

SEXUAL CRIMES AGAINST CHILDREN IN THE VIRTUAL ENVIRONMENT: AN ANALYSIS OF PEDOPHILIA IN THE CONTEXT OF HYPERSEXUALIZATION AND THE CULTURE OF SILENCE

CRIMES SEXUAIS PRATICADOS CONTRA CRIANÇAS NO AMBIENTE VIRTUAL: UMA ANÁLISE DA PEDOFILIA DIANTE DA HIPERSEXUALIZAÇÃO E A CULTURA DO SILÊNCIO

DELITOS SEXUALES COMETIDOS CONTRA NIÑOS EN EL ENTORNO VIRTUAL: UN ANÁLISIS DE LA PEDOFILIA FRENTE A LA HIPERSEXUALIZACIÓN Y LA CULTURA DEL SILENCIO



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ABSTRACT

This study focuses on the analysis of sexual crimes occurring in the virtual environment, especially against children, as the internet has evolved since the 1990s, introducing new forms of interaction and increasing risks for young people. Although there are national and international laws and treaties aimed at protecting children from sexual violence, the high number of cases reflects persistent challenges that require more robust public policies and an improvement in the justice system. The culture of silence, the hypersexualization of children, and the lack of sexual education contribute to the vulnerability of children. Thus, awareness, sexual education, and online monitoring are crucial to protect them and ensure a safe digital environment. This study seeks to understand the challenges in preventing and combating online sexual crimes against children, proposing policies and protective measures to mitigate these threats, in addition to also alerting parents, educators and health agents about the signs of pedophilia.

Keywords: Sexual Crimes. Children. Vulnerability.

RESUMO

Este estudo foca na análise dos crimes sexuais ocorridos no ambiente virtual, especialmente contra crianças, à medida que a internet evoluiu desde os anos 90, introduzindo novas formas de interação e aumentando os riscos para os jovens. Embora existam leis e tratados nacionais e internacionais que visam proteger as crianças contra a violência sexual, o alto número de casos reflete desafios persistentes que exigem políticas públicas mais robustas e uma melhoria no sistema de justiça, a cultura do silêncio, a hipersexualização infantil e a falta de educação sexual contribuem para a vulnerabilidade das crianças. Sendo assim, a conscientização, a educação sexual e o monitoramento online são cruciais para protegê-las e garantir um ambiente digital seguro. Este estudo busca entender os desafios na prevenção e combate aos crimes sexuais online contra crianças, propondo políticas e medidas de

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proteção para mitigar essas ameaças, além de também alertar aos pais, educadores e agentes de saúde sobre os indícios da pedofilia.

Palavras-chave: Crimes Sexuais. Crianças. Vulnerabilidade.

RESUMEN

Este estudio se centra en el análisis de los delitos sexuales ocurridos en el entorno virtual, especialmente contra niños, a medida que Internet ha evolucionado desde la década de 1990, introduciendo nuevas formas de interacción y aumentando los riesgos para los jóvenes. Aunque existen leyes y tratados nacionales e internacionales destinados a proteger a los niños contra la violencia sexual, el elevado número de casos refleja desafíos persistentes que exigen políticas públicas más sólidas y mejoras en el sistema de justicia. La cultura del silencio, la hipersexualización infantil y la falta de educación sexual contribuyen a la vulnerabilidad de los niños. Por lo tanto, la concienciación, la educación sexual y el monitoreo en línea son fundamentales para protegerlos y garantizar un entorno digital seguro. Este estudio busca comprender los desafíos en la prevención y el combate de los delitos sexuales en línea contra niños, proponiendo políticas y medidas de protección para mitigar estas amenazas, además de alertar a padres, educadores y profesionales de la salud sobre los indicios de la pedofilia.

Palabras clave: Delitos Sexuales. Niños. Vulnerabilidad.

1 INTRODUCTION

The main focus of this work is to analyze crimes committed in the virtual environment, focusing more specifically on sexual crimes committed against children.

It can be seen that, from the 90's, with the emergence of the internet, new modalities of communication and interaction emerged, such as chat chats and text messages, through which social networks were consolidated, virtual spaces in which any individual can create and share content.

The legal protection of children and adolescents against sexual violence is a national and international commitment, based on treaties and laws that aim to safeguard their rights and integrity, Brazil, ratifying conventions such as the Convention on the Rights of the Child and the American Convention on Human Rights, has assumed the responsibility of adopting measures to prevent and punish all forms of sexual violence.

The Statute of the Child and Adolescent, instituted in 1990, adopts the principle of full protection, ensuring specialized care and protection measures for victims, despite this, the legislation faces challenges, reflected in the high number of cases of child and adolescent sexual violence.

To deal with this issue, it is necessary to strengthen public policies, invest in awareness and education, in addition to improving the criminal justice system to ensure more effective punishments against aggressors, only through a joint effort by society will it be possible to guarantee a safe and protected environment for children and adolescents, promoting their fundamental rights and dignity.

The advent of the internet since the 1940s has marked a revolution in communications, moving from a military tool to a social space, however, along with the opportunities also came cybercrimes, such as identity theft and wire fraud.

In Brazil, in 2022, there was a significant increase in these crimes, evidencing the need for digital protection, among these crimes, sexual crimes emerge as a threat, taking advantage of child vulnerability and ease of access to the internet, where aggressors often hide behind fake profiles to get closer to children and adolescents, perpetuating abuse and manipulation.

The responsibility for identifying and preventing crimes against children and adolescents falls mainly on the family, which must be aware of signs of abuse, sex education is essential to enable young people to recognize and report situations of abuse.

The culture of silence and child hypersexualization are obstacles that need to be overcome, open dialogue, monitoring of online activities and preventive education are

fundamental in protecting children, this responsibility is shared by parents, educators and the whole society.

The present work addresses the need to understand the predominant forms of cybercrime and the means available to combat child exploitation and pedophilia through the computer network.

These crimes are intrinsically connected by the nature of the conducts and actions perpetrated, in the current context, the criminal legal system demonstrates a certain lag in relation to the constant evolution of these criminal behaviors, such a scenario provides a kind of "safe-conduct" for criminals, encouraging the increase of crimes of a lascivious nature and financial scams, which find fertile ground to prosper.

The analysis of these criminal phenomena constitutes a complex and urgent challenge, and it is therefore urgent to promote the updating of the legal framework and the implementation of effective coping strategies, in order to preserve the safety and integrity of victims, as well as to rigorously repress those who are dedicated to perpetrating such atrocities in the digital environment.

In view of the growing use of the internet and digital technologies, what are the challenges faced in preventing and combating sexual crimes committed against children in the virtual environment, considering child vulnerability, the spread of hypersexualization and the culture of silence? In addition, how can public policies, sex education, and monitoring of online activities contribute to mitigating these crimes and promoting a safe environment for children and adolescents in the digital age?

The justification for this study is related to the importance of the theme for society. Human relationships have taken on a secondary importance with regard to the ways in which people relate to each other.

Often virtual friendships are made, without ever having seen the person in person, which often facilitates criminal actions by electronic means.

The need to promote society's awareness of the risks and implications of virtual crimes, combined with the implementation of preventive measures to mitigate such threats, is an imperative.

An in-depth understanding of the legal aspects and resources available to effectively combat cybercrime is crucial in order to establish an effective and cohesive approach to this multifaceted challenge.

By conducting an analysis of the Brazilian legal scenario regarding virtual crimes, this study aims to contribute to the debate and improvement of public policies and legislation concerning this sphere.

The preservation of citizens' rights and the protection of cybersecurity are highly relevant issues in an increasingly interconnected global context, therefore, they demand a comprehensive and up-to-date legal approach by the Brazilian legal system.

Therefore, the general objective here was to understand the general context of sexual crimes perpetrated against children in the virtual sphere, while the specific objectives were: to explore the legal protections regarding children; analyze the issue of pedophilia and child vulnerability; know about the responsibility to identify the occurrence of sexual crimes against children; explore the factors that contribute to child sexual violence.

2 CHILDREN AND FULL PROTECTION

Sexual violence, characterized as one of the most abominable forms of violence, takes on even more harmful proportions when perpetrated against children and adolescents, causing not only damage to their physical integrity, but also compromising their human dignity, sexuality and privacy - crucial aspects for the healthy development of these individuals in the growth phase. In this context, Brazil, by ratifying international conventions and treaties, assumes the commitment to protect young people against sexual crimes, in line with the constitutional principles established in article 227 of the Federal Constitution of 1988, which recognizes as the duty of the family, society and the State to guarantee, with absolute priority, a range of fundamental rights, including the right to life, to health, education, leisure, culture, dignity, respect, freedom and to family and community life (Brasil, 1988).

In addition, the Convention on the Rights of the Child, adopted by the United Nations General Assembly on November 20, 1989 and ratified by Brazil in 1990, establishes the obligation of member states to adopt appropriate legislative, administrative, social and educational measures to protect children against all forms of physical or mental violence, abuse, neglect, mistreatment or exploitation, including sexual abuse (Brasil, 1990).

Thus, this protection extends to children as long as they are under the responsibility of their parents, legal representatives or any other persons in charge of their care.

According to the contributions of Figueiredo and Novas (2000), the Convention on the Rights of the Child undoubtedly represented a significant milestone in changing the perception of children and adolescents, who began to be recognized as subjects with rights.

The author considers that its enactment was responsible for the paradigm shift in international legal norms, evolving into the Doctrine of Integral Protection, which prioritizes the condition of a person in a peculiar situation of development, ensuring the protection and rights of children and adolescents.

The American Convention on Human Rights, known as the Pact of San José, Costa Rica, ratified by Brazil through Decree 678 in 1992, aims primarily to safeguard the dignity of the human person and to protect all individuals against any manifestation of violence and exploitation, particularly those in situations of fragility, such as children and adolescents (Brazil, 1992).

In addition, the Convention establishes protection measures aimed at vulnerable groups, including children and adolescents, among these measures, the prohibition of sexual exploitation and child labor, as well as the guarantee of the right to education and protection against all forms of violence, abuse and negligence (Brasil, 1992).

In addition, the Convention provides for the establishment of mechanisms for the protection and promotion of human rights, such as the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, which are responsible for monitoring the human rights situation in the countries that are signatories to the Covenant and for adopting preventive and corrective measures in cases of human rights violations (Brazil, 1992).

The Federal Constitution guarantees the fundamental rights of all people, including children and adolescents, to ensure the realization of these rights, the Statute of the Child and Adolescent (ECA) was instituted in 1990, by Law No. 8,069. The ECA adopts the principle of full protection, aiming to safeguard all the rights of this population, including protection against sexual violence.

Specifically for cases of sexual violence, such as the rape of a vulnerable person, the ECA establishes protective measures such as specialized care, forensic examinations, confidentiality of the victim's identity, psychological and social support, in addition to protection measures such as the removal of the victim from the aggressor.

It should be noted that the full protection advocated by the ECA goes beyond the simple prevention of rape of a vulnerable person, extending to all forms of violence and sexual exploitation against children and adolescents, especially by seeking to ensure that all the rights of this population group are widely respected and protected.

In this sense, Araujo (2018) teaches that the full protection provided for in the ECA encompasses all forms of violence and sexual exploitation against children and adolescents, transcending the mere protection against the rape of the vulnerable. According to the author, this comprehensive approach guarantees the safeguarding of the rights of this population, and is essential to promote a childhood and adolescence free of violence and exploitation.

According to the understanding of the Public Security Forum, despite the existence of extensive and specific legislation to protect children and adolescents against sexual crimes

in Brazil, there is still an alarming number of cases of sexual violence involving this age group, which ends up reflecting the insufficiency of laws and public policies in force to prevent and punish such crimes (Brazilian Public Security Forum, 2022)

In this sense, the Forum understands that it is urgent to implement comprehensive and preventive policies that encompass awareness, education, protection and effective punishment of aggressors.

Society as a whole must be involved in preventing and combating sexual crimes, reporting suspected cases and supporting victims, investing in policies that facilitate access to information on prevention and reporting, together with awareness campaigns, is essential to enable people to act in the face of suspected or confirmed sexual crimes (Brazilian Forum on Public Security, 2022)

In addition, it is essential to improve the criminal justice system, through the proper training of legal operators, combined with the implementation of more severe punitive measures against aggressors, precisely to mitigate impunity and promote a greater sense of equity, both for victims and for the social body as a whole.

Therefore, the synergistic effort of all segments of society aimed at preventing and confronting sexual crimes, ensuring the safeguarding and respect for the human rights of all individuals, especially children and adolescents, who are the most susceptible to such violations.

2.1 CYBERCRIME AND CHILD VULNERABILITY

Initially, it is unavoidable to address the theme of cybercrimes without evoking the genesis of the internet, dating back to the 1940s, when the military enterprise during the Cold War functioned as a communicative alternative in the face of the vicissitudes of the traditional media of the time (Almeida, 2015).

This initial conception, aimed at war purposes, was transformed after the end of the conflict, when the internet began to be used for social purposes, marking an unprecedented era and catalyzing the development of ENIAC, the pioneering digital computer, dedicated to ballistic tasks (Santos; Martins; Tybusch, 2017). In view of this new context, contemporary types of crimes emerge, including identity theft, electronic fraud, system invasion, malware propagation, phishing, virtual harassment, among others, in the first half of 2022, Brazil was the scene of a notorious increase in the volume of attempts of cyberattacks, totaling 31.5 billion records.

This alarming data highlights the growing sophistication and frequency of virtual threats, requiring increasingly robust and effective measures to protect systems and users against such attacks.

Thus, an in-depth analysis of the causes of this exponential increase in cyber crimes is urgent, ranging from rapid technological evolution to the lack of awareness on the part of users about the best digital security practices.

In addition, factors such as the lack of adequate legislation and efficient international cooperation also contribute to the proliferation of these crimes, so it is urgent to develop multidisciplinary policies and strategies, involving governments, companies, and civil society, to address this growing challenge and protect the integrity and privacy of individuals in the digital age.

With the popularization of the internet, many people have started to use it as an integral part of their daily lives, however, not all users act sensibly or ethically when using this medium.

Many individuals mistakenly see the internet as a free space, where they can act without restrictions or consequences, this misperception contributes for the emergence of new types of crimes, known as virtual crimes (Porto; Santos, 2014).

These crimes occur in the digital environment and can include activities such as hacking, online fraud, virtual bullying, defamation, among others, thus, the lack of awareness about ethical and legal limits on the internet has led to an increase in the incidence of virtual crimes around the world (Porto; Santos, 2014).

With the progress of the Internet, the dissemination of access to this platform has become widespread, however, it is clear that not everyone uses it responsibly. Countless individuals, mistakenly persuaded that the Internet constitutes a space of unrestricted freedom, incur in inappropriate conduct, triggering new criminal modalities: virtual crimes.

Cybercrimes represent an increasingly present threat, and child vulnerability in this scenario is a growing concern, with the advancement of technology and the expansion of internet access, children are increasingly exposed to online risks, even with filters and parental controls, it is difficult to completely control what children access online (Abreu, 2013).

It is precisely at this time that they can be exposed to pornography, violence, drugs and other harmful content that can affect their emotional and psychological development (Abreu, 2013).

Therefore, a proactive approach to protecting children from these dangers is essential, involving digital education, setting clear boundaries, and proper supervision by parents and guardians.

In this way, the vulnerability of children and adolescents comes up against the ease of access to devices connected to the internet and that exposes children and adolescents to a series of risks, including contact with sexual predators, involvement in situations of sexual exploitation and access to content inappropriate for their age group.

2.2 PEDOPHILIA AND ITS RELATIONSHIP WITH CHILD SEXUAL CRIMES

Pedophilia is a paraphilia that is characterized by sexual distortion permeated by a compulsive impulse in which adult individuals, predominantly male, manifest a sexual attraction aimed both exclusively and non-exclusively at children and adolescents

According to Lowenkron (2015), the expression pedophilia has its origin in the Greek term "paidophilia" and refers to the distortion that leads an adult to feel sexual attraction to children or to effectively perform activities of a sexual nature with them, these activities can range from simple stimulation to caresses and other sexual behaviors.

According to Silva et al. (2013), the concept of pedophilia unfolds in two parts: "paidos", which means child, and "philia", which alludes to the notion of love or attraction.

This combination of terms encapsulates the core of the phenomenon, evidencing the sexual inclination towards children on the part of an adult, it is important to emphasize that pedophilia is recognized as a complex and disturbing psychological condition, with serious implications for the well-being of the children involved and for society as a whole.

In addition, according to Greco (2016, apud França, 1996), pedophilia can be conceptualized as sexual perversion characterized by the erotic predilection for children, which can range from obscene acts to the practice of libidinous manifestations, denoting serious psychic and moral impairments of its authors.

In addition, to its definition it is added that men have a greater propensity to commit pedophilia, due to difficulties in establishing satisfactory sexual relations with adult women, resulting from complexes or feelings of inferiority.

In the Brazilian context, pedophilia is classified by the World Health Organization (WHO) as a sexual preference disorder, it refers to adults, both men and women, who have sexual preferences for children, regardless of sex, usually at ages ranging from pre-puberty to puberty (Bigati, 2017).

These individuals, for the most part, are men who, at first glance, appear to be ordinary people in social life and can interact in an apparently normal way in society.

This ability to camouflage themselves facilitates the conquest of victims' trust without arousing suspicion (Bigati, 2017), this aspect reinforces the complexity and severity of this disorder, requiring a multidisciplinary approach for its prevention and treatment.

According to Ferreira et al. (2018), is configured as any act or interaction of a sexual nature, whether heterosexual or homosexual, involving one or more adults and a child or adolescent, with the purpose of sexually stimulating the minor or using it as a means to obtain one's own sexual satisfaction or that of third parties.

The pedophile perpetrator, by masking himself under the façade of an apparently conventional individual and integrated into the social fabric, manages to operate stealthily, without arousing suspicion, thus facilitating his criminal activities without attracting attention (Medina et al., 2021).

Sexual abuse, perpetrated by an adult who has advantages in contrast to the extreme vulnerability of the victimized child, occurs in a meticulously planned and reserved environment, with the aim of minimizing any material traces (Medina et al., 2021).

As a consequence, such an abusive relationship remains obscure, hidden by the family structure, culturally considered as a stronghold of security, in addition, society, in certain contexts, mythologizes the theme and demonstrates skepticism or even indulgence in the face of sexual violence, evidencing a lack of training for its detection (Medina et al., 2021).

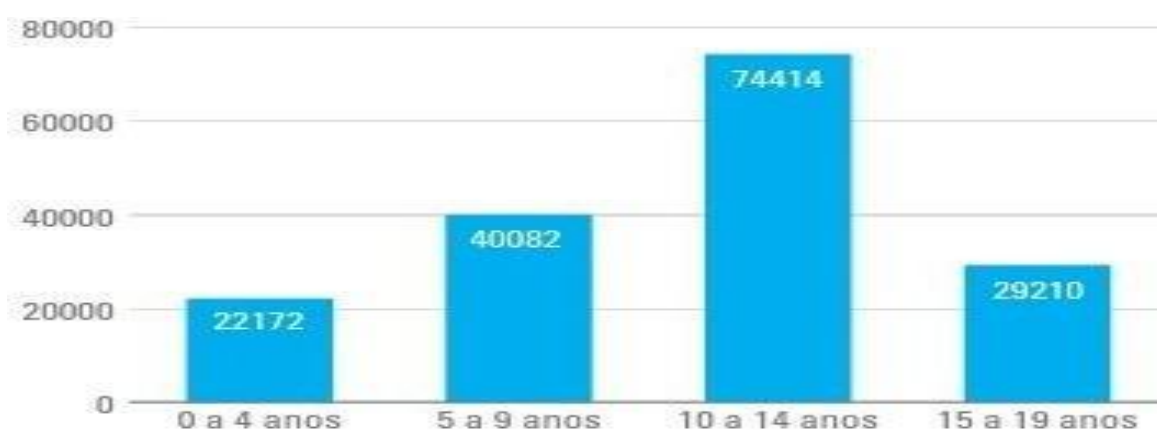
Furthermore, according to the reflections of Ulisses (2019), child victims of sexual abuse are often subjugated to the will of others and to the suppression of their own desires, resulting in a relational dynamic marked by the asymmetry of power.

In this sense, this disparity imposes severe consequences, both in the physical and emotional spheres, which can manifest themselves in various ways and in different contexts, including school and social.

According to Medina et al. (2021) outlines, the genesis of this nefarious scenario lies in the manipulation of the child, often through seduction supported by the offer of toys, monetary resources, or even through threats that aim to ensure their silence, as a result, the cycle of sexual abuse is perpetuated, inflicting deep damage on its victims (Medina et al., 2021).

In extreme circumstances, the violence perpetrated can be so overwhelming as to result in the death of the victimized individual, this Dantesque consequence illustrates the exacerbated gravity of the situation, emphasizing the imperative urgency of combating and preventing pedophilia and child sexual abuse (Medina et al., 2021).

The study by the United Nations Children's Fund (UNICEF) on deadly and sexual violence directed at children and adolescents in Brazil, in the period from 2017 to 2020, reveals that most records of rape and rape of vulnerable people involve victims under 14 years of age, as shown by the following data:

Figure 1*Rape by age group*

Source: UNICEF, 2021.

Through the analysis of Figure 1, the distribution of cases according to age group is noticeable, revealing a significant increase in the number of occurrences from 3 years of age onwards.

During the interval from 3 to 8 years old, the incidence remains relatively stable, but experiences a more marked growth from the age of 10 onwards, culminating in the peak of occurrences at 13 years old, an age that represents 14% of victims in the age group of 0 to 19 years (UNICEF, 2021).

These data are worrying and show that 81% of the victims were up to 14 years of age, in absolute terms, of the 179,278 cases registered in this period, 145,08619 had individuals up to 14 years of age as victims (UNICEF, 2021).

The United Nations Children's Fund indicates that many cases of crimes committed against people over 13 years of age are possibly not reported, due to cultural and social divergences in relation to the perception of victimization among adolescents and children, this, however, does not imply that the crimes did not occur, but rather that they were not reported to the competent authorities (UNICEF, 2021).

Despite this finding, it is essential to emphasize that rape is a violation that mainly affects children, in fact, victims aged between 0 and 9 years represent 38% of the cases registered with victims up to 19 years old.

This data highlights the vulnerability of these individuals and the urgency of implementing preventive and punitive measures to combat this serious violation of human rights (UNICEF, 2021).

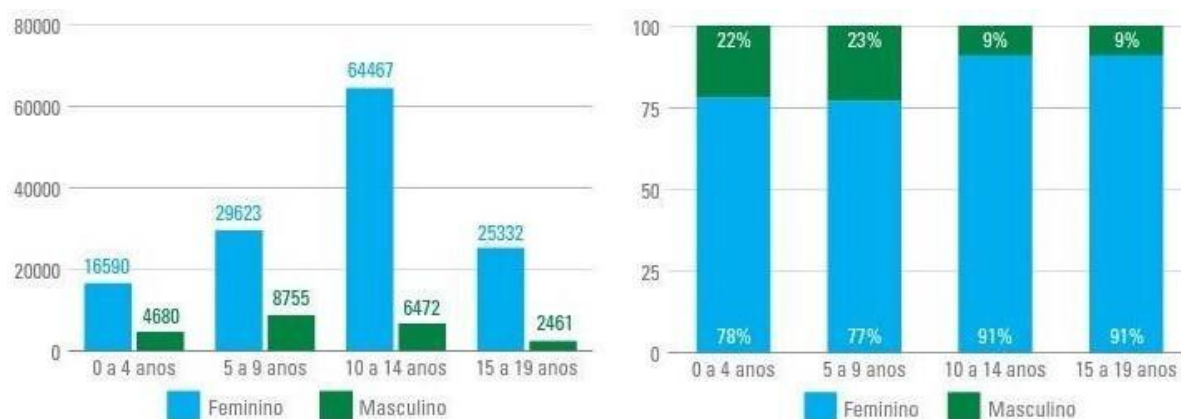
Oliveira and Rosa (2019) state that, through research and statistical analysis, it is possible to conclude that rape is a crime that mainly affects children and adolescents.

In Brazil, for example, the majority of rape victims are girls and young women, and approximately 70% of the registered cases involve female children and adolescents, many of them under 14 years old.

There is a clear pattern in the distribution of the crime of rape in relation to the sex of the victims, showing that, in most age groups, the majority of victims are female, as the data corroborate:

Figure 2

Rape by age and gender



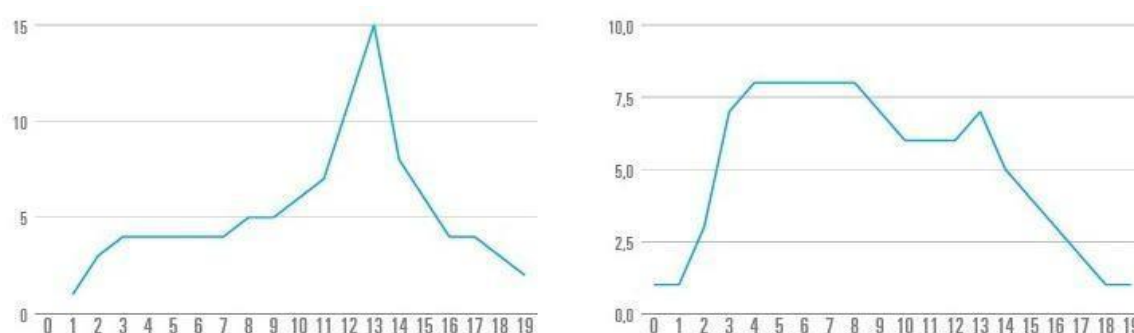
Source: UNICEF, 2021.

In the age group of 0 to 4 years and 5 to 9 years, it is observed that girls correspond to 77% of the total victims, while boys correspond to 23%. In the age groups of 10 to 14 years and 15 to 19 years, it is noted that females are responsible for 91% of the registered cases, while males corresponds to only 9%.

These data suggest that as the age range of victims increases, the likelihood that they are girls also increases (UNICEF, 2021).

Figure 3

Rapes of female and male victims by age of the victim



Source: UNICEF, 2021.

According to data from UNICEF (2021), 66,041 cases of rape were recorded in Brazil in 2020, of which 50,933 were classified as rape of a vulnerable person, while according to the 2022 Brazilian Public Security Yearbook, there were 47,232 cases of rape of a vulnerable person in Brazil in 2021, representing 75.5% of all rape cases in the country in the same year.

The detailed analysis in the yearbook highlights the seriousness of these crimes, especially among victims up to 13 years old, totaling 35,735 occurrences, which highlights the worrying situation (Brazilian Forum on Public Security, 2022).

It is also observed that, according to UNICEF (2021), 12% of female victims were between 0 and 4 years old, while 22% were in the age group of 5 to 9 years, totaling 34% of female victims aged between 0 and 9 years.

With regard to boys, a distinct distribution of cases is remarkable, with the highest concentration occurring among those aged 0 to 9 years (59%), in specific terms, the proportion of cases for boys between 0 and 4 years old is 21%, between 5 and 9 years old is 39%, and between 15 and 19 years old it is 11% (UNICEF, 2021).

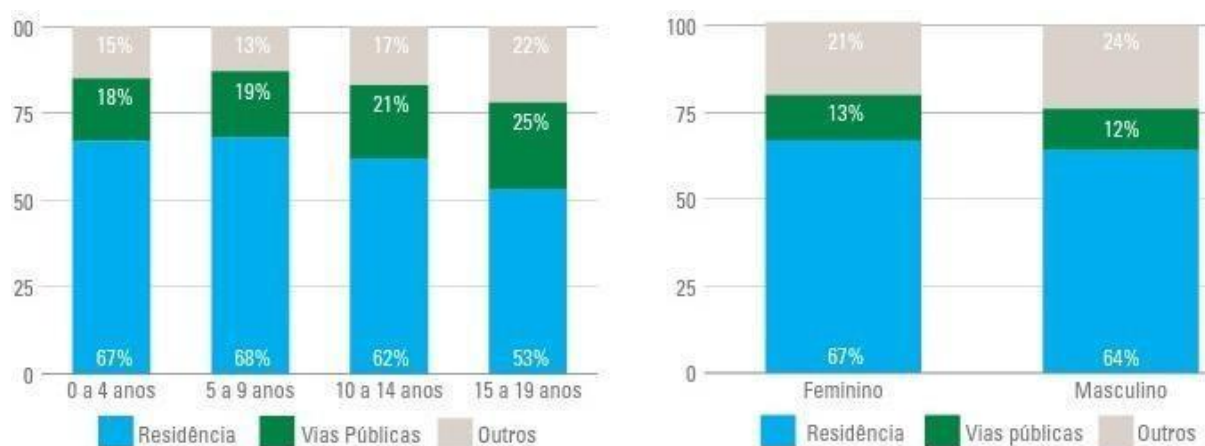
Therefore, it is evident that the distribution of cases varies considerably according to sex and age group, while cases of rape among boys are more prevalent in early childhood, cases involving girls are proportionally more common between 10 and 14 years of age.

However, it is important to highlight that the concern regarding early childhood in the case of female victims should not be underestimated, since, in absolute numbers, they are more numerous than male victims (UNICEF, 2021).

It is also crucial to consider the context where these crimes occur, as this factor exerts a determining influence on the occurrence of child and adolescent rape, so to understand the factors associated with this type of crime, it is essential to analyze:

Figure 4

Rapes by age group, gender, and place of crime



Source: UNICEF, 2021.

The analysis of these data reveals significant geographic variations in the places where the crimes are committed, depending on the age of the victim, the numbers indicate that the younger the victim, the greater the probability of suffering violence within their own residence, for age groups between 0 and 9 years, approximately 68% of crimes occur in households (UNICEF, 2021).

It is notable that the proportion of crimes that occur in homes decreases as the age of the victims advances, for example, between 10 and 14 years old, this percentage is 62%; and in the 15 to 19 age group, it is reduced to 53%.

In the latter age group, there is an increase in rape crimes on public roads or other places, in addition, both boys and girls are more likely to be victims of violence within their own homes, with percentages of 64% and 67%, respectively (UNICEF, 2021).

It is crucial to note that the underreporting of the crime of rape is a widespread phenomenon around the world, often attributed to victims' lack of trust in the justice system, fear of reprisals by the perpetrator, and a culture of victim-blaming.

The underreporting of cases of rape of vulnerable people is a worrying issue that compromises the effectiveness of public policies aimed at protecting these victims.

The author points out that the absence of records of these cases in the information systems can be attributed to several factors, such as the shame and fear of the victims and their families in reporting the aggressor, the lack of understanding about what constitutes a crime of rape of a vulnerable person, and the lack of training of health professionals and the justice system to identify and record such cases (Picini, 2015).

It is important to emphasize that as of 2011, the notification of violence became mandatory in Brazil, integrating the National List of Compulsory Notification of diseases, injuries and public health events. This list is compulsory in all public and private health services in the country (Cerqueira et al., 2017).

The Ministry of Health aims to ensure that all cases of rape treated in health services are registered through the interpersonal and self-inflicted violence notification form and entered into the Notifiable Diseases Information System (Sinan) (Cerqueira et al., 2017).

This measure aims to improve the epidemiological surveillance of the incidences of violence, while enabling the implementation of preventive and corrective strategies, while ensuring support and support for victims.

According to data provided by UNICEF, it was found that, among the spectrum of crimes analyzed, 86% were perpetrated by aggressors already known to the victims.

This proportion, which is eminent in all age groups, is corroborated below, with the exception that, despite a modest variation, only in the age group of 15 to 19 years there is an increase in the proportion of aggressors whose identity is unknown, as observed below:

Figure 5

Rapes by age and relationship between the aggressor and the victim



Source: UNICEF, 2021.

In cases of rape of vulnerable people, the crimes are often perpetrated by aggressors already known to the victims, due to the habitual interaction of these children or adolescents in family environments, at school or in activities under the supervision of parents or legal guardians.

In addition, these aggressors commonly use their position of trust and authority to garner the esteem of the victims and establish closeness (Messa, 2010).

It should be noted that the aggressor is often an individual close to the victim, which adds gravity to the crime and highlights the need to protect the most vulnerable strata of society, such as children and adolescents.

In addition, Messa underlines the relevance of sexual instruction as a preventive measure against sexual violence and the mitigation of the vulnerability of victims, as well as the urgency of public policies that guarantee access to information, health and protection for victims of sexual abuse.

The author warns that these aggressors often take advantage of the victims' fragility, whether through coercion, manipulation or threats, to achieve their goals, it is common for these aggressors to offer gifts, affection, attention or promises as artifices to gain the trust of the victims and, thus, gain access to them proximity (Messa, 2010).

Recently, the Institute of Applied Economic Research (IPEA) released a study revealing that in Brazil, currently, approximately 822 thousand cases of rape are registered per year, corresponding to an average of two cases every minute.

Unfortunately, only a tiny portion of these crimes (8.5%) come to the attention of police authorities, while only 4.2% are officially reported by the health system (IPEA, 2023)

According to IPEA, another relevant finding is that the vast majority of rape victims had some kind of link with the perpetrator(s) of the crime. Only 17.2% of the recorded cases were attributed to unknown individuals (IPEA, 2023).

The data analyzed by IPEA, from the Notifiable Diseases Information System (Sinan) of the Ministry of Health, reveal that, in the age group of 10 to 14 years, most rape episodes occur in the victims' home environment, totaling 63.16% of the cases.

In 24.8% of the occurrences, the crime was perpetrated in places of public access, while in 1.39% of the incidents, the crime took place inside educational institutions (IPEA, 2023)

In this context, child sexual crimes arise, since the combination of the vulnerability intrinsic to the child condition and the paraphilia of pedophilia, combined with the multiple opportunities provided by the virtual environment, facilitates the approximation of aggressors to children (Silva et al., 2013).

Often, these aggressors hide behind screens, presenting themselves as people of the same age group to gain the trust of the victims and thus fulfill their perverse desires (Silva et al., 2013).

In this way, with the wide accessibility and ease of communication provided by the internet, it has become a particularly attractive tool for pedophiles.

The virtual environment, full of chat rooms and social networks, facilitates meetings with victims, pedophiles often use fake profiles to hide their true identity, manipulating and deceiving victims, in addition, they use a vocabulary closer to children and adolescents to establish a connection (Silva et al., 2013).

In legal terms, vulnerability covers individuals under 14 years of age and those who, for any other reason, lack the capacity to grant conscious and voluntary consent for sexual or libidinous activities (Fiorelli, 2021), the crime is configured even in the absence of violence or serious threat, due to the presumption of violence in these cases.

As for the fragility resulting from age, the insurmountable limit of 14 years is firmly established by national legislation, the granting of consent by individuals under 14 years of age, in the context of sexual or libidinous activities, is legally disregarded, and is not relevant to the characterization of the crime.

In this sense, for example, the definition of the crime of rape of a vulnerable person does not require the demonstration of resistance by the victim or the use of violence or serious threat by the aggressor, contrary to what is required in the crime of rape as provided for in article 213 of the Brazilian Penal Code (Greco, 2021).

The simple performance of libidinous acts or the practice of carnal intercourse with a vulnerable individual falls within the typification of the crime, regardless of the specific circumstances (Greco, 2021).

In fact, the legal definition of vulnerability and the consequent typification of the crime of rape of a vulnerable person can give rise to significant legal debates, for example, the identification of who, in addition to children under 14 years of age, may be considered vulnerable for the purposes of characterizing the crime is an issue that can be discussed (Fiorelli, 2021).

In the psychological sphere, it is important to emphasize that the effects of rape of vulnerable people on victims can be especially devastating, given their condition of vulnerability (Oliveira; Bezerra, 2022).

Sexual violence can have immeasurable repercussions on the psychological and emotional development of vulnerable individuals, requiring an adequate response from the justice system and other sectors of society.

In addition, the crime of rape of a vulnerable person, although distinct from pedophilia, can occur simultaneously with other crimes when the agent records, through filming, photographs or other means, the practice of sexual acts with the victim and, subsequently, discloses them or not.

While the rape of a vulnerable person requires the consummation of the sexual act with the vulnerable victim, such a requirement is not required in the modalities of pedophilia provided for in the Statute of the Child and Adolescent.

It should be noted that there is no specific provision on rape in the Statute, as well as there is no legal provision for pedophilia in the Penal Code (Taquary; Taquary, 2018)

Thus, the lack of specific provisions in these legislations underscores the importance of a responsible approach to combating sexual violence against children and adolescents

3 RESPONSIBILITY FOR THE IDENTIFICATION OF CRIMES PERPETRATED AGAINST CHILDREN

Being a principle widely recognized by society, it is up to the family to ensure the upbringing and education of children and adolescents, guiding them to a life guided by honesty and morality before the community.

In this sense, the family is of great importance in identifying anomalous signs and behaviors in their children, potential victims, as soon as such behaviors are identified or discovered, it becomes feasible to call the police authorities to start the search for the suspect, preventing him from committing illegal acts again (Jarduli; Agostinho, 2010).

3.1 THE RESPONSIBILITY OF PARENTS

Victims of sexual abuse may think that they are being punished for having done something wrong and so that is why they have suffered this type of violence, many even think about committing suicide.

It is up to parents, family members, acquaintances, educators and health professionals to identify pedophilia early and in the treatment, one of the attitudes to be taken is to pay attention to the behavior, way of acting and thinking of adolescents and children. Understanding the devastating outcome of sexual abuse at an early age is essential to reinforce the need for punishment and intervention that prevents further actions of new pedophiles that may arise (Marra, 2016).

For the child who suffers sexual violence, Capitão and Romaro (2008) state that:

It becomes much more difficult to seek help, since she often thinks that no one will believe her, also thinking that she may be the cause of family conflicts. Thus, these children keep their history with them for long and lonely years until they reach a certain more mature age, when new conditions finally make it possible to reveal the cases. However, until that moment finally arrives, its history has already been marked by long periods of abuse and sexual violence, bringing trauma and irreversible problems to the composition of their lives.

In this way, they often feel unable to share their experience, because they fear not being believed or fear causing family conflicts by denouncing the abuser, so they end up keeping the history of abuse to themselves for years, until they feel more mature or safe to reveal it.

However, this prolonged silence can cause deep damage to the child, while suffering in silence, facing the devastating effects of abuse, including emotional trauma, self-esteem problems and relationship difficulties, when they finally find the courage to reveal the abuse, they already carry with them a long history of suffering (Captain; Romaro, 2008)

This situation underscores the importance of creating safe and welcoming environments for children to feel comfortable reporting cases of sexual abuse, it also highlights the need for education and awareness so that society as a whole can recognize the signs of abuse and offer adequate support to victims, thus reducing the devastating impact of these crimes on their lives.

3.2 THE CULTURE OF SILENCE

In this sense, going against the responsibility of parents, it is verified that the culture of silence constitutes a social phenomenon that affects the occurrence of crimes perpetrated against children and adolescents (Faleiros, 2000)

The lack of instruction, education and open debates on the subject, combined with the fear of retaliation by the aggressors and the ineptitude of support on the part of the authorities and the community, are some of the main obstacles that sustain this culture (Faleiros, 2000). In this environment, a study conducted with 11 children and adolescents who were victims of sexual abuse and who had shared the experience with close individuals and/or sought help in specialized services, through individual interviews, the authors sought understand the process of reporting and reporting abuse, as well as identify the barriers and facilitators present in this context (Santos; Dell'aglio, 2010).

The results revealed that reporting abuse proved to be a challenging process for children and adolescents, who are often confronted with feelings of fear, shame and guilt in the face of the violence suffered, however, when they chose to reveal the abuse, they did so due to the perception of the need for support and support to face the situation (Santos; Dell'aglio, 2010)

In addition, the authors emphasize that the reception and support offered by health and social assistance professionals played a primary role in the process of reporting abuse and in access to justice.

However, some barriers were also identified, such as lack of information and limited access to specialized services in certain regions of the country (Santos; Dell'aglio, 2010).

3.3 TECHNOLOGY AND ITS LIMITATION

There are limits that can be imposed by those responsible in order to prevent contact with individuals who present such criminal conduct, such as the restriction of time for the use of screens: Tablets, cell phones, computers and the like.

Nowadays, it is usual for the new generation to have more access to technology, since the internet is, nowadays, the main means of communication in the world (Teles, 2020)

In addition, because of the pandemic and the adaptations imposed, children and adolescents have become increasingly connected, which imposes on parents the responsibility of closely supervising the websites visited, games and chats accessed, as well as monitoring their activities on social networks.

By establishing clear rules and imposing limits, parents contribute significantly to the healthy and safe development of their children, enriching their education and promoting responsible digital interaction (Teles, 2020)

Furthermore, the dangers are not limited only to open networks, but also extend to the so-called deep web, a restricted communication network accessed through specific software, this environment presents serious risks, becoming a favorable terrain for harmful activities, such as the sexual exploitation of children and adolescents, as well as exposure to harmful mental content and inappropriate materials (Teles, 2020)

In addition, the relevance of moderation in the use of electronic devices as a preventive measure to avoid such aggressions is highlighted, aiming to safeguard the child's mental well-being, since the psychological sequelae resulting from these episodes can last indefinitely.

As evidenced by several studies, the ramifications of child and adolescent sexual abuse are wide-ranging, affecting all spheres of human existence and leaving indelible marks - physical, psychological, social, sexual, among others - that have the potential to significantly compromise the life of the victim, whether a child or adolescent, who has been subjected to such forms of violence (Cabral, et al., 2021).

Therefore, it is found that children and adolescents who have been victims or are under the spectrum of this type of aggression often face a multiplicity of challenges, such as learning difficulties, sleep disorders, recurrent nightmares and aversion to physical contact, these experiences can lead them to become withdrawn, aggressive, shy individuals, among other behavioral and emotional problems.

Thus, it is essential to impose limits and monitor what is accessed by parents and guardians, aiming to prevent the dignity and mental health of children and adolescents.

4 FACTORS THAT CONTRIBUTE TO CHILD SEXUAL VIOLENCE

Child sexual violence is a problem that involves multiple elements and variables, among these, the social aspects stand out, which exert a substantial influence on the behavior of individuals who perpetrate sexual abuse against children and adolescents.

The lack of clarification and awareness about the issue of sexual violence is one of the preponderant factors for the occurrence of this type of violence against children and adolescents.

Often, young people are unaware of the details of sexual violence, lacking resources to identify or report episodes of abuse, and adults are often unable to recognize the signs of abuse or to discuss the issue adequately with children.

4.1 SEX EDUCATION

Souza (2020) highlights the paramount importance of sex education as a fundamental tool to enable students to identify and prevent situations of abuse and harassment, as well as to understand their rights and claim autonomy over their bodies, the teacher also points out that the dissemination of information plays a crucial role in the prevention of sexual violence, especially among children

Souza (2020) argues that, for several families and even some educational institutions, there is an apprehension that teaching about sexuality can stimulate children's curiosity, eventually promoting the early onset of sexual activity among children.

However, studies conducted by the World Health Organization (WHO) show that the scarcity of information tends to precipitate the beginning of sexual life, often associated with episodes of violence.

Thus, a preventive strategy against crimes of sexual violence directed at children and adolescents in the digital sphere is child sex education, which can be transmitted both by the family nucleus and by school institutions.

According to the official early childhood website, it is crucial to reposition sexual rights in the context of Brazilian society, so that it is understood that such rights are inherent to the human condition and should not be suppressed by moral prejudices.

The author highlights the importance of understanding sexuality as a fundamental dimension of the human being, present throughout life and encompassing various manifestations beyond the sexual act itself.

The promotion of comprehensive sexuality education allows students to access knowledge about their sexuality, including naming body parts, recognizing personal boundaries, and understanding early life (Early Childhood, 2020).

It is essential to break the social stigma around sex education to ensure that children understand the inviolable limits of their bodies, both in the physical and digital worlds, in addition, guardians must educate minors about the risks present on the internet, instructing them on how to act in uncomfortable or embarrassing situations online.

Parents should also address the definitions and characteristics of sexual abuse, empowering minors themselves to identify and report such situations, in addition, it is valid to warn about the dangers of fake profiles and possible criminals on virtual relationship platforms.

Pedophilic activities often disguise themselves as innocent games, such as "playing doctor", requiring a vigilant and preventive approach on the part of those responsible (Trindade; Breier, 2009).

Children and adolescents end up entering these "games" of chat rooms, in which they start everything with a simple conversation, little by little affinities emerge and then they unknowingly come across an aggressor on the other side of the screen believing that they are having a relationship with someone their age, because the victim surrenders to what he hears, a supposed past confidence transmitted by the until then unknown aggressor who makes the victim tell details of her intimate life to him.

This trust acquired by the pedophile causes a new unhealthy action to arise, initiating erotic requests that are often naively answered by the victim, starting to send naked photos and videos to the aggressor (Trindade; Breier, 2009).

In addition, the "modus operandi" proceeds with the aggressor arranging a meeting, taking the victims by surprise by revealing their true identity without giving them time to react.

However, some victims, even aware of the true identity of the aggressor, may delude themselves, believing they are involved with a romantic partner, only realizing their bad intentions when the abuse begins, accompanied by coercion and violence.

In this sense, Azambuja (2006, p.12),

By a sexual act or game, in a heterosexual or homosexual relationship, between one or more adults and a child or adolescent, with the purpose of sexually stimulating this child or adolescent, or using it to obtain sexual stimulation over himself or another person.

Thus, such acts can be mitigated through computer programs that monitor the online activities of children and adolescents, however, such measures must be complemented by an open and frank dialogue within the family, in order to prevent the child from feeling invaded in his privacy or perceiving a lack of trust on the part of the parents, thus preventing possible adverse reactions.

In this context, it is up to legal guardians and education professionals to adopt a proactive and educational approach, equipping children with tools to protect themselves from sexual abuse and other forms of inappropriate behavior.

Such an assignment requires that educators be adequately prepared to discuss issues related to sexuality in the classroom, creating an environment conducive to dialogue and reflection by students.

Additionally, teachers can instruct on assertive communication techniques, enabling students to recognize and respond to risk situations safely and autonomously

At the same time, the United Nations Children's Fund (UNICEF), through its manifesto entitled "Education That Protects Against Violence", defends the universalization of sex

education classes in schools, without distinction of individual characteristics, and emphasizes the importance of respect for the bodily and sexual integrity of each individual.

In addition, educational institutions are urged to provide accessible and safe mechanisms for reporting cases of harassment and violence, in accordance with inclusive guidelines and educational policies (UNICEF, 2019).

4.2 THE CULTURE OF MACHISMO

It should be noted that the culture of machismo can exert considerable influence on child sexual abuse, since this mentality exalts male domination and female subjugation.

According to Reis and Santos (2018), machismo, by promoting the superiority of men and the inferiority of women, favors the devaluation of the female sex and its objectification, thus perpetuating sexual violence against children and adolescents.

In this context, machismo can distort the perception of power relations and consent, culturally legitimizing sexual violence against young people, in addition, the macho culture can make it difficult to report and prevent child sexual abuse, since the victim is often blamed for what happened.

According to Bicalho (2018), in a patriarchal society, it is common for men to be seen as having control, while women assume a submissive role, this sexist mentality can induce the false belief that men have the right to dispose of a woman's body, and, by extension, a child's body.

Therefore, it is undeniable that the culture of machismo exerts a considerable influence on child sexual violence, by praising male hegemony and female subordination, which results in a distorted perception of the dynamics of power and consent.

Thus, the macho culture can obstruct efforts to report and prevent sexual violence against children, since the victim is often blamed for what happened.

4.3 HIPERSEXUALIZATION

The early exposure of children to sexual content in media and advertising can naturalize sexual violence against them, contributing to the normalization of this type of behavior.

In this sense, Branco and Oliveira (2017) consider that child hypersexualization is a problem that can be due to the early exposure of children to sexual content in media and advertising and that can naturalize sexual violence against them, contributing to the normalization of this type of behavior.

According to Ribeiro and Souza (2018) they consider that Hypersexualization is related to media exposure, it is a social phenomenon that can be driven by children's exposure to sexual content in media and advertising, this early exposure can naturalize sexual violence against them, contributing to the normalization of this type of behavior.

According to Silva and Freitas (2019), the early exposure of children to sexual content in media and advertising is one of the main factors that contribute to child hypersexualization, a reality that is increasingly present in our society and that can naturalize sexual violence against children, which contributes to the normalization of this type of behavior.

In this way, this type of exposure can naturalize sexual violence against children, contributing to the normalization of this type of behavior, when children are exposed early to sexual content in media and advertising, this can naturalize sexual violence against them, making society see this practice as something common and acceptable.

5 FINAL CONSIDERATIONS

The study in question promoted an exhaustive analysis of sexual crimes perpetrated against children, both in physical and virtual settings, in addition to thoroughly examining the relevant legislation and related protection policies.

It was undeniably evident that the legal protection of children against sexual violence represents a national and international commitment, supported by treaties that enshrine their inalienable rights.

Brazil, by ratifying these treaties, committed itself to the international community to adopt preventive and repressive measures aimed at curbing all forms of violence of a sexual nature perpetrated against children and adolescents.

Despite the paradigmatic advances achieved in the legislative sphere, we are still faced with major challenges, such as the high incidence of sexual crimes, endemic underreporting, and the generalized sense of impunity that permeates such circumstances.

Such a situation raises the urgent need to strengthen the relevant public policies, invest massively in awareness and education campaigns, as well as improve the structure of the judicial system, in order to enable effective punishments against the perpetrators of such hardships.

An in-depth analysis of cybercrime and the intrinsic vulnerability of children in cyberspace has revealed an unsettling reality in which technological progress increasingly exposes young people to online risks, including harassment by sexual predators and access to content inappropriate for their age groups.

In this context, it is imperative to adopt a proactive approach aimed at safeguarding them, encompassing the implementation of comprehensive public policies, digital education, and the imposition of unequivocal limits by parents and legal guardians.

Therefore, the inescapable relevance of prevention is manifested as a fundamental support in the safeguarding of children against such affronts, such a prerogative encompasses.

Not only the reprimand of the aggressors, but also the awareness of the community about the indications of abuse and the promotion of a culture that prioritizes child protection, to face these challenges, a concerted effort is needed that brings together the public power, justice institutions, civil society organizations, educational bodies and families, thus aiming to build an environment that proves to be safe and protected for all children and adolescents, in addition to trying to deconstruct the culture of silencing the problem and stop sexualizing the children, filtering them from social networks and virtual environments.

Furthermore, it is also valid to deconstruct over time the culture of the superiority of the male sex in relation to the feminine, treating the equal in their equality and the unequal according to their inequalities, thus trying to balance "the scales".

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