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Original Scientific Article

Received: 19 May 2022

Accepted: 28 February 2023

UDK:343.988-053.2/6:004.738.5
159.922.72

<https://doi.org/10.47152/rkkp.61.1.1>

THE IMPACT OF DIGITAL ENVIRONMENT ON CHILDREN AND RESPOND TO SOCIALLY UNACCEPTABLE BEHAVIOR

The influence of digital environment on the psychophysical development of children is becoming more and more dominant, which is supported by empirical indicators. The type and degree of influence can be different, and the consequence is always the same and is reflected in the harmful effects on the psychophysical development of children. At the same time, numerous studies on victims show that the real impact of high technology on the psychophysical development of children is much greater than that shown by the available data. The main reason for such a situation could be sought in the reasons for non-reporting of these behaviors by the victim or rather non-recognition of the harmful effects of high technology on the psychophysical development of children. To this, we can add the detrimental effects of secondary victimization, which often covers victims of crime. In this sense, the question arises as to how society can most adequately respond to these behaviors. Different

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models of prevention can yield promising results, but raise questions about protection of children's rights, including personal data. On the other hand, criminal repression, as ultima ratio, has full justification for its introduction, but also significant limitations. This is why the subject matter of this paper is prevention and suppression of socially unacceptable behavior manifested by the use of high technology, regardless of whether children are victims or actors of such behavior.

Keywords: digital environment, children, criminal offense, general prevention, special prevention

1. Introduction

As we are witnessing that the development of modern technologies has greatly affected people's daily lives, we are aware that its use has changed all spheres of human activities and life. That is why today we are talking about a "digital environment" that encompasses information and communication technologies (ICT), including Internet, mobile and related technologies and devices, as well as digital networks, databases, contents and services (Council of Europe, 2018). It seems that this trend is growing rapidly in the times ahead, and will be reflected in the mass use of transformative technologies in every activity of modern life¹. This thesis has already been confirmed during the Corona virus pandemic (since 2020), which has affected even greater exposure of children to high technologies, both due to obligations (distance learning) and due to measures introduced during the pandemic (restriction of movement)². Thus, the digital age has created a new kind of reality, the so-called „digital reality“, which brings new challenges for both the individual and society (Pylkin, Serkova, Petrov & Pylkina, 2021), which directly affects the psychophysical development of children, their communication and behavior³.

1 For example, Israeli publicist Yuval Noah Harari in his novel *Homo Deus - A Brief History of Tomorrow* (2015) visionarily states: „Cyber-engineering shall go one step further, merging organic body with inorganic devices such as bionic fists, artificial eyes or millions of nanorobots that will move through our bloodstream, diagnose problems and repair damages“ (Harari, 2015: 61).

2 Consumption of social media via Internet, according to the Global Web Index, increased significantly in all age groups during the Coronary virus pandemic, with a significant difference in the content they used. So the so-called Generation Z (ages eight to 23) spent most of their time listening to music (53%) and playing games (45%), emphasizing their interest in entertainment content (GlobalWebIndex, 2020).

3 It was the research conducted by UNICEF under title "The State of the World's Children" in 2017 that confirmed the thesis that digital technologies have affected all spheres of children's social life (UNICEF, 2017).

Starting from the fact that the psychophysical development of children is not static and fixed, and is continuously exposed to changes, it is quite realistic to expect changes associated with high and transformative technologies. Many of them have already manifested themselves, and some are going to be the subject of manipulation and abuse. So, the fact is that with the appearance of new technologies, their abuse for anti(social) purposes is present, including criminal ones, so that almost all forms of negative behavior, as well as crimes known in real life, can be committed in virtual world. Thus, children are very often victims of crimes on the Internet. According to findings of Europol, sexual exploitation of children on the Internet includes a range of criminal activities, such as sexual abuse and exploitation of children via Internet⁴, production and distribution of pornographic content, *online* inducement of children for sexual exploitation, “live” abuse of children at a distance, and one particularly worrying trend called “deep lie”, which is based on the misuse of *AI based* technique⁵ (Europol, 2019, 34). In addition, we can add the problem of manipulation of personal data, given that today they represent one of the greatest values, which are multiply endangered in the digital world (Šikman, 2020).

That is why we have one, we could say, paradoxal situation: modern technologies create new and unimaginable possibilities, but also open new dangers and have consequences for the psychophysical development of children. Namely, changes can be considered in a positive and negative context. The positive context is mentioned in the part of the changes that have led to leaving some manual and routine tasks to automatic devices, which leaves the individual more time to engage in creative activities and greater expression of their own individuality. Also, the use of assistive technology (any item, piece of equipment, software program or product system) enables daily functioning and involvement in activities and significantly contributes to the quality of life of persons with disabilities and children with disabilities (Lancioni, Sigafos, O’Reilly, & Singh, 2013). Today’s generations use all the advantages provided by high technologies for communication⁶, grow up with

4 While sexual abuse or exploitation is accessible in the physical world, the subsequent sharing of images and videos significantly exacerbates the impact of these crimes. Namely, the amount of this data on the network is astonishing and continues to increase. As the number of young people and children accessing the Internet increases, so do criminals, who consciously misuse the anonymity and possibilities of the Internet (Europol, 2019: 30).

5 This technique uploads photos or videos over another video. It has already been used to place the faces of celebrities on existing pornographic videos. Although the technology is still relatively new, it is rapidly improving and becoming more accessible and easier to use (Europol, 2019: 34).

6 „The new generation of children is also described as the generation of digital thinkers. Older generations are focused on semantic symbols, while younger generations find meaning in every symbol on the Internet, every icon or link, and turn them into information” (Mićević-Karanović, Mesa-roš-Živkov, Pavlov & Brkljač, 2020: 35).

the use of digital devices and consumption of Internet content, certainly including well-known social networks⁷ (You Tube, Facebook, Instagram, TikTok and others). Therefore, today, children are growing up using multifunctional technological devices from the earliest childhood. Thanks to them, they have no problem to “keep up with information flows, to cope with information overload, to engage in virtual communication, to communicate and cooperate through the Internet” (Mićević-Karanović, Mesaroš-Živkov, Pavlov & Brkljač, 2020: 36).

At the same time, the influence on their psychophysical development is evident, which certainly reflects on the quality of life and growing up. Namely, deep involvement in digital reality and active application of its technical mediators burden the psychophysics of the individual, which, especially in the phase of rapid growth, not only deforms patterns of behavior, but can affect the formation of brain structures (Pylkin, Serkova, Petrov, & Pylkina, 2021). In fact, the results of 2019 survey found that “almost all young adolescents (95%) had access to the Internet: 67% owned mobile phone and 68% had an account on social networks. Mobile phone ownership was not associated with any indicators of well-being (math and reading test scores, school affiliation, psychological problems, behavioral problems, or physical health) after control of demographic factors. Possession of accounts on social networks and the frequency of use of social media were strongly associated with behavioral problems (explaining ~3% of variations in behavioral problems). Despite the lack of strong associations, 91% of adolescents reported at least one detected technology-related impairment, and 29% of adolescents reported application of negative experiences from Internet to offline” (George, Jensen, Russell, Gassman-Pines, Copeland, Hoyle, Odgers, 2020).

This issue is the subject matter of this paper. How and in what way to accept the reality (and usefulness) of the use of high technologies by children and, at the same time, ensure their protection and safety. Also, it is necessary to pay attention to the limited scope of various prevention mechanisms, above all criminal protection. We emphasize this because the impression is that by prescribing crimes protecting children from the effects of high technology (e.g. certain criminal offenses from the group of crimes of sexual abuse and exploitation of children), this problem is actually solved. Certainly, by prescribing these criminal offenses, the effects of general prevention can be achieved, but we should not lose sight of the fact that these cases are often the so-called irreparable recidivists, who will seek to use high technology to abuse children. In this sense, the focus should be on

7 According to statistics from the Family Survey, children from developed countries spend an average of seven hours and 30 minutes each day in front of some kind of screen, be it television, computer, smartphone (Rideout, Foehr, Roberts, 2010; Pavlović, & Vulić, 2014).

criminal law solutions that can give better results, such as preventive detention (modeled on certain countries).

2. Consequences of the use of high in children

The process of informatization leads to the dehumanization and alienation of individuals, and over time to the loss of their identity (Veljović, Vulović, & Damnjanović, 2009). All this leads to physical inactivity (hypokinesia) and to the loss of stimulus for proper growth and development. The “sitting man” is not physically active and consumes less energy for daily activities, which results in certain physical and psychological problems, and above all leads to obesity, physical deformities, loss of muscle mass, hypertension⁸, weakening of density and elasticity of joints and ligaments, weakening of respiratory and cardiovascular capacity, vegetative and psychological disorders (Mićević-Karanović, Mesaroš-Živkov, Pavlov, & Brkljač, 2020: 34). Thus, for example, research suggests that adolescents who spend more time on new media (including social media and electronic devices such as smartphones) are more likely to report mental health problems than adolescents who spend more time activities not including screen (personal social interaction, sports/exercise, homework, consumption of print media and attendance at religious services) (Twenge, Joiner, Rogers, Martin, 2018). However, recent research comes to opposite conclusions, i.e. that no significant correlations can be established between these two variables (Odgers, Jensen, 2020; Orben, 2019), which actually shows mostly low quality of studies on this topic (Orben, 2019).

In fact, the results confronted in this way are not surprising, because it is generally known that a number of social, genetic and experiential factors influences the development of mental illness. Likewise, the virtual world can be confusing for a child, which can cause indistinguishability of reality from imagination (Allington, McGill-Franzen, Camilli, Williams, Graff, Zeig, Zmach, & Nowak, 2010). The experiences that children adopt by using high technology are part of their daily lives. Thus, some research has shown that young people (aged between 21 and 30) feel lonelier than middle-aged and older people do (between 50 and 70 years old) (Degges-White, 2018). In addition, conflicts within families are

8 Research suggests that sitting at a computer for too long has direct consequences on the proper growth and development of children, as well as the incorrect sitting position of children (Straker, Pollock, Burgess-Limerick, Skoss, & Coleman, 2008; Geldhof, Cardon, De Bourdeaudhuij, & De Clercq, 2007; Murphy, Buckle, Stubbs, 2004 cited in: Mićević-Karanović, Mesaroš-Živkov, Pavlov, & Brkljač, 2020: 35).

increasingly linked to the use of technology by children⁹. Unfortunately, many young people, in addition to not experiencing certain social experiences that only *offline* world provides, in childhood were often deprived of meaningful interaction with their parents who themselves were preoccupied with their own digital devices.

A special problem is the dangers to which children are exposed in digital environment. They can be of the same level and degree as the dangers in the real world. Researchers usually divide this wide range of risks encountered on the Internet into three categories: content risks, contact risks and behavioral risks (Miladinović, 2018: 24). Content risks relate to a child's exposure to unwanted and inappropriate content, which may include sexual, pornographic and violent photographs, certain forms of advertising, racist and discriminatory material and violent speech materials, websites promoting unhealthy and dangerous behaviors such as self-harm, suicide or anorexia. Contact risks relate to a child's participation in risky communication, for example with an adult seeking inappropriate contact or a child for sexual purposes, or with individuals seeking to radicalize a child and persuading him or her to engage in unhealthy and dangerous behaviors. Behavioral risks imply child's behavior in a certain way that contributes to the emergence of risky behavior or relationship. This may include children who write negatively about other children or create hateful materials towards other children, encouraging racism or publishing and sharing sexual images, including material they have created themselves (Miladinović, 2018: 24). It is a so-called digital peer violence (cyberbullying).

Furthermore, new technologies, such as cryptocurrency and the dark internet - encourage the direct showing of sexual abuse of children and other harmful content, and pose a challenge to law enforcement (UNICEF, 2017). Data manipulation is misuse of information technology for the purpose of covert influence on another person's decision-making, in a way that exploits his weakness (Susser, Roessler, Nissenbaum, 2019). Online manipulation can be observed through the data collection cycle, profiling of users and finally micro targeting and manipulation (European Data Protection Supervisor, 2018). It seems that the last phase of this cycle significantly endangers numerous rights and freedoms of citizens, and thus enters the criminal zone. And, as stated in the Opinion of the European Data Protection Supervisor (2018), “the problem is real and urgent, and

9 Thus, for example, research has shown that time spent in front of a screen is one of the common causes of conflict between parents and children. Thus, 25% of surveyed families argued about the time spent in front of the screen, while 10% of them clashed over the way children spend their time on the Internet (Livingstone, Blum-Ross, Pavlick, Ólafsson, 2018).

is likely to worsen as more people connect to the Internet, with the increased role of artificial intelligence system” (European Data Protection Supervisor, 2018).

Many of these behaviors are characterized as criminal offenses, while others are an introduction to prohibited behaviors. What could be stated as common is that the consequences of violence on the Internet are felt by everyone: victims, perpetrators and observers (Lalić, 2020).

3. Prevention of the negative impact of digital environment on children

The rights of children in the digital environment have been under discussion for some time. Thus, the United Nations Committee on the Rights of the Child issued a recommendation that all children should have safe access to high technology and digital media, and should be allowed to fully participate, express, seek information and enjoy all the rights contained in the UN Convention on the Rights of the Child and its Optional Protocols, without any discrimination. “It starts from the fact that the digital environment is crucial for the realization of children’s rights and that every child has the right to access digital world, as well as to play, learn and progress in that world, while being protected as best as possible”. It is in fact the preamble to the Final Statement on the Rights of the Child in the Digital Environment adopted by the European Network of Ombudsperson for Children in 2019 in Belfast (European Network of Ombudsperson for Children, 2019a).

The Council of Europe’s position is also set out in the Declaration of the Committee of Ministers on the need to protect the privacy of children in the digital environment from 2021, in accordance with Article 8 of the Convention, which emphasizes the need to respect the child’s right to private and family life in digital environment, which includes the right to information self-determination and protection of personal data and communications. As a risk, children’s privacy may arise from the design and function of digital technologies and services, as well as children’s own activities and those of their parents, peers, educators or others in digital environment; (Council of Europe, 2021). Thus, the commitment to the protection of children’s rights to non-discrimination, access to information, freedom of expression and participation in digital environment in cooperation with other participants acting in the digital environment has been unequivocally confirmed.

In that sense, the question arises as to how society can influence the reduction of negative effects of high technologies on the psychophysical development of children. Attention should be drawn to the normative texts adopted by the Committee of Ministers of the Council of Europe, which are designed to help

member states deal with these risks and, as a consequence, to ensure the human rights and fundamental freedoms of children. These texts include Recommendation CM/Rec(2018)7 of the Committee of Ministers to member states on Guidelines for the Respect, Protection and Exercise of the Rights of the Child in the Digital Environment; the new Handbook for Policy Makers on the Rights of the Child in the Digital Environment (2019) which completes these guidelines, supporting policy makers in dealing with rights on the Internet and protecting children; Council of Europe Strategy for the Rights of the Child (2016-2021); Recommendation CM/Rec(2014)6 of the Committee of Ministers to member states on the Guide to the Human Rights of Internet Users; Recommendation CM/Rec(2009)5 on measures to protect children from harmful content and behavior and to promote their active participation in the new information and communication environment; Recommendation CM/Rec(2008)6 on measures to promote respect for freedom of expression and information regarding internet filters; 2008 Declaration on the Protection of the Dignity, Safety and Privacy of Children on the Internet; Recommendation CM/Rec(2007)11 on the promotion of freedom of expression and information in the new information and communication environment; Recommendation CM/Rec(2006)12 on the empowerment of children in the new information and communication environment and Recommendation CM/Rec(2011)8 on self-regulation regarding cyber content (self-regulation and protection of users from illegal or harmful content on new communication and information services). In addition to the above documents, it is worth noting the Recommendation on the Rights of the Child in the Digital Environment, adopted by the European Network of Young Advisers of the Ombudsperson for Children in 2019 (European Network of Ombudsperson for Children, 2019b).

In terms of these documents, prevention should be focused on providing children with the knowledge, skills, understanding, attitudes, values of human rights and behavior necessary for active participation in digital environment, as well as for responsible action while respecting the rights of others. There is also a need to encourage trust and promote trust on the Internet, in particular by neutral labeling of content to enable both children and adults to make their own value judgments about content on the Internet. It is also necessary to strengthen cooperation with private sector actors and civil society, in order to develop and promote coherent strategies to protect children from content and behavior that carry the risk of harm, while advocating for their active participation and best possible use of new information and communication environment.

This encourages the development and use of safe spaces, as well as other tools that facilitate access to child-friendly websites and Internet content, promotion of further development and voluntary use of trust marks and stamps that al-

low parents and children to easily distinguish harmless content from the content that carries the risk of harm, as well as promotion of the development of skills in children, parents and educators for better understanding and facing with contents and behavior that carries the risk of harm. Among many topics covered are protection of personal data, provision of content adapted to children and their developmental capacities, helplines and hotlines, vulnerability and resilience, and the role and responsibilities of business enterprises.

Findings from some studies suggest that prevention messages should be focused on youth behavior rather than certain online sites where socially unacceptable behaviors occur (Kimberly, Finkelhor, Jones, Wolak, 2010). In addition, some researchers believe that the impact of high technology can be reduced through parental media mediation. “It is important that we understand why we allowed a child to watch certain television content at a certain time, and what the child can learn from it. Parents must focus on positive aspects of modern technology, and take advantage that modern technology provides, not ignoring the negative aspects but finding certain solutions to mitigate the negative impact. In accordance with the age of the children, parents should give child freedom to decide on the use of certain digital devices” (Mataušić, 2002: 451). It is important to understand that prohibition to watch certain content does not help the child’s behavior, i.e. that there is a counter effect because the child then begins to fight with parent and the child develops resistance to parent. Therefore, it is important to establish the time in which the child will be able to have access to some media content. In addition, it is important for parents to be aware that they will be able to reduce the time children use for media content only if the remaining free time is used and filled with some other activities (Mataušić, 2002: 451).

4. Criminal protection of children in digital environment

The increasing availability of child pornography by abuse of high technologies in digital environment has conditioned the reaction of international legal entities, and also the introduction of incriminations at the national level. In this regard, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography from 2000¹⁰, which

10 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, adopted on 25 May 2000 by resolution A/RES/54/263 at the fifty-fourth session of the General Assembly of the United Nations, “Official Gazette of BiH – International Treaties”, Number 5/2002.

requires member states to take actions to guarantee protection of children from child trafficking, child prostitution and child pornography, is significant.

Then, in 2005, the Council of Europe Convention on High-Tech Crime¹¹ (the so-called Budapest Convention) was adopted, which is, together with two additional protocols¹², the first international treaty on crimes committed via the Internet and other computer networks, dealing specifically with copyright infringement and computer fraud, child pornography and network security breaches. It establishes a common approach to the computer-related criminal offenses and has the aim to make criminal investigations referring to such offenses more efficient. Its main goal, stated in the preamble, is to implement a common criminal policy aimed at protecting society from high-tech crime, in particular by adopting appropriate legislation and encouraging international cooperation. According to this Convention, any behavior related to child pornography must be established as a criminal offense in the signatory states. Child sexual abuse material is defined in Article 9 as “pornographic material that visually depicts a minor engaging in sexually explicit behavior; a person who appears to be a minor engaged in sexually explicit behavior and realistic images representing a minor in sexually explicit behavior”. In order for the material to be considered as child pornography under Article 9 of the Convention, it is clear that a real child does not have to be included, it is sufficient that the material represents a minor. The rationale for this provision is that even if there is no actual harm done to the child in the material production process, it can be used to encourage or seduce children to participate in such actions.

Subsequently, the 2007 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse¹³ (the so-called Lanzarote Convention) was adopted, containing provisions criminalizing the use of new technologies, especially Internet, for sexual harm or abuse of children. This Convention is the first instrument to identify various forms of sexual abuse of children as criminal offenses, including domestic or family abuse, using force, coercion or threats. The definition of child pornography in Article 20 extends the framework

11 Convention on Cybercrime, European Treaty Series - No. 185

12 The first Additional Protocol to the Convention on High-Tech Crime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems, was adopted in 2003, and the second Additional Protocol to the Convention on Cybercrime on Enhanced Co-operation and Disclosure of Electronic Evidence was adopted in 2021. See more: Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189); Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

13 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201).

of the Budapest Convention in term of including all forms of material, not just material produced through computer systems. The act of “consciously gaining access to child pornography” is also criminalized. The aim of this provision is to identify those offenders who intentionally access child pornography sites, but without downloading any images of child sexual abuse. Preventive measures listed in this Convention include screening, recruiting and training of people working with children, raising children’s awareness of risks and teaching them to protect themselves, as well as measures of monitoring offenders and potential offenders. The Convention also establishes victim support programs, encourages people to report suspected sexual exploitation and abuse, and establishes telephone and Internet helplines for children. It also ensures that certain types of behavior are classified as criminal offenses, such as engaging in sexual activities with a child under legal age and child prostitution and pornography. The Convention also criminalizes the instigation of children for sexual purposes and “sex tourism”. The new legal tool also ensures that child victims are protected during court proceedings, for example in terms of their identity and privacy.

In addition, in the context of the criminal protection of children in digital environment, we can cite the 1985 Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data¹⁴. This document ensures respect for basic human rights with regard to the processing of personal data. As children are holders of data protection rights under this Convention, special attention must be paid to empowering children to exercise their right to data protection.

Finally, under the European Convention for the Protection of Human Rights and Fundamental Freedoms¹⁵ (ECHR) (ETS No. 5), the European Court of Human Rights has developed case law on human rights on the Internet. Examples of the rights in question in such cases include the right to respect for private and family life (Article 8) and freedom of expression (Article 10). The Court published a fact list summarizing all the leading cases in the field of technology and human rights (European Court of Human Rights, 2022).

The mentioned international legal framework, among other things, was the basis for the introduction of these incriminations in the criminal legislation of the Republika Srpska. Thus, the Criminal Code of the Republika Srpska¹⁶ introduced a special chapter on criminal offenses entitled “Criminal offenses of sexual abuse

14 Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108).

15 Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 005).

16 „Official Gazette of the Republika Srpska” Nos. 64/2017, 104/2018, 15/2021 and 89/2021.

and exploitation of a child”, which also criminalized the acts of Exploitation of Children for Pornography (Article 175), Exploitation of Children for Pornographic Performance (Article 176), Introducing children with pornography (Article 177) and Exploitation of Computer Network or Communication by other technical means for committing criminal offenses of sexual abuse or exploitation of a child (Article 178) (Marković, 2018: 36-39). In addition, Article 123, item 7 stipulates that child as a victim of a criminal offense is a person under the age of 18, which may be considered as an adequate legal solution. Although the mentioned legal framework is adequate, it is not fully harmonized with mentioned international legal documents, which affects the problem of application of prescribed provisions (Stojanović, 2018: 615). Some of them concern the institute of “consciously gaining access to child pornography”, the incrimination of which could be disputable from the aspect of basic criminal law principles, while the others are of technical nature.

5. Conclusion

Based on the above brief overview of the impact of digital environment on the psychophysical development of children, at least two conclusions can be drawn. The first is that we should not go in the direction of denying the usefulness of high technologies and their use in the daily lives of children and others, that is, the necessity of creating a safe digital environment. In this sense, it is necessary to put emphasis on determining the ways in which high technologies affect the psychophysical development of children and in relation to how society can act properly. The response of society can move in several directions, which is, in fact, in line with the elements of criminal policy: responding by both formal and informal means of social control. Namely, more and more research results call for parental responsibility when it comes to guiding children when using digital devices, but also for the need to increase awareness of their own habits in this regard. This would certainly be the first instance of social control, which would be followed by the activities of educational, cultural, sports and even other institutions. At this level, it is crucial to find ways in which parents, educators and other subjects of informal social control gain greater awareness of the scope of this problem, and thus improve the response to socially unacceptable behaviors.

The second, more important issue is the reaction of the subjects of formal social control. In this part, we should start from the fact that children, as well as adults, are holders of the right to data protection. This is especially important in the context of the digital environment, in which children provide personal infor-

mation without being aware of it in many cases. This is why it is much easier for them to become victims of crime, including child pornography. In this context, it is necessary to create an adequate response of the subjects of formal social control to this problem. When it comes to criminal justice treatment, which is just one of the ways - the incrimination of criminal offenses of child pornography as positive one should be mentioned as positive. What could be stated as negative is inadequate application of these norms in court practice, which is manifested in specific court decisions.

Finally, what we can particularly emphasize is the need for stronger protection for the victims of these criminal offenses. It can be achieved only through adequate and connected action of mechanisms of formal and informal social control. In this process, relying on one or the other alone is not enough. This is especially applicable on criminal law reaction, which, if the absence of informal reaction is noticeable, does not have much chance of success.

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UTICAJ DIGITALNOG OKRUŽENJA NA DJECU I REAGOVANJE NA DRUŠTVENO NEPRIHVATLJIVO PONAŠANJE

Uticaj digitalnog okruženja na psihofizički razvoj djece se sve više i dominantnije manifestuje, u prilog čemu idu i empirijski pokazatelji. Vrsta i stepen uticaja mogu da budu različiti, a posljedica je uvijek ista i ogleda se štetnim efektima na psihofizički razvoj djece. Istovremeno, mnogobrojne studije o žrtvama prikazuju da je stvarni uticaja visokih tehnologija na psihofizički razvoj djece mnogo veći, nego što je to iskazano putem dostupnih podataka. Osnovni razlog za takvo stanje mogao bi se tražiti u razlozima neprijavlivanja ovih ponašanja od strane žrtve ili bolje rečeno neprepoznavanje štetnih efekata visokih tehnologija na psihofizički razvoj djece. Na to možemo dodati štetne efekte sekundarne viktimizacije, kojom su vrlo često obuhvaćene žrtve krivičnih djela. U tom smislu postavlja se pitanje na koji način društvo može najadekvatnije reagovati na ova ponašanja. Različiti modeli prevencije mogu da daju obećavajuće rezultate, ali otvaraju pitanja zaštite dječijih prava, uključujući i lične podatke. S druge strane, krivičnopravna represija, kao ultima ratio ima puno opravdanje uvođenja, ali i znantna ograničenja. Upravo navedeno jeste predmet ovoga rada, a to je sprečavanje i suzbijanje društvenog neprihvatljivog ponašanja koje se manifestuje upotrebom visokih tehnologija, bilo da su djeca žrtve ili pak akteri ovih ponašanja.

Ključne riječi: digitalno okruženje, djeca, krivično djelo, generalne prevencija, specijalna prevencija.