Children’s Rights in the Digital Age

Digital technology has changed the nature of children’s rights, in particular their rights to privacy, protection of data and freedom of expression. This briefing outlines the key threats to children’s rights, the role of companies who influence them and UNICEF’s view on what needs to be done.

Key drivers

- The global proliferation of digital devices: It is estimated that by 2020, there will be 24 billion connected devices. These include smart household products, also known as the Internet of things. Devices provide more opportunities for data collection as well as potentially giving children more access to harmful content.

- Children in many countries are freely and confidently using technology without being heavily monitored. In 2016, 91% of young people in the EU used the internet every day. This can make them vulnerable to harmful content and opaque marketing practices as well as data collection and profiling.

- The birth of the data economy, dominated by a small number of tech companies. In 2015, it was estimated that the EU data economy alone was worth more than €285 billion. This has transformed many industries, including those involved in marketing and advertising to children.

Key players

- Parents and schools who have created a demand for products that monitor children’s online activity, ostensibly to protect them from harmful content or threats such as cyber bullying.

- Companies who want to profit from the data they collect – for example by selling it or by analyzing it so they can understand how to market to their customers better.


WHAT YOU SHOULD KNOW

→ Children are spending more and more time online, using a range of devices that include computers, phones, tablets and consoles.

→ This activity creates vast amounts of data that can impact children’s rights to privacy. It can reveal location, friendships, sexual orientation, political beliefs and health information. It can also include biometric data, such as fingerprints or voice recognition.

→ Children also have more access to potentially harmful content, from advertising that may influence them to make bad choices through to pornography and online violence. It’s more difficult for parents and teachers to act as gatekeepers and regulate this information.

→ Companies that use digital technology can have tremendous power and influence over children’s rights to privacy and freedom of expression.
Companies, such as internet service providers and telecoms companies, who can influence the content children see and collect data about their online activity.

Actors in the advertising industry, who see children as a powerful consumer group: they are both the targets of marketing as well as influencers over their parents’ buying choices.

Governments who want tech companies to provide solutions that will ensure children stay safe online.

The Relevance for Children

Children’s rights that are affected include:

- **Rights to privacy, protection of personal information and to not be subjected to attacks on reputation**
  - Children have the right to stay private and secure online without being monitored or having their data collected, analysed or profiled. There should be mechanisms to enable them to control their data and the information that is published about them.

- **Rights to expression, information, participation and association**
  - Children have the right to freely express themselves online, and to seek, receive and impart ideas and information in a way that is beneficial to them. They have the right to gather and communicate with one another, including through online forums and digital networks.

**Opportunities for Positive Change**

- **Responsible design of online goods and services**
  - Children’s privacy and freedom of expression is considered in the design of websites, platforms, products, services and applications designed for, targeted at or used by children.

- **Responsible advertising and marketing**
  - Children’s rights should be considered in the procurement, design, identification and placing of digital advertising.

- **Responsible collection and processing of data**
  - Companies should collect and process children’s data in a manner that is fair, lawful and transparent, and compatible with the purpose for which the data were obtained. Where there are variations in regulations, companies should choose best practice options.

- **Responsible delivery of content**
  - Companies should support children’s right to information by providing varied, diverse, unbiased and positive online content. Any restrictions should be transparent, legitimate and proportionate.

Integrate Children’s Rights Into Corporate Policies and Practices

UNICEF has developed five principles that companies should incorporate into their operations in order to protect children’s rights.

- **Children have the right to privacy and the protection of their personal data.**
- **Children have the right to freedom of expression and access to information diversity from a diversity of sources.**
- **Children have the right not to be subjected to attacks on their reputation.**
- **Children’s privacy and freedom of expression should be protected and respected in accordance with their evolving capacities.**
- **Children have the right to access remedies for violations and abuses of their rights to privacy and free expression, and for attacks on their reputation.**
What UNICEF Is Doing

UNICEF believes that companies have a responsibility to protect children’s rights. We encourage companies to make practical changes to their operations and ensure that children’s rights are protected. In particular, we are working with:

- the tech and ICT sectors;
- companies working across the advertising and marketing ecosystem; and
- companies providing goods and services to children.

UNICEF is creating and advocating guidance that:
- integrates children’s rights into corporate policies and the design and delivery of services;
- empowers companies to go beyond minimal legal compliance to best practice for data collection, processing and sharing; and
- empowers children and parents to engage safely and to their full potential in this fast-paced and evolving digital world.

UNICEF RESOURCES FOR POLICYMAKERS

Privacy, Protection of Personal Information and Reputation

DISCUSSION PAPER MARCH 2017
- Identifies children’s right to privacy under international law and the core online behaviours that threaten them.
- Identifies the responsibilities of the tech and ICT sector and the role that governments can play.

Children and digital marketing: rights, risks and opportunities

DISCUSSION PAPER MARCH 2018
- Discusses the roles, responsibilities and recommended actions of different actors, as well as the challenges faced when seeking to address how children are impacted by digital advertising.

Children’s Online Privacy and Freedom of Expression

INDUSTRY TOOLKIT MAY 2018
- Created for a wide range of companies across the digital environment, for example, telecoms providers, online platforms and the manufacturers of devices and smart products.
- Can be used by any company that collects, analyses or sells data or whose business affects the content that children can see.

Children and digital marketing:

INDUSTRY TOOLKIT DECEMBER 2018
- A toolkit with specific recommendations to help companies in the digital marketing sector make practical improvements to corporate policies and operations in order to support children’s rights.