

Growing Up Digital: The New Frontier of Child Rights

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Abstract: *This research paper deals with Digital child Rights so that they are safe, private and empowered while using the internet and digital devices. It includes definition, how beneficial these rights are to the child, how these rights are enforced globally, and core international treaties dealing with digital child rights, regulatory and legal gaps, and suggestions to tackle enforcement challenges of digital child rights. Case laws dealing with digital child rights and conclusion.*

Keywords: Digital child Rights, definition, enforcement, core International treaties, regulatory and legal gaps, suggestions, case laws, conclusion

I. INTRODUCTION

Objective:

- Objective behind studying digital child rights is to protect children from threats like cyber bullying.
- Guiding legal frameworks. Eg to help formulate policies.
- Spreading digital literacy.
- Ensuring equitable access: rights should be available to all children, whether they are rich or poor.
- Designing child centric technology.

Definition of Digital Child Rights

Digital child Rights refer to rights of children which are fundamental in nature, applied to the online and digital world. All minors under the age of 18 are allowed to participate safely in the digital environment. It ensures that digital environment is accessible to each child and he is protected under digital environment.

Concept was given by United Nations Committee on the right of the child. Concept mentions that all rights enshrined in the UN Convention on the Rights of Child apply fully in digital world. Digital Right of the child includes the right to equal affordable access to the internet, digital literacy and quality online education. It keeps children safe from online harm, cyber bullying, and commercial exploitation, and data profiling, inappropriate content, right to express opinion, express reliable information, play and engage in civic life online.

Benefits of Digital Child Rights

Digital child rights can be only enforced when legal burden is shifted from parent and children to government and tech corporations that build these platforms.

Global Enforcement Mechanisms

The global enforcement of child rights relies on international treaties monitored by the UN Committee on the Rights of the Child, backed by agency programs and national laws. Because international law lacks a direct global police force, enforcement depends heavily on country compliance, periodic reporting, and pressure from global bodies rather than direct judicial punishment Core International Treaties



- UN Convention on the Rights of the Child (CRC): The primary legally binding global treaty setting standards for health, education, and protection for everyone under 18.
- Optional Protocols: Add-ons targeting specific abuses like child soldiers, trafficking, and allowing individual child complaints.
- ILO Conventions: International Labour Organization rules setting minimum working ages and fighting hazardous child labour.

Monitoring and Accountability Bodies

- Committee on the Rights of the Child: An expert team that reviews mandatory progress reports sent by member governments.
- Individual Complaints Procedure: The Third Optional Protocol lets children or groups file direct complaints to the UN committee regarding unaddressed violations.
- Global Agencies: Organizations like UNICEF and the International Labour Organization (ILO) track conditions on the ground and assist local reforms.

National and Local Enforcement

- Domestic Law Incorporation: Countries must change their own local laws and constitutions to make international rights enforceable in local courts.
- National Human Rights Institutions: Local ombudsmen and child rights commissions investigate local abuses and handle complaints.

Enforcing digital child rights faces major hurdles due to cross-border tech operations, out dated national laws, weak age-verification methods, and poor inter-agency coordination. Tech platforms operate globally, while local police powers stop at national borders, leaving severe gaps in stopping online exploitation, data tracking, and algorithmic harms.

Regulatory and Legal Gaps

- Outdated Laws: Older legal frameworks fail to address modern threats like AI-generated content, deep fakes, and dark web tracking.
- Jurisdictional Mismatches: Global social media giants reside outside local enforcement reach, delaying data requests and content removals.
- Weak Consent Models: Universal parental consent rules often fail because parents lack technical skills or oversight tools.

Technical and Design Obstacles

- Ineffective Age Verification: Current systems rely on simple self-declarations that minors easily bypass without proof.
- Addictive Design: Platform algorithms prioritize user engagement over child safety, intentionally trapping youth in loops of harmful material.
- Anonymity and Encryption: End-to-end encryption hides illicit peer-to-peer grooming and illegal media distribution from routine detection.

Institutional and Resource Shortages

- Fragmented Oversight: Overlapping duties between child rights panels, IT ministries, and police forces create bureaucratic delays.



- **Trained Personnel Deficit:** Law enforcement lacks specialized cyber-forensic experts dedicated to tracking child-specific digital crimes.
- **Slow Justice Delivery:** High court backlogs mean cybercrime trials take years, resulting in low conviction rates.

Suggestions to tackle enforcement challenges of Digital child rights.

Tackling enforcement challenges for digital child rights requires strengthening technical verification, holding tech platforms legally accountable, and balancing safety with privacy. Key strategies include mandating privacy-by-design standards, moving past basic self-declaration age limits, and improving cross-border cooperation to protect minors online.

Regulatory and Legal Reforms

- **Strict Platform Accountability:** Enforce heavy fines for tech companies that fail to block harmful content, grooming risks, or addictive algorithmic loops targeting minors.
- **Privacy-by-Design Standards:** Require digital services to turn off data tracking, targeted profiling, and geolocation sharing for minor accounts by default.
- **Clear Age-Verification Frameworks:** Move away from easily bypassed self-declared birthdates toward privacy-preserving, decentralized age-assurance methods.

Technological and Operational Solutions

- **Proactive AI Monitoring:** Deploy automated tools to detect and flag grooming behaviour, cyber bullying patterns, and illicit material swiftly.
- **Streamlined Reporting Tools:** Build simple, child-friendly mechanisms inside apps so minors can report abuse or take down non-consensual images instantly

Education and Support Systems

- **Digital Literacy Integration:** Teach children, parents, and teachers how to navigate online risks, spot manipulation, and manage digital footprints safely.
- **Accessible Redress Channels:** Ensure dedicated helplines and specialized cyber-crime units are equipped to handle minor cases quickly and with sensitivity.

CASE LAWS :

Brown v. Entertainment Merchants Association (US Supreme Court, 2011)

The Issue: A California law tried to ban selling violent video games to minors without parental consent.

The Ruling: The Supreme Court struck down the law, ruling that minors possess First Amendment free speech rights and that the state cannot restrict access to digital media simply based on violent content unless it meets strict legal definitions of obscenity.

Prajwala v. Union of India (Supreme Court of India, 2017)

The Issue: PIL concerning the rampant circulation of online child sexual abuse material (CSAM) and videos of gang rape on internet platforms.

The Ruling: The Supreme Court recognized digital safety as an extension of the right to life and dignity under Article 21 of the Constitution. It directed central and state agencies to implement aggressive technological tracking and designated frameworks to root out and block child sexual abuse material online.

Federal Trade Commission Actions under COPPA Enforcement (*US v. YouTube / Musical.ly*)



The Issue: Digital platforms collecting personal data, tracking metrics and serving targeted behavioural ads to children under 13 without verifiable parental consent.

The Ruling: Administrative and federal court-backed consent decrees (such as the landmark 2019 Google LLC and YouTube settlement) established that tech companies carry a direct legal duty of care to protect minor data privacy, enforcing multi-million dollar penalties and structural changes to platform data collection

II. CONCLUSION

We need a balanced ecosystem that extends fundamental human rights online through protective measures, corporate accountability for privacy-by-design, and active youth participation. Key pillars for ensuring safe, equitable digital access include strengthening state regulations and incorporating youth feedback in policy development.

