Joint Input to the UN Human Rights office on Children's Rights and Safety in the Digital Environment

October 2026

Risks to children's rights and safety in the digital environment (Questions 7 & 8)

While digital technologies offer transformative opportunities for children,[1] tech companies also expose children to significant risks, including through routine harvesting of their data and the resulting loss of privacy and agency,[2] through systems optimized to exploit their developmental vulnerabilities,[3] and through the generation and amplification of misinformation and disinformation.[4]

These risks are pervasive throughout the entire digital world – from social media and gaming,[5] to EdTech,[6] connected devices, and AI systems[7] – and they are not accidental.

Over the past decade, tech companies have systemically failed to design digital products and services with children in mind. Instead, their business models and design choices have prioritized commercial interests over children's rights, safety, and wellbeing, amplifying the risks children face globally in the digital world. Many have made children's access to the digital products and services they rely on for their education, healthcare, and relationships conditional on surrendering to relentless commercial exploitation. As a result, regulators across five continents found that children today face more pervasive risks in the digital world than they did in 2015.[8]

Manipulative design is at the heart of this model. Today, 99% of websites and apps use features such as infinite scroll, autoplay, and constant notifications to maximize engagement by exploiting children's developmental vulnerabilities.[9] Commercial exploitation, invasive profiling, and relentless data harvesting are predictable outcomes.

These features already make it hard for adults to disconnect. For children, disengagement is even harder, disrupting sleep and displacing physical activity, play, and in-person relationships important to children's development.[10] Research from Mexico to the Philippines and across the African continent and Europe shows that recommender systems optimized for engagement repeatedly promote distressing content, skew the information children encounter, and facilitate potentially dangerous contact with strangers.[11]

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[1] Our use of the terms "child" or "children" refers to all individuals under the age of 18 as defined in the *UN Convention on the Rights of the Child*, art. 1.
[2] Amnesty International. *"I Feel Exposed": Caught in TikTok's Surveillance Web*.
[3] 5Rights Foundation. *Disrupted Childhood: The cost of persuasive design*.
[4] Howard, P. N., Neudert, L., Prakash, N., & Vosloo, S. *Digital misinformation/disinformation and children*, p. 11. UNICEF. / UNICEF. *Generative AI: Risks and opportunities for children*. / Vaidhyanathan, S. *Making Sense of the Facebook Menace*. The New Republic. / Vosoughi, S., Roy, D., & Aral, S. The spread of true and false news online. Science. / Sans, G. *The Trade-Off: Algorithmic Radicalisation for Economic Gains*, pp. 119-125. EU Knowledge Hub on the Prevention of Radicalisation
[5] Fortim, I. *Opportunities and risks in the digital gaming ecosystem: insights from Brazil and the UK*. Digital Futures for Children centre.
[6] Digital Futures for Children centre. *EdTech matters for children's learning, privacy and other rights*.
[7] 5Rights Foundation. *Children & AI Design Code*. / Amnesty International. *Unlawful by design: Exposing the human rights costs of generative AI*. / Jayadeva, S. & Livingstone. *AI and children's rights: an evidence brief and update for policymakers*. Digital Futures for Children centre. / *Joint Statement on Artificial Intelligence and the Rights of the Child*. / Inter-Parliamentary Union. *Protecting children's rights in the age of AI: A parliamentary action guide*.
[8] *GPEN Sweep Report: Children's Privacy*.
[9] Office of the Privacy Commissioner of Canada. *Sweep Report 2024: Deceptive Design Patterns*, p. 5.
[10] 5Rights Foundation. *Disrupted Childhood: The cost of persuasive design*.
[11] 5Rights Foundation. *Exploring what children can see on social media in Mexico*. / Amnesty International. *Driven into the Darkness: How TikTok's 'For You' Feed Encourages Self-Harm and Suicidal Ideation*. / Third, A. et al. *African children's rights in relation to the digital environment: child-informed provocations to guide digital policy and practice*. Digital Futures for Children centre. / Atabey, A. et al. *European children's rights in the age of generative AI*. Digital Futures for Children centre.

When digital products and services are not designed, tested, and governed with children in mind, they frequently encourage compulsive use, amplify exposure to harm, and undermine their fundamental rights, including to privacy, safety, physical and mental health, education, access to information, and participation in public life.[12]

The risks posed by new and emerging technologies are rarely entirely novel. Like earlier technologies, these are often deployed at scale before their safety and effectiveness have been adequately demonstrated, allowing commercial incentives to outrun accountability.

Finally, commercial exploitation also aggravates inequalities within and between countries. Its harms often disproportionately affect children who already face barriers or exclusion, including on the basis of gender identity, sexual orientation, disability status, children from marginalised communities, and children living in poverty, crisis-affected settings, or without parental care.[13]

For children and young human rights defenders, the digital world, including social media, is a complex landscape that offers meaningful opportunities for them to realize their rights. Yet young activists can face chilling effects, intimidation, unlawful surveillance, smear campaigns, incitement to violence, and arrests or enforced disappearances in connection to their digital activism.[14]

Tech accountability, state obligations, and regulatory responses (Questions 10, 11, 12, 13, 14, 15, 17, 18, & 19)

Five years ago, the adoption of UNCRC General comment No. 25 clarified how States' existing obligation to protect children's rights applies in the digital environment, and articulated corresponding corporate duties to respect children's rights and prevent, mitigate and remedy violations. It echoes previous guidance, including the UN Guiding Principles on Business and Human Rights which make clear that businesses have the responsibility under international law to identify, prevent, mitigate, and account for their impact on human rights

Significant progress has followed. Multilateral, regional, and national institutions across all continents have enshrined age-appropriate design standards and held tech companies accountable for respecting children's rights by design and default – from the African Union Child Online Safety and Empowerment Policy and the European Union's Digital Services and AI Acts to Brazil's ECA Digital or Australia's forthcoming Children's Online Privacy Code.[15]

While not perfect, these best practices all require tech companies to proactively identify and mitigate negative impacts upstream, supported by human oversight, ongoing monitoring and effective redress mechanisms, and embed privacy and safety by design and default. This notably entails mandating Child Rights Impact Assessments (CRIAs) before deployment and throughout the lifecycle of systems, ensuring published terms are age-appropriate and upheld, encouraging meaningful engagement with children, prohibiting practices likely to contribute to known harms, and establishing effective enforcement mechanisms.[16]

Research demonstrates that requiring age-appropriate design delivers concrete, measurable improvements to children's experiences. When held accountable, regulation

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[12] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 42 and 96

[13] Plan International. *The digital gender gap*. / Stoilova, M., Livingstone, S., & Atabey, A. *Children's rights in the age of generative AI: perspectives from the global South*, pp. 10-11. Digital Futures for Children centre. / Jayadeva, S. & Livingstone, S. *AI and children's rights: an evidence brief and update for policymakers*. Digital Futures for Children centre.

[14] Amnesty International. *"I turned my fear into courage": Red-tagging and state violence against young human rights defenders in the Philippines* / Amnesty International. *"This fear, everyone is feeling it": Tech-facilitated violence against young activists in Kenya*.

[15] Ringmar Sylwander, K. *Mapping the global impact of UNCRC General comment No. 25 on children's rights in the digital environment*. Digital Futures for Children centre.

[16] 5Rights Foundation. *Building a digital environment designed with children in mind: An international best practices blueprint*.

leads tech companies to increase privacy protections in default settings, redesign recommender systems, and restrict targeted advertising to children.[17]

However, without robust enforcement, tech companies undo by-design changes in favour of cosmetic measures that place an unfair burden on children, parents, and educators, while diverting attention from tech companies' core responsibility to design products and services that respect children's rights, safety, and privacy by design and default.[18]

The result is a persisting double standard: wherever tech companies are not held accountable, they refuse to deliver age-appropriate digital experiences, offering performative safeguards instead.[19] Brazil, for example, recently fined TikTok under its data protection law for illegally processing the data of at least 8M children through 'logged-out feeds', a feature that the company had already withdrawn under regulatory pressure in the European Union and the United States.[20]

Other measures cannot fill this gap. As part of a broader child rights approach, States should support children's critical understanding of the digital world, including awareness of the commercial interests and risk of exploitation inherent to most digital products and services. But digital literacy does not and cannot replace product safety.

Similarly, focussing only on identifying and removing illegal or harmful content only manages visible symptoms rather than underlying design choices, failing to address the cumulative harm of such content, the broader range of online risks and the flawed architecture and design of digital products and services.

To address tech companies' failure to design with children in mind, and following a joint call from over 125 leading civil society organisations and experts across all continents ahead of the inaugural Global Dialogue on AI Governance,[21] leaders are increasingly urging tech companies to demonstrate that digital products and services likely to affect children are safe and rights-respecting before reaching the market.[22]

Recommendations (Questions 13 & 22)

A global framework to advance children's rights and safety in the digital environment already exists with UNCRC General comment No. 25. Now, Governments must turn obligations and commitments into action through effective regulation, strong safeguards, and meaningful accountability to ensure that children's rights are protected in practice.

Reiterating the joint call from over 125 leading civil society organisations and experts across all continents ahead of the inaugural Global Dialogue on AI Governance, we urge OHCHR to call on States to meet their obligations under the Convention on the Rights of the Child by adopting and enforcing laws that:

- Require precertification: Companies must demonstrate that systems affecting children respect their rights and are safe before they are brought to market. This includes requiring the business sector to embed safety and privacy by design and default and to undertake comprehensive human rights due diligence including child-rights impact assessments across the value chain and address identified risks before deployment.[23] Where there is risk of harm, tech companies and legislators must apply the precautionary principle to protect children's rights, privacy, and safety.[24]

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[17] Wood, S. *Impact of regulation on children's digital lives*. Digital Futures for Children centre.
[18] Wood, S. *Impact of regulation of children's digital lives - Phase II*. Digital Futures for Children centre.
[19] Fairplay. *Global platforms, partial protections: Design discriminations on social media platforms*.
[20] LGPD. *ANPD multa TikTok em R$ 153,7 milhões por falhas na proteção de dados de crianças e adolescents*.
[21] *Joint Statement: The inaugural Global Dialogue on AI Governance must deliver for children*.
[22] Élysée. *Launch of the roadmap of the Coalition for Children's Rights and Protection in the Age of AI*. / UNESCO. *Ministerial Statement: Sustaining education as a common good in the age of AI*. / United Nations. *Secretary-General's remarks to the opening of the first Global Dialogue on Artificial Intelligence Governance [as delivered]*. / OHCHR. *Türk at UNGA: Children's rights apply to AI, as they apply everywhere*.
[23] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 23, 38, 39, 70, 73, 88, 110, & 116.
[24] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 15 & 22.

- Prohibit the exploitation of children: Governments must ban manipulative design practices that exploit children's vulnerabilities, jeopardize their agency, and foster unhealthy dependency unless and until businesses are able to demonstrate their respect for children's rights and safety.[25]
- Ensure accountability: Holding businesses accountable for their impact on children's rights.[26]
- End unlawful digital surveillance, particularly in commercial, educational, and care settings.[27]
- Deliver regulatory oversight: Requiring businesses to maintain high standards of fairness, transparency, accountability, and oversight across the product lifecycle.[28] This includes requiring businesses to implement technical standards, industry codes, and terms of service that adhere to the highest standards of privacy, safety, and ethics, and ensuring compliance with them.[29]
- Close loopholes: Prevent weaker protections in some jurisdictions or across different categories of digital products or services becoming a route for exploitation of children who hold equal rights wherever they are.[30]
- Deliver transparency: Requiring businesses to provide age-appropriate child-friendly explanations to children, and parents or caregivers, of their terms of service.[31]
- Offer redress: Requiring businesses – and states where appropriate – to provide children and parents or caregivers with prompt and effective remedies and to ensure child-friendly justice.[32]
- Foster children's participation: Support children's safe and meaningful participation in the governance, design, development, and evaluation of digital products and services that affect them, giving their views due consideration with particular attention to children living in vulnerable situations.[33]
- Promote understanding: Promoting proven safe and beneficial uses of digital technologies, as well as critical technical and ethical digital literacy within a broader child rights approach to support children's understanding of possibilities and limitations as well as the commercial exploitation inherent to most systems. This also includes providing resources and support to teachers, parents, and caregivers.[34]

Signatories

Organizations:

1. **5Rights Foundation**
2. **Aldeas Infantiles SOS de España**
3. **Amnesty International**
4. **Bennett University**
5. **Bravehearts Foundation**
6. **Canadian Coalition for the Rights of Children**
7. **Central Union for Child Welfare**
8. **Centro Iberoamericano de Derechos del Niño (CIDENI)**
9. **ChildFund Alliance**

[25] UN Committee on the Rights of the Child. *General comment No. 25*, para. 62.
[26] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 36, 37, & 54.
[27] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 75 & 119.
[28] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 39 & 70.
[29] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 24, 39, 56, 74, & 124.
[30] *UN Convention on the Rights of the Child*, art. 2.
[31] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 39 & 59.
[32] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 36, 44, 45, 46, 48, 49, & 72.
[33] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 16-18.
[34] UN Committee on the Rights of the Child. *General comment No. 25*, paras. 21, 104, & 105.

10. **ChildFund International**
11. **ChildFund International Ecuador**
12. **ChildFund México**
13. **Children and Young People Living for Peace (CYPLP)**
14. **Children's Voice Today**
15. **ChildSafeNet**
16. **Child Helpline International**
17. **Child Welfare League Foundation (Taiwan)**
18. **ChorogUsan for children**
19. **ColibrIA**
20. **Digital Child Rights Foundation**
21. **Digital Futures for Children centre**
22. **Digital Opportunities Foundation / Stiftung Digitale Chancen**
23. **ECPAT Indonesia**
24. **Education International**
25. **Fundación PANIAMOR**
26. **Human Change Foundation**
27. **Instituto Alana**
28. **Institut International des droits de l'enfant**
29. **Internet Watch Foundation**
30. **Kids PlaySafer**
31. **Kids Play Tech Lab**
32. **Kindernothilfe**
33. **The Life Skills Development Foundation (TLSDF)**
34. **Make Mothers Matter (MMM)**
35. **Monsters Among Us (MAU)**
36. **Mtoto News**
37. **Network for Children's Rights**
38. **Observatorio Latinoamericano de Regulación, Medios y Convergencia (OBSERVACOM)**
39. **Plan International**
40. **Protección Digital Argentina**
41. **Save the Children**
42. **SEJIWA Foundation**
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44. **Terre des Hommes International Federation**
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