forms of abuse, including sexual abuse, child prostitution, emotional abuse.

4. Elimination of Child prostitution, pornography and the Trafficking (ECPAT): It is a global network of organisations that work together to ensure that children lead a free and secure life. ECPAT groups are involved in implementation of various initiatives to protect children at international, regional and local levels.
5. European Union (E.U.): In European Commission has invested large amount of funding to set up an alert website managed by EUROPOL for people to report illegal material found on the internet, particularly child pornography. The Virtual Global Task Force is formed with the objective of preventing child abuse online. The Convention on Cyber Crime formed by European Union Commission to investigate and cooperate in handling matters of internet-based crime also deals with child's pornography.
6. Child Pornography Prevention Act of 1996 (CPPA): It was a United States federal law to restrict child pornography on the internet, including virtual child pornography. The first prohibited "any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture" that is, or appears to be, of a minor engaging in sexually explicit conduct." The second prohibited "any sexually explicit image that was advertised, promoted, presented, described, or distributed in such a manner that conveys the impression it depicts a minor engaging in sexually explicit conduct."