

CHILDRENS RIGHTS THEMATIC AREA NARRATIVE IN ENGLISH ARABIC FRENCH PORTUGUESE AND SPANISH

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Global Index on Responsible AI

Dimension: Human Rights & AI

Sub-dimension: Civil and Political Rights

Thematic area: [Children's Rights](#)

Definitions

Children's rights refer to the subset of human rights that recognises the need to provide children with '[special care and protection](#)' given their dependence on adults for survival, protection, and development. A '[child](#)' is defined as anyone under the age of 18, or until they attain majority, or legal age, earlier under an applicable law.

The United Nations Convention on the Rights of the Child ([UNCRC](#)) sets the global standard for children's rights which can be broadly organised into four categories: (1) *survival rights* (including the right to life and access to basic services such as food, shelter, adequate living standards, and medical services); (2) *development rights* (including the right to education, play, leisure, cultural activities, access to information, and freedom of thought, conscience and religion); (3) *protection rights* (including the right to be protected from all forms of abuse, neglect and exploitation); and (4) *participation rights* (including the right to freedom of expression, to have a say in matters affecting their lives, and to join associations and to assemble peacefully). Although the UNCRC recognises the primary role of parents in safeguarding the rights of their children, it also places affirmative obligations on states to create the conditions for these responsibilities to be fulfilled.

In 2021, the UN's Committee on the Rights of the Child further published [General Comment No. 25](#) on 'children's rights in relation to the digital environment' which provides guidance to states on how to implement the UNCRC in the digital environment. UNICEF has also developed [policy guidance](#) on AI for children as part of its [AI for children](#) project which draws on the UNCRC and provides recommendations to states and organisations on how to develop AI policies and systems that uphold and promote children's rights.

In addition to the UNCRC, there are various human rights instruments that provide protections for children's rights in the digital ages and context of emerging technologies, including AI. These include the United Nations' [Optional Protocol](#) to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; the Council of Europe's [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#); the OECD's [Recommendation of the Council on Children in the Digital Environment](#) and [Guidelines for Digital Service Providers](#).

Justification

AI is becoming a ubiquitous part of children's everyday lives. Children all over the globe frequently engage on social media platforms and use apps, websites and online games many of which are powered by AI systems that give users recommendations and mediate [content](#). While many of these tools have the potential to benefit children and facilitating connection amongst peers, their unregulated use poses additional risks. For example, a lack of transparency in the design, development and deployment of AI tools for children threatens their rights to privacy, to play, to protection from exploitation and abuse and [non-discrimination](#). Children in today's digital environment are more susceptible to hateful, harmful or offensive content and to potentially harmful [advertising](#).

A 2020 [analysis](#) of national strategies on the protection of children online countries across the West and Global South found that while some countries had "some form of legislative and policy response," they were often "fragmented" and lacking a "comprehensive framework to drive policy action" or coordinated response among government bodies. Overall, many countries today are confronted with the challenge of negotiating "promoting greater use of digital media" among youth, including leveraging its expected benefits for them, and protecting them from its potential risks (OECD). Because government actions or lack thereof risk a disproportionately effect on children and because the new digital age poses threats to this vulnerable group, examination of this thematic area is essential to the assessment of responsible [AI](#).

Identifications

This thematic area examines the measures countries have in place and/or are developing to ensure that the design, development and use of AI is happening in a way that upholds children's rights. In particular, evidence must account for (1) **frameworks** concerning children's rights and AI systems, (2) **government actions** to implement these frameworks or children's rights in the context of AI, and (3) **non-state actors** working to protect the rights of children in design, development and deployment of AI systems.

Frameworks may take the form of laws, regulations, policies (including by sector and/or department), and/or guidelines. Depending on its nature, frameworks may recommend or commit the government to protect children's rights against the potential risks posed by AI. The framework may exist on its own or as part of broader human rights frameworks with regard to the digital environment.

Government actions may include draft policies, laws or guidelines, the establishment of government oversight bodies to provide policy recommendations or efforts to implement programmes seeking to strengthen children's rights in the context of AI.

Non-state(NSAs) may include non-governmental organisations (NGOs), but also multinational corporations, private military organisations, media outlets, organised ethnic groups, academic institutions, lobby groups, labour unions or social movements working to advance children's rights in AI.

Examples

Frameworks

Scotland's 2021 [AI Strategy](#), recognises the challenges and opportunities posed by AI on children specifically, and has committed itself to establishing policies that empower children to contribute to the development and use of AI. In particular, the strategy articulates a series of principles underpinning its approach to children and AI, which includes: (1) specific protection of children's data and privacy; (2) guarantee of children's safety in the uses of AI systems; (3) provision of transparency, explainability, and accountability for children who use AI systems; (4) empowerment of governments and businesses with knowledge of the relationship between AI and children's rights; (5) and establishing an environment that enables 'child-centered' AI.

Government Actions

The Scottish government, in partnership with UNICEF and with the University of Edinburgh's Data Driven Innovation Programme, established the [Data for Children Collaborative](#) to examine avenues of data use for the global benefit of children. In addition, the government is taking steps to domesticate UNCRC into national law and has adopted UNICEF's [policy guidance](#) on AI for children.

Non- state Actors

In October 2022, the [Alan Turing Institute](#), together with the Scottish-based [Children's Parliament](#) and Scottish AI Alliance (SAIA), launched a three-phased, two-year-project called '[Exploring Children's Rights in AI](#)' to investigate the relationship between primary school learners and AI. The project has hosted workshops in schools where basic concepts around AI and children's human rights were taught and children's voices were heard, in support of the non-discrimination principle with regard to children and AI.

Research Guidance

Because children's rights is a subset of human rights, it will be best to focus on frameworks that address rights specific to children. Frameworks may address the issue of children's rights in terms of their right to privacy and data protection, including their right not to be subjected to undue surveillance; the specific inclusion of children and/or their caregivers in the development of AI governance systems; the guarantee of children's safety with regard to AI, including their right to protection from abuse and harm, which includes awareness of their rights with respect to AI (including its use on social media platforms), and encompasses their right to non-discrimination from AI-related processes, such as automated decision-making; and in terms of leveraging the benefits and opportunities of AI to help improve their quality of life/services provided to them and to generally support their development. Be sure to avoid any overlap with questions with the Education thematic area, which covers education in AI at primary, secondary and tertiary levels.

Within this scope, examine what policies/guidelines and/or measures countries have in place to mitigate the risks to children's rights and to leverage its benefits for children, and what actions governments have taken to implement those policies, either through programmes, interventions, monitoring and/oversight activities. If references to the latter but not the former exist, note this gap. You can also scan for direct references to the UNCRC/other of the above frameworks that explicitly reference children's rights and measures taken to implement. State-level frameworks may obligate

private companies to conform to standards when managing children's data and to provide effective remedies for violations, e.g. considering statutory liability measures for AI systems risking harm to children's rights, or promote awareness campaigns around children's rights. When it comes to identifying evidence of non-state actors' involvement in children's rights in the context of AI, look for civil society organisations that are working to promote or enhance children's right to safety and privacy in the digital era.

Some useful sources

- Existing literature on the issue of children's rights with respect to digital technologies/platforms/AI, including on recent policy or implementation developments/reforms in the country and recent academic research (e.g. reports, policy briefs, news/articles, white papers, academic papers)
- Case law related to the issue with respect to digital technologies/AI
- Websites of civil society organisations involved in work around children's rights and digital technologies/AI
- Government initiatives, e.g. training or awareness programs to educate stakeholders, e.g. businesses/teachers/caregivers/government bodies on children's rights in the digital age/with respect to AI
- [OECD.AI](#) (live repository of global AI policy initiatives)

Search

- Parliamentary or government records for recent mentions of 'children and digital technologies/AI', etc.
- General google searches for 'children and AI and [country]', 'children and digital environment and [country]', etc. (can also include terms 'policy', 'report', 'law', etc.)
- Academic search engines ([Google Scholar](#), [arXiv](#), [ResearchGate](#), etc.) for 'children and AI and [country]', 'children and digital environment and [country]',
- Besides 'children' and 'rights', helpful alternative search terms may include 'minors', 'youth' and 'risks' and because frameworks may not explicitly reference AI, it may be productive to search for 'digital environment', 'digital technologies', 'online platforms', 'digital platforms', 'internet', 'devices', etc.

Consult

- Government officials (assess government efforts in promoting as well as upholding children's rights with respect to digital technologies/AI)
- AI developers (discuss presence/proposal of awareness programs around children's rights on social media platforms with due regard to its risks)