

Children's Rights in a Digital Age

Geethu Davis

Law and Technology

M.Des, Human-Centered Design

Srishti Institute of Art, Design and Technology

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Abstract

As more children around the world gain access to digital technology, there is an increase in the scale of opportunities available to them as well as the risks they face. Digital media is a game-changer when it comes to children's rights to provision, protection and participation in society. This paper aims to identify any barriers that hinder children in India from utilizing new opportunities despite having access to the internet and how the existing situation can be improved to make the internet a safe, secure, open and enabling environment for every child, without discrimination. The analysis will be done by referring to the evidence sourced from research by UNICEF, Council of Europe and other leading children's rights organisations, and drawing parallels from them. The challenge undertaken is to protect children from harm online while simultaneously empowering them to maximise the opportunities of growing connectivity.

Introduction

Digital technology¹ has redefined childhoods across the world. One in every three internet users globally is estimated to be a child² and this proportion is expected to increase in the next decade³. With 560 million internet subscribers in 2018, India is one of the largest and fastest-growing digital consumer market, second only to China⁴. According to the Internet and Mobile Association of India (IAMAI), 66 million Internet users in the country are in the age group of 5 to 11 years, which accounts for nearly 15 per cent of India's active Internet users⁵.

However, major disparities exist in digital access due to geographic coverage, gender and socioeconomic differences, , giving way to the 'digital divide'. Only 15 per cent of the rural population are online in India as opposed to 60% of the urban population⁶. Less than one-third of internet users are females, in India³. Research also shows that children from schools that serve the lowest socioeconomic segments, with more students from the Scheduled Castes, Scheduled

¹ In this paper, 'Digital technology' is used as an umbrella term for information and communication technologies (ICTs), including the internet, mobile and associated technologies and devices, as well as digital networks, databases, content and services

² In this paper, 'child' refers to any person under 18 years of age.

³ UNICEF. *The State of the World's Children 2017: Children in a Digital World* (UNICEF, December 2017)

⁴ Noshir Kaka, Anu Madgavkar, Alok Kshirsagar, Rajat Gupta, James Manyika, Kushe Bahl and Shishir Gupta. *Digital India: Technology to transform a connected nation* (McKinsey Global Institute, March 2019)

⁵ The Internet and Mobile Association of India. *India Internet 2019* (Nielsen Holdings, 2019)

⁶ UNICEF. *Child Online Protection in India* (UNICEF, 2016)

Tribes and Other Backward Classes, fail to keep up with the students from other schools in digital awareness and skills⁷. Their unequal access to Information and Communication Technology resources and lack of training could push them further down the social strata. Access and quality of access constitute only the first level of the digital divide. Children's experiences with digital technology are also influenced by socio-economic factors like family income, parent's educational levels and professional backgrounds, cultural backdrop, language, and more specifically, parental participation, competence, and aid in relation to digital technologies⁷. The language barrier broadens the digital divide even further for the disadvantaged⁷.

Educational institutions have the potential to close the capability divide and ensure digital access for students who have scarce resources to benefit from digital opportunities. A major section of the underprivileged children in India whose family cannot afford a smartphone, rely on schools as the only source of interaction with digital technology. Statistics show that the percentage of schools with computers is the least in Bihar, Assam and Jharkhand (less than 10 per cent) while it is the highest in Kerala and Chandigarh (more than 90%)⁶.

To sum up, the factors that influence digital access of children in India include the below:

- Individual factors such as age, gender and socioeconomic background
- Geographical factors, such as intermittent or inferior quality of internet in remote locations
- Education-related factors such as digital infrastructure in schools, digital competence of the faculty etc, and

⁷ Centre for Communication and Development Studies. *Catching Up: Children in the Margins Of Digital India* (CCDS, 2015)

- External factors such as policy on ICT in education and digital readiness at the community and national level.

Digital Childhoods

Digitalization is alleged to have created new divides that deter children from realising their potential, but if directed in the right way and made equally accessible, digital technology can be a game-changer for children being left behind – whether because of disability, gender poverty, ethnicity, race, displacement or geographic isolation – connecting them to a world of opportunity, helping them learn, grow and fulfil their potential³. Digital technology enables children with disabilities to connect with their friends and make decisions for themselves; gives access to education for children living in geographically remote or marginalized areas; and helps children to connect with their families even while travelling³. Widespread connectivity has unlocked significantly new approaches for civic engagement, social inclusion, and other opportunities, with the potential to break cycles of poverty and disadvantage³. There are numerous examples of how children around the world are using new technologies to help them with their schoolwork, learn new hobbies like playing an instrument, connect with peers, access information on health, help their communities grow, learn about the world, and express themselves. But while children access entertainment, information or social networks via a connected device, information is gathered about them, too. In addition to such issues of data protection and privacy, online threats may make helpless and underprivileged children, who may be less likely to understand online risks, exposed to violence, accessible to inappropriate content, good and services, addicted to excessive use, susceptible to exploitation, online abuse and even trafficking. Studies indicate that, in India, 30 per cent of children accessing the Internet have

experienced some kind of cyber harm including cyberbullying, cyberstalking, hacking and defamation⁸. Although most children who are online view the digital landscape as a positive experience, many parents and teachers worry that long hours in front of the screens are making children depressed, creating digital dependency and even contributing to lack of physical activity leading to obesity. Researchers do acknowledge that too much use of digital technology can contribute to childhood depression and anxiety³. Even more disturbing is the fact that digital revolution is driven by corporate interests that pay little or no regard to children's rights⁹. A report prepared for Children's Commissioner for England illustrate the case by pointing to a few (among many other) recent problems⁹:

- “The growth of web streaming of child sexual abuse and exploitation, whereby children typically in the global South country are abused ‘to order’ via live web streaming services, sometimes with the knowing cooperation of their parents, typically by men located in the global North.”
- “The sale of ‘smart’ toys (dolls, teddies) and other domestic products (e.g. baby monitors, rucksacks, among other instances of the ‘internet of things’) which collect children’s personal data (including their conversations) in ways that parents do not understand, leaving them vulnerable to privacy abuses when data are ‘hacked’.”
- “The explosion in ‘fake news’, ‘filter bubbles’ and other forms of bias and misinformation, deliberate or otherwise, that favour manipulative persuasion over knowledge and decision-making for the public – and children’s – good.’

⁸ Uninor. *Webwise Report*. (Uninor, 2014)

⁹ Livingstone, Sonia, Gerison Lansdown and Amanda Third. *The Case for a UNCRC General Comment on Children's Rights and Digital Media: A report prepared for the Children's Commissioner for England*. (LSE Consulting, April 2017)

Internet dares such as the Blue Whale Challenge, which has allegedly claimed the lives of five teenagers in India, pose another emerging risk¹⁰. Enough evidence is also available to show that the social media and the internet contribute to the radicalisation of the young generation¹⁰.

Thus, the same channels for connectivity and communication that has increased the opportunities for today's children, has increased the potential of the risks to which they are exposed to. Even as the internet stimulates tremendous creativity in children and gives them access to enriching content, it has also raised the issues of 'digital dependency' and screen addiction. And even as they have a broader platform for free expression of ideas, it has also broadened the distribution of hate speech and negative content which can adversely mould our children's world views. These contradictions are a major concern for parents as they struggle with conflicting messages that they should put a leash on children's digital dependency, on the one hand, or get them access to the latest technology so that their children can keep up, on the other. Considering the rapidly evolving digital landscape, this issue calls for urgent action by families, communities, educators, organisations, policymakers, and governments globally to protect our children from the misadventures of a globally connected world – while simultaneously empowering every child with the opportunities of the digital age.

Children's Rights in a Digital Age

The digital technology has become an inseparable aspect of today's lives and children do not distinguish their lives between online and offline. To make children better prepared for their

¹⁰ Dr. Yasmin Ali Haque and Eric Falt. *Why India should make online child safety a priority?* (The Hindustan Times, June 2018)

lives suffused in digital technologies, the whole concept of ‘literacy’ has to be redefined for the digital era. UNICEF’s State of the World’s Children 2017 report defines two broad concepts that would better equip children today – ‘Digital Literacy’ and ‘Digital Citizenship’.

Digital literacy maintains that children should be able to:

1. “Access and operate in digital environments safely and effectively”;
2. “Critically evaluate information that is available online”;
3. “Communicate safely, responsibly and effectively through digital technology;”
4. “Create digital content.”

Digital citizenship can be narrowed down to two principles below:

1. “Respectful and tolerant behaviour towards others;”
2. “Online civic engagement.”

Educating children on these would equip them to avoid online risks, maximise the benefits and exercise all the rights that they are entitled to, even over the digital space. In a study conducted in observance of the 25th anniversary of the Convention on the Rights of the Child, children from around the world were encouraged to contemplate on the possibilities and challenges posed by digital media in the context of their rights. Staggering evidence proved that children’s greater exposure to digital media is not reinforced by a greater awareness of their rights in the digital world¹¹. So they require a concrete support from adults to help them understand and enact their rights in digital age. However, children do have some understanding of how the digital media could invade their rights, but not on how it could have a positive impact on the rights¹¹. UNICEF

¹¹ Amanda Third, Delphine Bellerose, Urszula Dawkins, Emma Keltie and Kari Pihl. *Children’s Rights in the Digital Age*. (Young and Well CRC, UNICEF, October 2014)

put forth the below recommendations to protect children's rights without compromising their access to connectivity³:

1. "Provide all children with affordable access to high-quality online resources."

This include improving the ICT infrastructure in educational institutions, persuading companies to reduce internet prices, enhancing connectivity through public hotspots, producing apt content considering the cultural and linguistic aspects, opposing cultural and other barriers that prevent children – especially girls – from going online.

2. "Protect children from harm online."

This includes strengthening the cyber department of law enforcement in terms of digital infrastructure and training, and setting up alliances with technology industry to keep pace with today's technology that sets the platform for various cyber-crimes among children.

3. "Safeguard children's privacy."

This includes greater commitment by both the government and the private sector for children's data protection and encryption; enforcing universal standards in collecting and using data about children online; and educating children how to protect themselves from invasions into their own privacy.

4. "Teach digital literacy to keep children informed, engaged and safe online."

This includes development of ICT platforms and curricula from primary school through high school with greater collaboration between governments and technologists; expanding libraries to include digital content and teach digital skills; investing in training educators in digital technology; educating children on how potential online dangers and how to protect themselves from it; and making digital citizenship central to digital literacy education.

5. “Leverage the power of the private sector to advance ethical standards and practices that protect and benefit children online.”

This includes ethical development and marketing of products and services that mitigate risks to children; greater attentiveness to broadening children’s access to connectivity and content online; promoting the private sector to be responsible in how they shape the impact of technology on children.

6. “Put children at the centre of digital policy.”

This includes collaborating systematically with policymakers and lawmakers to develop regulatory frameworks that recognize the various needs of children; deepened engagements with children’s organisations; investing in research about children’s access and activities online; and strengthening coordination and knowledge sharing at the global level to address the challenges of a digital world.

Conclusion

Even though India is among the fastest-growing digital markets in the world, sadly we are considerably late in contemplating online protection of our children. The cases of online abuse and exploitation of children have not received enough attention and they were not recorded as a separate category in National Crime Records Bureau statistics until 2017⁶. The rapid growth of ICT in the country, along with the Government’s plans for Digital India, necessitates an urgent endorsement of a strategic approach to close the digital divide and protect children’s rights. Even though a few studies have been carried out in the country focusing on this issue, and several NGOs, government departments and experts are working on it, significant gaps remain in terms of knowledge, reporting mechanisms, response services, law enforcement and preventive strategies⁶. It requires a concerted effort from government institutions, the private sector, human

rights organizations, academia and civil society to build frameworks, systems and capabilities to prevent and respond to online abuse and exploitation of children. In addition to the global recommendations for child online safety by UNICEF, the below are also required in the Indian context⁶:

- “More evidence, research and data on child online safety in India”
- “Reporting and removing of online child sexual abuse material (CSAM)”
- “Legal investigation and prosecution of online child sexual abuse and exploitation”
- “Services for child victims of the worst forms of child online abuse and exploitation”

Considering the global nature of internet, there are crucial challenges regarding the effective coordination between multiple law enforcement branches, between law enforcement and ICT companies and across national boundaries, in tackling the issue. In short, online child safety cannot be guaranteed by a single agency. This digital age demands for the preparation, collaboration and coordination of all the stakeholders involved to bring about a safe online ecosystem for children.