



LEGAL FOUNDATIONS FOR THE PROTECTION OF CHILDREN FROM SEXUAL ABUSE IN INTERNATIONAL LAW

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ABSTRACT

This article provides an in-depth analysis of the normative and legal foundations for protecting children from sexual abuse and exploitation in international law. The relevance of the study is determined by the increasing risk of children being exposed to various forms of sexual violence as a result of the development of digital technologies, anonymity in the online environment, the intensification of transnational crime, and the consequences of illegal migration. The article examines in detail the United Nations Convention on the Rights of the Child and its Optional Protocol, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention), as well as international initiatives promoted by the United Nations Office on Drugs and Crime (UNODC) and INTERPOL.

The research methodology is based on comparative legal analysis, analysis of international norms, statistical data, and the practical reports of international organizations. The findings indicate that although the international legal mechanisms for child protection are sufficiently developed, there remains a need for full compliance with state obligations, harmonization of national legislation, strengthening of implementation mechanisms, and the adoption of additional measures to protect children from online threats. At the same time, the article highlights issues related to enhancing protection against sexual exploitation, expanding interstate cooperation, and strengthening a child-sensitive approach in investigative and judicial proceedings.

As a result of the study, legal gaps between the requirements of international conventions and universal protocols in establishing criminal liability are analyzed, and recommendations are proposed to address these gaps.

In recent years, the rise in cases of sexual abuse and exploitation committed against children has turned this problem into a pressing issue on a global scale. This type of crime has seriously violated the personhood of children not only in today's modern world but, in various forms, at different stages of human history. Any matter relating to sexual abuse against children requires that the causes of this crime be studied and that an adequate, well-grounded solution be provided. A clear example of such abuse is found in the crime of "pedophilia." Pedophilia is regarded, in psychiatry and in the legal field, as the commission of sexual abuse against children, typically of prepubertal (that is, sexually immature) age. If a person's sexual interest in children is persistent and intense, and the person either acts on this interest or is seriously troubled by such thoughts, it is characterized as a pedophilic disorder.¹

Today, having studied and analyzed the main motives, processes, and consequences of this crime in order to provide effective solutions, the question arises as to precisely what work is being done and how effective it is. The protection of children from sexual abuse is a broad and pressing issue at the international level, and within international law this matter has become a particular focus of attention. According to statistical data, millions of children fall victim to various forms of sexual violence every year, which negatively affects their physical, psychological, and social development. Within the field of international law, the protection of children from sexual abuse has developed gradually. This process began with the 1948 Universal Declaration of Human Rights and includes the 1989 Convention on the Rights of the Child and its additional protocols, which are important normative legal instruments in this area. Today there exist numerous conventions, declarations, and various organizations carrying out practical work in this field. Ensuring the inviolability and safety of the child's person is an essential component of the human rights system. In addition to the above-mentioned global conventions, regional instruments such as the Council of Europe's Lanzarote Convention also establish concrete mechanisms for protecting children from sexual exploitation and violence. These instruments impose clear obligations on states regarding prevention, the criminalization of such offenses, and the rehabilitation of child victims.

The relevance of the topic is explained, on the one hand, by the high degree of latency of violence against children — meaning that in many cases it remains hidden — and, on the other hand, by the fact that in addition to real-world abuse committed against children in various settings by individuals, cases of sexual exploitation carried out via the internet are also increasing sharply. For this reason, the central task remains the development of effective legal mechanisms, consistent with international standards, for preventing both forms of sexual violence, and ensuring that these mechanisms are not merely ratified into national legislation but are effectively implemented. The main purpose of the study is to systematically set out the legal foundations currently in force and to examine the problems involved in applying these foundations within national legislation. Within the scope of the research, normative instruments adopted by the UN, the Council of Europe, and other international institutions were examined, together with the scholarly views of foreign and domestic researchers in this field.

¹ICD-11 for Mortality and Morbidity Statistics (Who.int, 2025) <<https://icd.who.int/browse/2025-01/mms/en#2110604642>>.

Various scholars hold differing views on sexual abuse against children. One of them, the child-safety researcher David Finkelhor, regards pedophilia not merely as a “sexual deviation” but as a social phenomenon grounded in power, dominance, manipulation, and exploitation directed against children. In his book *Child Sexual Abuse: New Theory and Research*, he explains pedophilia as an “integrative social phenomenon,” in which the following act together:²

- Sociological factors;
- Psychological factors;
- Family factors;
- Cultural factors.

Key principles in Finkelhor's definition:

- **The exploitation of a position of POWER over the child;**

First key principle in Finkelhor's definition:

“The pedophile is stronger than the child — physically, psychologically, socially — and exploits this superiority.”

This includes the following:

- The child has a low capacity to resist;
- The offender holds physical/psychological dominance;
- The gap in social experience is very large;
- This dominance lies at the very center of the crime.

- **The abuse of a relationship of TRUST;**

Finkelhor views pedophilia as a “trust betrayal crime” — a crime built on the abuse of trust. Pedophiles are often:

- A relative; Family friends;
- A teacher; Religious leaders;
- A neighbor; Close acquaintances;
- A coach;

That is, the child is deceived by a person in whom trust had been placed.

- **The exploitation of the child's inability to protect themselves;**

The child cannot grasp the true nature of the crime being committed against them — which is precisely why children form the most vulnerable group.

The reasons for this include:

- Young age; Psychological immaturity;
- Inability to grasp the significance of events; Fear;
- Inability to turn to societal protective mechanisms;
- Not knowing whom to tell;

For this reason, pedophilia constitutes the exploitation of vulnerability;

- **Sexual exploitation;**

In Finkelhor's definition, pedophilia is not only an act but also:

²Child Sexual Abuse: New Theory and Research, Finkelhor, David: Free Download, Borrow, and Streaming: [Internet Archive](https://archive.org/details/childsexualabuse0000fink?hl=ru-RU) (Internet Archive, 2020) <<https://archive.org/details/childsexualabuse0000fink?hl=ru-RU>>.

human dignity and reputation.”⁵ In addition, there exists the Declaration of the Rights of the Child (1959). This document remains in force today and has been preserved as an important historical instrument. It was adopted by the UN General Assembly on 20 November 1959 and sets out the fundamental protections of children's rights. It should be noted, however, that this declaration is recommendatory in nature and does not carry binding legal force. The following key principles are set out in this declaration:⁶

- the child, from the moment of birth, is entitled to rights and protection;
- special care and protection for the child's physical, psychological, moral, and social development;
- the child's name and nationality; the right to adequate food, shelter, health care, education, rest, and play;
- special care for children with disabilities;
- protection against exploitation, trafficking, violence, and neglect of children.

In place of this declaration, there now exists the Convention on the Rights of the Child, adopted in 1989. This is a binding international treaty that imposes legal obligations on its states parties. Article 34 of the Convention provides:⁷

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral, and multilateral measures to prevent:

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

In addition to this convention and declaration, various protocols also exist today. One of these is the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. This protocol was adopted in 2000. It addresses the following key matters:

States parties are obligated to protect children from all forms of sale, child prostitution, and child pornography. They must prohibit:

- the transfer of a child to another person in exchange for a promise or payment (sale);
- the use of a child for sexual services (prostitution);
- the depiction of a child engaged in sexual acts or the depiction of a child's sexual parts in pornographic materials (pornography).

⁵United Nations, 'Universal Declaration of Human Rights' (United Nations, 10 December 1948) <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>>.

⁶UN General, 'Declaration of the Rights of the Child' (United Nations Digital Library System, 28 June 2026) <<https://digitallibrary.un.org/record/195831?v=pdf>>.

⁷'Convention on the Rights of the Child' (OHCHR, 2026) <<https://www.ohchr.org/ru/instruments-mechanisms/instruments/convention-rights-child>>.

States must also criminalize such acts, prosecute and punish offenders, and ensure support and protective measures for child victims.

This protocol consists of 17 articles in total.

At this point it is also necessary to address another convention — the Council of Europe's Lanzarote treaty.⁸ On 21 June 2018, the United Kingdom government ratified the Council of Europe's Lanzarote Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, both domestically and with respect to acts committed abroad. The Lanzarote Convention is the first international instrument to recognize various forms of sexual violence against children as criminal offenses, including acts committed abroad. It was signed by the UK government in 2008 and ratified ten years later, in 2018.

The Convention's main requirements consist of the following:

- requiring states to prevent and combat the sexual exploitation and sexual abuse of children;
- protecting the rights of children who are victims of sexual exploitation and abuse;
- developing national and international cooperation against sexual violence committed against children.

This includes implementing legal measures to protect children's rights without discrimination on the basis of sex, race, gender, language, religion, national, or social origin. As a result of ratification, international cooperation and information-sharing between the United Kingdom and other states in investigating sexual crimes against children and holding offenders accountable have been further strengthened. The United Kingdom is also required to carry out preventive measures such as vetting offenders, conducting training on child protection, and collecting information on convicted offenders.

Although international legal instruments have established measures against the sexual exploitation and abuse of children, international cooperation remains essential in practice for identifying and punishing offenders. From this standpoint, INTERPOL plays a major role in conducting international information exchange and search operations relating to sexual crimes against children. INTERPOL's resources and expertise assist states in effectively fulfilling their legal obligations and provide the capacity to pursue offenders at the global level. INTERPOL's core function is to provide information on the global fight against crimes committed against children, including pedophilia offenses. Its main purpose is to organize cooperation between national police agencies in combating international crime. It organizes international investigative and preventive activities to protect children's rights.

INTERPOL's International Child Sexual Exploitation (ICSE) image and video database⁹ is an intelligence and investigative tool designed for specialized investigators, enabling the exchange of information on cases of sexual violence against children.

⁸'Lanzarote Convention' (Children's Rights, Council of Europe) <<https://www.coe.int/en/web/children/lanzarote-convention>>.

⁹'International Child Sexual Exploitation Database' (www.interpol.int) <<https://www.interpol.int/Crimes/Crimes-against-children/International-Child-Sexual-Exploitation-database>>.

Using specialized software, investigators can compare photographs and videos to rapidly establish links between victims, offenders, and crime scenes. The database helps determine whether identical images have already been identified in another country or whether they resemble other images, thereby reducing duplicate work and saving valuable time.

In addition, specialized investigators from more than 70 countries around the world have access to the database to exchange information and cooperate with one another.

Victim-identification specialists who analyze digital, visual, and audio content in photographs and videos can together identify traceable information, establish common features between cases, and work jointly to locate victims.

INTERPOL's child sexual exploitation database contains more than 4.9 million images and videos and has helped identify 42,300 victims worldwide.

Many people, when discussing sexual violence against children, do not realize that this includes very young children, even infants.

After analyzing a randomly selected sample of videos and images from the ICSE database, INTERPOL and ECPAT International published a joint report in February 2018 entitled "Towards a Global Indicator on Unidentified Victims in Child Sexual Exploitation Material."

The study identified the following alarming trends:

- The younger the victim, the more severe the abuse tends to be.
- 84 percent of the images contained explicit sexual acts. More than 60 percent of unidentified victims were of pre-pubescent age, including infants and young children.
- 65 percent of unidentified victims were girls.
- Boys were more frequently depicted in images showing the most severe levels of abuse.
- 92 percent of visible offenders were male.

INTERPOL has carried out numerous real-world operations against pedophilia and sexual exploitation of children. The following may be cited as examples:

Operation Narsil (International)¹⁰

This operation was aimed primarily at dismantling a network of websites distributing child sexual abuse imagery while generating revenue through advertising. In particular:

- Sites with a "legitimate" appearance (CSAM platforms concealed under the guise of "adult content") were identified.
- The advertising-based financing mechanism behind the sites was exposed.
- Cooperation with DNS and hosting providers led to the shutdown of the sites.

The results included the following:

- Dozens of domains were suspended;
- Administrators were identified and arrested through national police forces;
- International investigative methods were improved;

¹⁰Operation Narsil Disrupts Network of Child Abuse Websites Designed to Generate Profits from Advertising' (Interpol.int, 2023) <<https://www.interpol.int/News-and-Events/News/2023/Operation-Narsil-disrupts-network-of-child-abuse-websites-designed-to-generate-profits-from-advertising>>.

Operation Orion (International)¹¹

This operation was carried out between May and September 2024. The international operation against perpetrators of sexual abuse against children led to the arrest of 144 individuals and the protection of 20 victims in South America. Under “Operation Orion International,” 12 South American countries cooperated against the production, distribution, and possession of online child sexual exploitation material. The operation placed particular emphasis on identifying and rescuing victims. As a result, 18 direct perpetrators of abuse were arrested, and 111 individuals were charged with possessing and distributing material. In addition, 7 individuals wanted internationally were also arrested. For example, in Argentina, authorities reported identifying and rescuing a 9-year-old girl who had been subjected to abuse for at least six years. Prior to the start of the operation, Chile's cybercrime unit and the Buenos Aires prosecutor's office had notified INTERPOL of the transnational spread of child sexual exploitation material.

Operation Priscas (International)¹²

Conducted from 5 to 12 December 2022 in West Africa — in Benin, Burkina Faso, Cote d'Ivoire, and Togo — this international law-enforcement operation targeted human trafficking and the exploitation of children. The operation ran for eight days. During this period, more than 202,000 checks were carried out against INTERPOL's databases and the regional WAPIS system. The operation's name comes from a young girl rescued from a cocoa-producing plantation in 2015 during the earlier Operation Akoma. By naming the operation “Priscas,” INTERPOL emphasized that efforts to protect children continue even after this girl's rescue. As a result of the operation:

In Cote d'Ivoire: local police and INTERPOL investigators searched suspicious houses and dormitories in and around the city of Abidjan. They received information about children who had been brought in under promises of “work and education.” A trafficking network tracked through mobile phones was identified. In this operation, 35 victims were identified, 8 of whom were minors; the remainder were young women and adolescent girls. These children had been taken from rural areas. Their families had been promised “education” or “employment,” but in reality the children were being prepared for forced labor and exploitation.

In Burkina Faso: police conducting checks near the border with Niger stopped a suspicious vehicle, in which an adult and a group of children were found. Further investigation revealed that 10 minors were being unlawfully transported. They had been given false promises of “work in a gold mine.” The rescued children underwent medical examinations, received psychological support, and were placed in temporary protective centers. The process of returning them to their families subsequently began.

¹¹'20 Rescued, 144 Arrested in Major Child Abuse Operation across South America' (Interpol.int, 2024) <<https://www.interpol.int/News-and-Events/News/2024/20-rescued-144-arrested-in-major-child-abuse-operation-across-South-America>>.

¹²'Afrique de l'Ouest: 56 Mineurs Victimes d'Exploitation Secourus' (Interpol.int, 2022), accessed 28 June 2026.

In Togo: a Nigerian woman was stopped by police; she was traveling together with 5 other women, 3 of whom had minor daughters with them. The women initially claimed they were taking the girls to work in a “salon.” Investigators examined the women's phones, checked text and chat messages, and analyzed their contact lists. It was thereby revealed that the girls were being taken to work in clubs and bars and were intended for sexual exploitation. Law enforcement immediately arrested the women and moved the girls to a place of safety. A case was opened under the provisions on human trafficking and the exploitation of children.

In today's modern world, such real-world cases and INTERPOL's effective actions against such crimes continue to exist. Such crimes once again demonstrate the importance of international cooperation in combating transnational crime. The exploitation of children is often carried out under the guise of false promises of work and education, which complicates the protection of victims. For this reason, it is essential that law-enforcement bodies not only apprehend offenders but also develop prevention and social-support systems.

Just as it is important to address this problem and its solutions at the international level, it is equally important to address it through our own national legislation. Today, all of the above-mentioned conventions and declarations have been ratified by our state and incorporated into national legislation. While numerous pedophilia-related crimes occur today and adequate penalties exist for them, it should be noted that under Uzbek law, the protection of victims' privacy and dignity in criminal proceedings is given priority. In particular, in crimes involving children, the law requires that victims' personal information not be disclosed to the public. The ratified laws are adequate, and implementation processes are functioning as intended. Uzbekistan is a party to various international conventions and fulfills their requirements. The provisions of international conventions concerning children's rights have been harmonized with national legislation. Examining this crime using examples from Uzbekistan: reports that a 38-year-old man in Namangan had raped a 7-year-old girl, and that a 31-year-old convict in Okhangaron district had raped a third-grade girl, sparked widespread online discussion. Once it also became known that both suspects had previously been convicted under the article on offenses against the honor of a minor, debate reignited over how such offenders could be punished effectively. While most people argue that pedophiles should be sentenced to death, others maintain that castration could be the most effective measure. Still another segment of the public believes that such offenders should be sentenced to life imprisonment.¹³

According to Surayyo Rahmonova, the Children's Ombudsperson:

The death penalty has not only been abolished in Uzbekistan, but a strict constitutional prohibition has also been established against ever reintroducing this form of punishment. Global research shows that the application of the death penalty does not reduce crime rates. Allowing the state to take a person's life does not lower the level of aggression in society — on the contrary, it tends to increase it.

Regarding controversial punitive measures such as castration, the matter requires an approach that takes all aspects into account. In assessing the need to apply such a measure, it is necessary to thoroughly study how effective it has been in other countries that use it. It

¹³(Gazeta.uz, 22 October 2025) <<https://www.gazeta.uz/oz/2025/10/22/pedofiliya/>>.

should also be taken into account that this type of punishment is generally applied with the consent of the convicted person, is usually offered as an alternative in exchange for a reduced sentence, and requires costly medications as well as long-term, continuous psychiatric support. In short, the Children's Ombudsperson proposes the application of life imprisonment rather than the death penalty or castration.

Laylo Fayzimurodova, Head of the Department for the Protection of Children from Violence at the National Agency for Social Protection, states that “death is too lenient a punishment.”

In the interest of human rights, Uzbekistan abolished the death penalty in 2008. Reinstating it would amount to a violation of human rights and could also provoke considerable controversy.

As for castration as a punishment, this is carried out in two forms — chemical and surgical. If this form of punishment were introduced, both methods could give rise to consequences of their own. The full responsibility for administering castration as a punishment would fall not on investigators, courts, or penal institutions but on the healthcare system, which would need to be prepared for this. In my view, the most appropriate option is a sentence of life imprisonment. As an ordinary citizen, I would say that once an offender is deprived of their freedom, they ought to be made to suffer the torment of conscience. For such people, even the death penalty is, in truth, far too lenient a punishment — once they die, they are freed from everything. In reality, they should be made to understand that their conduct deserves punishment, and to feel and serve out that punishment. International norms and practice also indicate that life imprisonment is the appropriate sentence for a person who has committed an extremely grave crime, particularly crimes against the sexual integrity of a child under the age of 14. In conclusion, the question of what punishment should be applied to perpetrators of this crime continues to give rise to a wide range of debates

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