

**Submission to the United Nations Committee on the Rights of the Child in response to the Draft General Comment No. 25 on   
Children’s rights in relation to the digital environment**

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The ***Research Center on Human Rights and Digital Technology*** (the Center) welcomes the opportunity to provide input on this draft General Comment from the Committee on the Rights of the Child (the Committee). The Center’s expertise on the impact of digital technology on children’s rights is well-established.[[1]](#footnote-1) We congratulate the Committee for their thoroughness in analyzing the current state of the art of digital technology with respect to children.

This draft General Comment, however, does not go far enough in assuring the protection of children’s rights. Diverse forms of artificial intelligence (AI), such as deep learning and learning analytics, will render child-machine interaction increasingly problematic in the years to come. We will limit our comments accordingly to the impact of AI on children and make a brief recommendation to the Committee on how this draft General Comment might reinforce the protection of children in an AI environment.

Children experience intersectional vulnerability due to the ubiquitous nature of an AI environment, which includes both hardware and software. Deep learning and learning analytics will enhance opportunities for some children, while condemning others to a life on the wrong side of the digital divide. Children worldwide already experience privacy violations, economic manipulation by chatbot algorithms, and exposure to learning cadences fixed by machine averages, rather than humans. Moreover, the demands in computing power, data transmission, and storage of AI algorithms expose children, whose health is particularly vulnerable, to digital technology-related pollution. Consequently, parents and guardians, States and educators must work together with the Committee to ensure maximal protection for child users of AI technologies. The draft General Comment should be edited with an eye to include or enhance the following **principal safeguards** throughout:

1. Enhanced support for parents and guardians to prepare children to live and learn in an AI environment
2. Educational curricula designed to prepare children to live and learn in an AI environment
3. Rigorous State regulation of AI hardware and software

These principal safeguards should be articulated to cover impacts arising during the entire lifecycle of child-machine interaction. Our reflection begins with an AI product’s inception and extends through analysis of the algorithms necessary for its functionality; the framework for its lifecycle; data access, use and storage; the integration of one software component with other AI systems; as well as the ethical and environmental implications of the mining, manufacture and recycling of all hardware; along with the integration of renewable energy sources and evaluation of the impact of technology-related pollution on children’s health.

At every step, the development of any AI ecosystem must include the above safeguards in order to fully guarantee children’s rights in the evolving digital environment. We subsequently recommend that parental support, rigorous regulation, and education with respect to ethical AI be further developed in each of the four sections addressed in the draft General Comment (e.g. non-discrimination; best interests of the child; the right to life; and the right to be heard).

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1. Roda C. (ed.) (2011) *Human Attention in Digital Environments*. Cambridge University Press; FP7 Project PRIPARE, Project Number: ICT-610613, awarded $1.1m, European Commission (2013-2015); Roda, C., & Perry, S. (2014) “Mobile Phone Infrastructure Regulation in Europe: Scientific Challenges and Human Rights Protection.” *Environmental Science & Policy* 37: 204–14; Perry, S. & Roda, C. (2014) Teaching Privacy by Design to Non-Technical Audiences. *Springer CCIS Series*, Vol. 470; Perry, S.& Roda, C. (2014) Privacy-by-Design Curriculum. Selected by the European Union Agency for Network and Information Security (ENISA) for the *Roadmap for NIS Education Programmes in Europe*; Perry, S. (2015) *Illusion Pixel*. Paris: Lemieux Editions; Perry, S. & Roda, C. (2017) *Human Rights and Digital Technology: Digital Tightrope*. Palgrave Macmillan; Doyle, W. & Roda, C. (eds.) (2019) [*Communication in the Era of Attention Scarcit*y](https://www.palgrave.com/gp/book/9783030209179). Palgrave Macmillan. [↑](#footnote-ref-1)