Realising a better digital environment for children: Child Rights Impact Assessment (CRIA) as a tool

By Kruakae Pothong

More and more children actively engage with the digital environment and from a very young age. This encompasses anything from video-on-demand services and social media platforms to talking or joking with smart speakers.

While these digital technologies promise ample opportunities for fun, learning and development, many of them are not developed or designed with children, their needs, rights and requirements in mind. The consequences of children being an afterthought, at best, are more profound than just customer dissatisfaction. Many digital technologies that impact on children are built on data processing, part of complex systems of tracking, profiling, predictive analytics and automated decision-making.

Data generated during child users' engagement with digital technologies can have implications for human rights. But who would have thought that a benign looking smart speaker could undermine children's rights? Well, Dr Veronica Barrassi and Dr Patricia Scanlon argued in their response to the OHCHR call for submissions on the General Comment on Children's Rights in Relation to the Digital Environment that the speech recognition technologies driving those seemingly benign smart speakers and voice assistants can threaten children's rights in several ways. This includes their right to privacy (UN Convention on the Rights of the Child, UNCRC Art. 16) and, because of the way these technologies are designed and operate, potentially their rights to expression (UNCRC Art. 13), freedom of thought (UNCRC Art. 14) and non-discrimination (UNCRC Art. 2).

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Similar and further concerns regarding the potential threats to children's rights are raised in the 142 submissions by States and non-state organisations, public as well as private sectors, youth groups, academics and individuals. Equally, it is important that, with society's growing reliance on the digital environment, we also find ways for technologies to enhance the realisation of children's civil rights and freedoms, among other benefits.

Efforts to uphold and promote child rights date back at least to 1990 when the UNCRC entered into force. A key tool for realising child rights is Child Rights Impact Assessment (CRIA). Traditionally, it is States, as the primary duty-bearers, who should conduct CRIA in their public decision-making processes, as recently emphasised by the European Network of

Ombudspersons for Children. However, under the United Nation's "Protect, Respect and Remedy" framework, businesses must also respect human rights, including children's rights. These businesses include, but not limited to, providers of digital products and services that can be used by or impact on children, necessitating keen scrutiny and rights-led innovation.
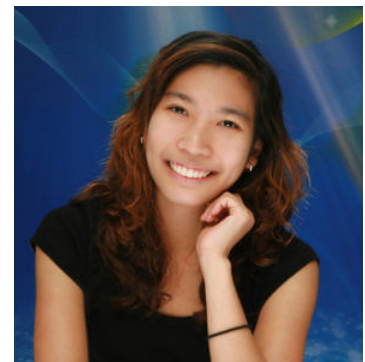
Recent calls for CRIA to be applied to the provision of digital products and services come from academics and organisations including the Council of Europe, UNICEF and LEGO. The expectation is that providers of digital products and service should stop and think about the impacts of their products and services on children, whether or not children are their intended users, and do so from the start. In this way, CRIA can contribute to society's effort to unlock the potential of digital technologies in realising child rights while mitigating the risks these technologies entail. The lens of (child) rights offers a holistic approach to re-thinking and re-designing the digital environment.

To this end, the Digital Futures Commission is examining the potential of CRIA as one of the tools for putting children's best interests at the heart of the design of the digital environment. We have begun our examination by tracing the development and implementation of CRIA, focusing mainly on the UK and its devolved nations. We will share our discoveries in the next posts. So, stay tuned!

This blog is part of our Guidance for Innovators work stream. You can read more of our blog posts here and follow our work by joining our mailing list at https://digitalfuturescommission.org.uk/contact-us/.

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