Children's rights and the UN Global Digital Compact
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Overview

The infrastructural role of digital platforms and services in children's lives presents a major global societal challenge. Their lives are increasingly datafied: data are collected and processed, in one form or another, both from children's activities and from the services that provide for them (health, education, welfare, law enforcement). Their lives are also increasingly profiled, monetised and subject to automated processing via artificial intelligence in ways that largely lack transparency and accountability.

On 22 September 2024, during the Summit of the Future, the United Nations' General Assembly unanimously adopted The Pact for the Future, a pathbreaking agreement and plan to accelerate progress toward the 2030 Agenda for Sustainable Development. This broad multi-stakeholder document was drafted by national governments, regional and international organisations, civil society, non-governmental organisations, youth and children's groups, trade unions, and the private sector including big tech. It contains two crucial and linked annexes concerning children and young people: the Global Digital Compact and Declaration on Future Generations.

The Compact aims 'to outline principles, objectives and actions for advancing an open, free, secure and human-centered digital future for all, anchored in universal human rights. It advocates a 'human centric approach to the life cycle of digital and emerging technologies', which includes attention to their design and oversight processes. Its universal adoption marks a significant moment, where all countries, including the USA, have now committed to a common agenda around protecting and fulfilling the rights of the child in the digital environment in line with the Convention on the Rights of the Child.

Key evidence

The fast-expanding evidence base shows how the world is undergoing profound transformation, making this a crucial moment to ensure that knowledge is generated to build a better digital future for children:

- Children are critical agents of change. They need vital investment to participate, mitigate vulnerabilities, and realise their full potential. Most children and young people live in the global South, where resources are both limited and unequally distributed. Rigorous comparative evidence collected by the Global Kids Online project, now extended in lower income countries by the Disrupting Harm project, shows that growing online opportunities go hand in hand with growing exposure to risks online. Digital literacy is also growing unequally, sometimes mitigating but sometimes exacerbating pathways to harm.

- When children were consulted globally in 27 countries during 2019 to inform the drafting of the Committee on the Rights of the Child's General comment No. 25 in relation to the digital environment, children and young people urged that the internet be made much safer, more rights-respecting and more inclusive. Children want a say in product design and deployment, and they call on teachers to promote digital literacy and on states to ensure effective regulation of the digital environment as a matter of urgency. They want adults to cease considering digital access an optional extra for children or, worse, a privilege that could be withdrawn at will. They are concerned about abusive, hateful, deceitful and manipulative actions online, and about the exploitative data-driven activities of businesses, and call for child-friendly provision and remedy.

Policy context

Children and young people were central to the Summit, to a degree not always evident in UN decision-making. To secure the realisation of children's rights in a digital world, advocates have sought to bring attention to future generations and to digital innovation, in the knowledge that children are one in three of the world's internet users. The Compact and its subsequent implementation aim to keep the child rights' agenda top of mind when debates are held, evidence collated, decisions made and resources allocated. It also represents decisive commitments against which States and private actors can

be called to account. Significant discrepancies remain between countries and groups in terms of policies on access, affordability and the protection of human rights in a digital world.

As the Compact recognises, international law and the UN's Charter provide a vital framework for Sustainable Development which, in turn, requires urgent commitment and investment at national level. General comment No. 25, the globally authoritative statement on how the UN Convention on the Rights of the Child should be implemented by state parties and other duty bearers, such as commercial providers of digital products and services, sets out clearly what needs to be done.

Some civil society organisations voiced concerns that children's rights had been weakened throughout the drafting process of the Compact, reducing demands on both states and businesses, which instead need to be strengthened. Others worried that the outcome would be to centralise control over an essentially heterarchical and self-governing internet. Child rights organisations urged that the 'promotion, protection and implementation of children's rights in the digital environment must be a core principle of the UN Global Digital Compact and across all its thematic areas.'

The efforts of advocates have ensured that the Compact makes explicit reference to children's rights. Comparing the zero draft with subsequent revisions and the final adopted text, explicit reference to the UN Charter was added, and an initially protectionist approach to children was broadened to place greater emphasis on promoting the full range of human rights, including for children. Underpinning children's civil rights and freedoms is vital, as is the protection of their privacy and consultation with children on matters that affect them, now including the digital environment. Realising this agenda raises challenges about internet governance such as how to address child internet users' age, capacity and circumstances, and how to ensure their best interests given the competing interests at stake.

Recommendations
The increasing datafication and digitisation of children's lives presents a major global societal challenge for researchers and policymakers. Despite the UN Charter's almost universal ratification, very few States have adopted legislation to protect children online, leaving glaring digital inequalities between children in different countries. In recent years, steps have been taken to ensure internet governance recognises the rights and needs of children. Yet, more action is needed. A holistic approach to embedding all children's rights in digital policy and design, including and going beyond attention to safety, privacy and security, is best assured through Child Rights by Design, which identifies 11 principles encompassing all the UN Charter's articles as well as the provisions of General comment No. 25 in a set of practical evidence-based guidelines and tools, building on child participation.

In accordance with these child rights principles, policymakers must now take responsibility for bold, inclusive and effective actions to ensure the wellbeing, rights and freedoms of present and future generations. The available evidence, should be harnessed through cooperation, legislation and practice to achieve four policy priorities:

- Inequalities in children's digital access, use, skills, opportunities and protections within and between countries highlight the importance of accelerating efforts to overcome digital divides.

- Relatively low levels of children's digital participation in civic, creative and critical activities underline the need to mitigate missed opportunities by providing enhanced pathways for children to thrive and prosper in a digital world.

- Relatively high levels of exposure to a wide range of risks of harm underpin the need to pay greater attention to legislation, regulation and policy designed to promote safe, privacy-respecting and age-appropriate digital services for children, along with effective help, remedy and rehabilitation.

- To achieve and maintain progress and to ensure digital services protect the full range of children's rights and freedoms in their products, Child Right Impact Assessments can pave the way forward toward transparent, engaging and rights-respecting digital environments for children.