

CHILDREN'S DIGITAL RIGHTS IN THE 21ST CENTURY: SAFEGUARDS AGAINST HARMFUL CONTENTS*

Abstract

The role the internet plays in the lives of children, and the long-term effects of social media has been on the front burner recently with regards to protecting children from injurious contents. Various nations of the world have passed legislations in this regard. In the United Kingdom, the Online Safety Bill 2021 is meant to ensure the protection of both adults and children from unwholesome online materials. In the United States, the Children Online Privacy Protection Act of 2000, a federal legislation was geared towards protecting private information related to minors, which are prohibited from access except with parental consent. The legislation restricted the kinds of platforms used for academic instructions for children. Also the 18 US Code Section 2261A which previously provided for online stalking has been amended to incorporate such acts as harassment, injury, and harming or intimidating a person online. Various states in the United States have also made various legislative efforts in this regard. In third world countries like Nigeria the combined provisions of the Child Rights Act of 2003 and the Cyber Crime (Prevention, Prohibition etc) Act 2015 are meant to protect both adults and children from harmful online contents and crimes committed in the cyberspace and to punish offenders. However, the existence of these laws have not had significant effects on safeguarding children from online injury and crimes as more are being subjected to harm on alarming scale around the world each day. There is need to examine the digital rights of children in the present age, and the types of information that might be harmful to children on social media and the entire internet towards devising effective means of protecting children and safeguarding children's digital rights in the 21st Century.

Keywords: Digital Rights, Children, 21st Century, Harmful Contents, Safeguards

1. Introduction

There has been widespread use of the internet among kids all over the world in recent times making the internet a part of life of kids in today's world¹. Unfortunately, certain contents and activities over the internet expose children to lots of risks like bullying, adult materials and harmful information. The internet is a great learning tool for children but is riddled with risks that might harm children like violence, pornography and other unwholesome contents². Vulnerable people like children can be impacted adversely by social media both psychologically and mentally leading to social isolation³. Violence against children online is of various forms and can come from several sources like from adults and their mates like friends, family and strangers⁴. There has been wide use of the internet among children recently. About 33 percent of children world over within the ages of 3-17 had access to the internet in 2020 which rises up to 59 percent in certain regions of the world like East and Central Asia, the Pacific and Eastern Europe⁵. In England it is estimated that as high as 9 in 10 children went online on a daily basis⁶. After a study conducted by the Pew Research Centre it was found that in the United States about 80 percent of parents admitted their kids within the age bracket of 5-11 were involved in some form of activities in a tablet computer while 63 percent admitted their kids making use of a Smartphone⁷. A UNICEF survey in South Africa involving 2643 children within the ages of 9-17 found that 95 percent of the

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¹ Parvaneh Babari et al, 'A Literature Review of Children's and Youth's Conceptions of the Internet' (2023), 37, 100595, International Journal of Child-Computer Interaction, <<https://doi.org/10.1016/j.ijcci.2023.100595>> Accessed July 19, 2023

² HLCDC, 'Free For All: Freedom Of Expression In The Digital Age' (House Of Lords Communication & Digital Committee, July 22, 2022) <<https://publications.parliament.uk/pa/ld5802/ldselect/ldcomuni/54/54.pdf#page=36>> Accessed July 18 2023

³ Bozzola E. et al, 'The Use of Social Media in Children and Adolescents: Scoping Review on the Potential Risks' (2022) 12;19(16) Int J Environ Res Public Health <<https://doi.org/10.3390/ijerph19169960>> Accessed August 1, 2023

⁴ WHO, 'Violence against Children Online' (World Health Organisation, June 30, 2022) <<https://www.who.int/publications/m/item/violence-against-children-online>> Accessed July 23, 2023

⁵ Federica Laricchia, 'Children with Internet Access At Home Worldwide 2020 By Region' (Statista, August 25, 2022) <<https://www.statista.com/statistics/1327322/children-with-internet-access-at-home-by-region-worldwide/>> Accessed July 18 2023

⁶ ONS, 'Children's Online Behaviour in England and Wales: Year Ending March 2020' (Office of National Statistics, February 9, 2021) <<https://www.ONS.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/childrenonlinebehaviourinenglandandwales/yearendingmarch2020>> Accessed July 23 2023

⁷ Brooke Auxier et al, 'Parenting Children in the Age of Screens' (Pew Research Centre, July 28, 2020) <<https://www.pewresearch.org/internet/2020/07/28/parenting-children-in-the-age-of-screens/>> Accessed July 1, 2023.

survey participants were involved in online activities regularly⁸. It was reported the survey participants were exposed to risks and online violence⁹. The significant involvement of children in online activities demands a discussion of the subject of the rights of children while using resources online. The right to freedom of expression is a cardinal right of children on the internet, but most essential is their right to privacy which is indispensable for their protection from those contents online that might be injurious to their health or cause other severe harm. Such injurious contents online may come from posts that has elements of or tend to promote Cyberbullying, Sex Abuse, Cyberstalking, Namecalling/Hatespeech, Doxxing, Identity Theft/Impersonation etc. With this wide involvement in internet activities comes several risks and harm to kids. This article seeks to examine these risks to kids on the internet, the effects it has had and kids and recommend ways of halting the menace.

2. Rights of Children in the Digital Age

The United Nations Convention on the Rights of the Child (UNCRC) specifies the essence of putting the overall interest of any child above all consideration in government institutions, the primacy of a child's welfare and for the duties of parents and state institutions to take appropriate actions to achieve these purposes¹⁰. The UNCRC further provides for the application of the legislative, executive, social and educational goals of state parties towards protecting children from different forms of violence like abuse, neglect and exploitation of children and in its copious 42 articles covered the civil, political, cultural, social, educational and economic rights of children¹¹. Within the UNCRC is the cornerstone of the rights of children which are for their best interest¹². The UNCRC is among the most regarded treaties as it concerns the rights of the child on issues that are critical to their lives like housing, access to school, sporting facilities and leisure and their health and welfare generally¹³.

By the provisions of the UNCRC, children's rights are classified into rights to provision, participation and protection¹⁴. A child describes a person who has not attained their 18th birthday¹⁵. Thus matters of children's rights concern persons within the ages of 0 to 18¹⁶. A child can be defined as someone in the young stage of life between infancy and puberty. The Criminal Code of Canada (1985) defines a child as 'A person who is or appears to be under the age of eighteen for the purposes of prosecution for the sex abuse of children.'¹⁷ The internet and social media is an integral part of the growth and development of children today as it's essential to their communication, learning and development¹⁸. A very important right of children in the digital age is the right to gain access to information, and this includes information on the internet. This right is codified in the UNCRC thus: 'The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice'¹⁹

There has been an advancement of the right to freedom of expression especially as it concerns internet usage in the western world with the immediate availability and wide use of the internet by children, as 87 percent of young people aged 25 and below have internet at home in contrast with children in third world countries where

⁸ UNICEF, 'One Third of Children In South Africa Are At The Risk Of Online Violence, Exploitation And Abuse' (United Nations Children Emergency Fund, February 8, 2022) <<https://www.unicef.org/southafrica/press-releases/one-third-children-south-africa-risk-online-violence-exploitation-and-abuse>> Accessed August 7, 2023

⁹ Ibid

¹⁰ Convention on the Rights of the Child, UNCRC (1990) Article 3; Jeffrey Goldhagen, Gerison Lansdown 'Child Rights' (International Encyclopaedia of Public Health, Academic Press) P. 605-612, < <https://doi.org/10.1016/B978-012373960-5.00436-6>> Accessed July 23, 2023

¹¹ Webb E. et al, 'Using the UN Convention on the Rights of Children to Improve the Health of Children' (2009) 19, 9, 430-434, Paediatrics and Child Health <<https://doi.org/10.1016/j.paed.2009.05.006>> Accessed July 23, 2023

¹² Claudia Lohrenscheit 'Curriculum and Human Rights' (3rd Ed, International Encyclopedia of Education, Elsevier 2010) p. 287-292, <<https://doi.org/10.1016/B978-0-08-044894-7.00050-6> > Accessed June 28, 2023

¹³ Claire Freeman, and Paul Tranter, 'Children's Geographies' (2nd Ed. International Encyclopaedia of the Social & Behavioural Sciences, Elsevier) p. 491-497 <<https://doi.org/10.1016/B978-0-08-097086-8.72019-8>> Accessed June 28, 2023

¹⁴ Gabaikangwe Ethel Mambo and Kinyanjui Gichuhi, 'An Analysis of the Implementation of Children's Rights in the Digital World: A Case Study of Botswana' (2023) 219, 614-618, Procedia Computer Science <<https://doi.org/10.1016/j.procs.2023.01.330>> Accessed July 19, 2023

¹⁵ Gov.uk, 'Case Management Guidance' (UK Government, October 12, 2022) <<https://www.gov.uk/guidance/case-management-guidance/definitions>> Accessed July 22 2023

¹⁶ Ibid Claudia Lohrenscheit

¹⁷ Criminal Code of Canada, R.S.C 1985, c. C-46 Section 172 (3)

¹⁸ Annie Kelly, 'Technology Can Empower Children in Developing Countries-If it's Done Right' (Guardian, June 17, 2013) < <https://www.theguardian.com/sustainable-business/technology-empower-children-developing-countries>> Accessed July 28, 2023

¹⁹ UNCRC 1990, Article 13

it is reported just about 6 percent of homes have access to the internet and other modern sources of learning, development and information²⁰. Accord and respect must be given to the rights of children in digital environments. Wholesome contents online are crucial in helping children realise their rights to the fullest be it civil or political, or socio-cultural and economic rights and the internet affords children a special access to these information²¹. Ensuring children have their rights is a sine qua non for their being in good health and general wellbeing²². The rights of children can be itemized into the right to good health, free expression and participatory rights in matters concerning their general wellbeing or welfare, and protection from victimization and discrimination²³. Corollary to children's right to information and freedom of expression is children's right to privacy in the digital age. The UNCRC recognises this right thus:

16(i). No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

16(ii). The child has the right to the protection of the law against such interference or attacks²⁴.

Debates about children's right to privacy during social media usage centres on issues of protecting children from harmful persons and information online and whether to allow children who are close to adulthood unsupervised usage of the internet and social media.²⁵ Following widespread use of the internet and online tools, most children already have a digital footprint even before birth which can be in form of ultrasound images, and birth data.²⁶ While children have this online identity early in life they may not be capable of asserting their privacy rights.²⁷ Prior to the advent of the social media, the lives of children were largely private save for famous children seen in movies, and exceptional children who gained publicity because of an achievement or exceptional talent. Privacy laws protect data about a person from access in absence of the owner's consent (Sorenson 2020)²⁸. Children may lack self control, there is need to protect the privacy of children online as unscrupulous persons uses this vulnerability of children to prey on them online and access their private data. The United Kingdom General Data Protection Regulations offer special protection of data relating to children in the UK.²⁹ Children need these special protections because they may be less aware of their rights in relation to data and the risks involved.³⁰ Under this regulation as enforced by information commissioner's office, there is a restriction of sharing of data relating to a child unless there is a very compelling reason in that regard. The European Union General Data Protection Regulation emphasizes the need to protect the privacy and data of children for their overall safety and development³¹. Children face several risks online like sex abuse, addiction, obesity etc but there are hidden risks children face like invasion of their privacy and violations of their data rights.³² The children who may not have consented to this data invasion may also not be aware of the inherent consequences. Some of these data are also used for commercial purposes by corporate entities.³³

²⁰*Ibid* UNICEF 2020

²¹ UN Committee on the Rights of the Child 2021, 'General Comment Number 25, 2021 on Children's Right in Relation to the Digital Environment' (UN Committee on the Rights of the Child 2021) <<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsqlkirKQZLK2M58RF%2F5F0vEG%2BcAAx34gC78FwvnmZXGFU9nJBDpKR1dfKekJxW2w9nNryRsgArkTJgKelqeZwK9WXzMKZRZd37nLN1bFc2t>> Accessed July 23 2023

²² *Ibid* Jeffrey Goldhagen and Gerison Lansdown

²³ *Ibid* Lohrenscheit

²⁴ UNCRC 1990 Article 16

²⁵ Shannon Sorenson 'Protecting Children's Right to Privacy in the Digital Age: Parents as Trustees of Children's Rights' (2020) 36, 3,156 *Children Legal Rights Journal* <<https://lawcommons.luc.edu/clrj/vol36/iss3/2>> Accessed June 22, 2023

²⁶ Vanessa Cordeiro, 'Children's Right and Digital Technologies: Children's Privacy in the Age of Social Media- The Perils of Sharenting' (Humanium, January 26, 2021) <<https://www.humanium.org/en/childrens-rights-and-digital-technologies-childrens-privacy-in-the-age-of-social-media-the-perils-of-sharenting/>> Accessed July 20, 2023

²⁷ *Ibid* Vanessa Cordeiro

²⁸ *Ibid* Shannon Sorenson

²⁹ Gov.uk, 'Child Online Safety: Data Protection and Privacy' (United Kingdom Government, 29 June, 2021) <<https://www.gov.uk/guidance/child-online-safety-data-protection-and-privacy>> Accessed June 22, 2023

³⁰ *Ibid* Gov.uk

³¹ The European Union General Data Protection Regulation 2016 Article 19

³² Cansu Caglar, 'Children's Right to Privacy and Data Protection: Does the Article on Conditions Applicable to Child's Consent Under the GDPR Tackle the Challenges of the Digital Era or Create Further Confusion?' (2021) 12, 2, *European Journal of Law and Technology* <<https://ejlt.org/index.php/ejlt/article/view/828/1025>> Accessed August 1, 2023

³³ *Ibid* Cansu Caglar

3. Forms of Online Abuses/Harassment

Following the widespread use of the internet all over the world, most crimes that existed previously now have online components like Cyberstalking which was the crime of stalking, bullying replaced by Cyberbullying, and sex abuse by online sex abuse etc.³⁴ The following are some of the crimes and violence against children mostly existing in contemporary cyberspace:

- (1) **Online Grooming:** this is also known as cybergrooming, and involves an adult perpetrator building a short term or longterm trust relationship or influence over a child for the purpose of sex abuse of the minor which can take place online or physically.³⁵ Online grooming can be by coercion of by the adult groomer showing interest in issues that concern the child like family or academic issues etc. This can lead to depression, low self esteem for the minor, addiction to the internet, loss of academic focus and low grades etc.³⁶
- (2) **Impersonation/ Identity Theft:** Identity Theft is a crime involving the use of another person's attributes, character and identifying data by another person in absence of the person's authority.³⁷ Impersonation is a form of Identity Theft in which an online user uses the known attributes of another user or corporate entity as if they were that person. Identity Theft is a serious crime that has led to financial loss, emotional distress and loss of productivity among host of issues that impact victims.³⁸ A survey conducted by the Pew Research Centre in 2017 indicates that about 64 percent of Americans have some form of account on the internet on which is stored data pertaining to their health, financial data and some other private information, and also about same 64% of the survey participants have had experiences of their sensitive data being breached or been notified of this fact.³⁹ Further it was reported by Javelin Strategy and Research a loss of about 16.8 billion USD by 16.7 million victims of identity fraud in the year 2017 alone.⁴⁰
- (3) **Cyberbullying:** This is a form emotional or psychological of injury or harm from an online user to another. Bullying occurs when a person or group of persons involve in aggressive behaviour towards another person or persons who is in a vulnerable state. It can be in form of words, gestures, conduct or expressions and sent or posted to a person to hurt the person or harass the individual or cause some form of embarrassment to them through online mediums like the internet, video games, smartphones etc.⁴¹ When bullying occurs online it is then termed Cyberbullying.⁴² Cyberbullying is a serious societal concern that affects all age groups but is more prominent among adolescents.⁴³ It can be in form of sharing or publishing injurious information which is usually false about someone. Several suicides linked to

³⁴David Finkelhor, Heather Turner and Deirdre Colburn 'Which Dynamics Make Online Child Sexual Abuse and Cyberstalking More Emotionally Impactful: Perpetrator Identity and Images?' (2023) 137,106020 Child Abuse & Neglect <https://doi.org/10.1016/j.chiabu.2023.106020> > Accessed August 3, 2023

³⁵ Manuel Gámez-Guadix et al, 'Unravelling Cyber Sexual Abuse of Minors: Psychometrics Properties of the Multidimensional Online Grooming Questionnaire and Prevalence by Sex and Age Child' (2021) 120,105250, Child Abuse & Neglect <<https://doi.org/10.1016/j.chiabu.2021.105250>> Accessed August 13, 2023

³⁶ Ibid Gamez-Guadix

³⁷ David Burnes, Marguerita DeLiema and Lynn Langton, 'Risk and Protective Factors of Identity Theft Victimization in the United States' (2020) 17, 101058, Preventive Medicine Reports <<https://doi.org/10.1016/j.pmedr.2020.101058> > Accessed June 30, 2023

³⁸ Yuan Li, et al, 'Responding to Identity Theft: A Victimization Perspective' (2019) 121, 13-24 Decision Support Systems <<https://doi.org/10.1016/j.dss.2019.04.002>> Accessed July 14, 2023

³⁹ Kenneth Olmstead and Aaron Smith, 'Americans' Experiences with Data Security' (Pew Research Centre, January 26, 2017) < <https://www.pewresearch.org/internet/2017/01/26/1-americans-experiences-with-data-security/>> Accessed July 10, 2023

⁴⁰ Ibid Yuan Li

⁴¹ Malek Alzaqebah et al, 'Cyberbullying Detection Framework for Short and Imbalanced Arabic Datasets' (2023) Journal of King Saud University - Computer and Information Sciences, 35, 8,101652, <<https://doi.org/10.1016/j.jksuci.2023.101652>>

⁴² Ibid

⁴³ Ibid

Cyberbullying have occurred in the United States among teenagers leading to the government taking steps to address this menace.⁴⁴

- (4) **Online Sex Abuse:** Sexual violence both online and offline is a human rights concern and worldwide public health issue.⁴⁵ Sexual predators most times make use of the internet to reach out to their child victims in order to make physical sex abuse possible or to obtain and publish explicit images or videos of children.⁴⁶
- (5) **Doxing:** This act of revealing sensitive information about someone, or that person's confidential information to another person or persons which may lead to harassment or embarrassment of the victim. Most victims of doxing are famous people and celebrities whose personal information like addresses and contact numbers are usually restricted from the general public.
- (6) **Swatting:** Swatting is a growing dangerous practice which involves an online user reporting a non existing crime as ongoing to law enforcement and giving them an address of a person. For example law enforcement may get a call about someone allegedly getting killed or robbed, storms the location given by the perpetrator and may use force to gain entrance thereby possibly harming an innocent victim since there is no crime in the first place. Most swatting perpetrators use this dangerous practice to get back at an opponent or to harass someone, or do them serious harm.
- (7) **Cyberstalking:** Also called online harassment is the use of information technology facilities to intimidate or harass a person or individuals.⁴⁷ It is a continuous, repeated contact of a person online who did not consent to it or rejects such contact.⁴⁸ It occurs more among young persons because of their usage of internet or social media more than adults. In the United States 64% of people below 30 have experienced cyberstalking while about 41% of all adults in a survey reported experiencing some form of online harassment.⁴⁹ Cyberstalking can be in form of threats causing fear and safety concerns for the victim.⁵⁰
- (8) **Sextortion:** This is a form of blackmail or extortion in which the perpetrator after getting hold of compromised or nude pictures of a victim makes financial or other forms of demands on the victim to comply else the perpetrator will publish the explicit pictures or videos. Most sextortion victims are children when the offender uses sexually explicit video or pictures of the minor to obtain sexual favours, obtain financial gains or more nude images or videos.⁵¹
- (9) **Hate Speech, Offensive Speeches/Name Calling:** This is the most common form of online abuse. It involves the use of discriminatory languages, words, epithets, signs and gestures to target a person or a group of persons based on their attributes or characteristics. It can be a bad influence on children since they may copy these speeches and adopt them in their daily

⁴⁴ Peiling Yi and Arkaitz Zubiaga, 'Session-Based Cyberbullying Detection in Social Media: A Survey' (2023) 36, 100250, *Online Social Networks And Media*, <<https://doi.org/10.1016/j.osnem.2023.100250>>

⁴⁵ Eric Filice et al, 'Sexual Violence and Abuse in Online Dating: A Scoping Review' (2022) 672022,101781, *Aggression and Violent Behavior* <<https://doi.org/10.1016/j.avb.2022.101781>> Accessed July 10, 2023

⁴⁶ Gina Dimitropoulos et al, 'Experiences of Canadian Mental Health Providers in Identifying and Responding to Online and in-Person Sexual Abuse and Exploitation of their Child and Adolescent Clients' (2022) 124, 105448 *Child Abuse & Neglect* <<https://doi.org/10.1016/j.chiabu.2021.105448>> Accessed August 5 2023

⁴⁷ Wei-Jung Chang 'Cyberstalking and Law Enforcement' (2020) 176, 1188-1194, *Procedia Computer Science* <<https://doi.org/10.1016/j.procs.2020.09.115>> Accessed August 4, 2023

⁴⁸ Puneet Kaur et al 'A Systematic Literature Review on Cyberstalking. An Analysis of Past Achievements and Future Promises' (2021) 163, 120426, *Technological Forecasting and Social Change* <<https://doi.org/10.1016/j.techfore.2020.120426>> Accessed August 4, 2023

⁴⁹ Emily A. Vogels, 'The State of Online Harassment' (Pew Research Centre, January 13, 2021) <<https://www.pewresearch.org/internet/2021/01/13/the-state-of-online-harassment/>> Accessed August 10, 2023.

⁵⁰ Ibid Wei-Jung Chang

⁵¹ Ibid David Finkelhor

conversations both online and offline.⁵² Following its ability to spread racism, xenophobia, misogyny etc hate speeches made online became a severe societal concern as its effects on the society offline became immediately profound.⁵³ The spread of hate speech coupled with abusive language can trigger the offended person or group of people to violence leading to possibilities of conflict⁵⁴.

4. Incidences of Harm to Children Online

There has been growing incidences of harm to children online since the widespread use of the internet⁵⁵. A study conducted by Internet Watch Foundation found the United States has about 30% of the cases of online child abuse world over making United States the country with the highest number globally.⁵⁶ 2021 was the worst year on record for internet child sex abuse as there were about 252,000 URLs showing images of sexual abuse of children online compared with 2020 which had about 153,000.⁵⁷ The increase in use of low cost internet in some parts of the third world has added to online sexual abuse and trafficking of children for sex, and most times the abusers meet the children online and travel to meet them in person on a later date.⁵⁸ The social media victims centre sees a link between certain teen suicides and their social media activity as a Brigham Young University study found teenagers aged 13 who are engaged in social media about 2 to 3 hours each day have a higher risk of committing suicide.⁵⁹ Engagement of teens on dangerous social media stunts like challenges on TikTok or Snapchat have led to severe injuries and death of teens.⁶⁰ Suicide rates has generally increased among males in the ages of 15-19 last ten years, and in 2020 the suicide rate of 100,000 per of 6.8 males among males and females 2.8 aged 15-19 in England and Wales.⁶¹ Despite the obvious advantages of the social media for children, it may have negative effects on young people like low self esteem and comparison, cyberbullying, striving to meet online challenges, and possibilities of nursing suicidal thoughts.⁶² Cyberbullying is a grave social concern that impacts people all over the world but affects mostly adolescents. It involves sending a text or images to hurt a victim through various mediums like internet, smartphones, videogames etc.⁶³ Cyberbullying is a growing problem in the online community which involves an aggressor abusing a victim in an online medium.⁶⁴ A research conducted by the Pew Research Centre indicates about 49 percent of teenagers in the United States experienced some form of Cyberbullying, with Namecalling being the major form of Cyberbullying at 37 percent, while being sent explicit images was at

⁵² Muhammed Ibrohim and Indra Budi, 'Hate Speech And Abusive Language Detection In Indonesian Social Media: Progress And Challenges' (2023) e18647, Heliyon <<https://doi.org/10.1016/j.heliyon.2023.e18647>> Accessed July 12, 2023

⁵³ Dana Alsagheer, Hadi Mansourifar and Weidong Shi, 'Statistical Analysis Of Counter-Hate Speech On Voice-Based Social Media' (2023) 220, 1009-1014, Procedia Computer Science <<https://doi.org/10.1016/j.procs.2023.03.140>> Accessed August 1 2023

⁵⁴ Ibid Muhammed Ibrohim

⁵⁵ Ibid Vanessa Cordeiro

⁵⁶ Rhiannon Williams, 'The US Now Holds More Child Sexual Abuse Material Online than Any Other Country' (MIT Technology Review, April 26, 2022) <<https://www.technologyreview.com/2022/04/26/1051282/the-us-now-hosts-more-child-sexual-abuse-material-online-than-any-other-country/>> Accessed August 6, 2023

⁵⁷ Dan Milmo, '2021 Was the Worst Year on Record for Online Child Sexual Abuse Says IWF' Guardian, Jan 13, 2022) <<https://www.theguardian.com/society/2022/jan/13/2021-was-worst-year-on-record-for-online-child-sex-abuse-says-iwf> > Accessed July 1, 2023

⁵⁸ IICSA 2022, 'Children Outside The United Kingdom Phase Two Investigation Report' (Independent Inquiry Child Sexual Abuse, January 2023) <<https://www.iicsa.org.UK/reports-recommendations/publications/investigation/protection-children-outside-united-kingdom/part-introduction/a2-nature-and-scale-allegations-child-sexual-abuse-overseas.html> > Accessed August 1 2023

⁵⁹ Matthew Bergman, 'Social Media and Suicide', (Social Media Victims Centre, August 3, 2023) <<https://socialmediavictims.org/mental-health/suicide/>> Accessed August 5, 2023

⁶⁰ Ibid Matthew Bergman

⁶¹ ONS, 'Suicide in England and Wales, Office of National Statistics' (Office of National Statistics, September 6, 2022) <<https://www.ONS.gov.UK/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/datasets/suicidesintheunitedkingdomreferencetables> Accessed August 1 2023> Accessed August 15, 2023

⁶² Elias Balt, 'Social Media Use of Adolescents Who Died By Suicide: Lessons From A Psychological Autopsy Study' (2023) 17, 48, Child Adolescent Psychiatry and Mental Health <<https://doi.org/10.1186/s13034-023-00597-9>> Accessed August 10, 2023

⁶³ Malek Alzaqebah and Ghaith M. Jaradat, 'Cyberbullying Detection Framework for Short and Imbalanced Arabic Datasets' (2023) 8, 35, 101652, Journal of King Saud University - Computer and Information Sciences <<https://doi.org/10.1016/j.jksuci.2023.101652>> Accessed July 13, 2023

⁶⁴ Peiling Yi and Arkaitz Zubiaga, 'Session-Based Cyberbullying Detection in Social Media: A Survey' (2023) 36, 100250, Online Social Networks and Media <<https://doi.org/10.1016/j.osnem.2023.100250>> Accessed 19 July 2023

17 percent⁶⁵. Most distressing is 10 percent admitting they have been threatened with physical violence online⁶⁶. Pew believes bullying incidents has skyrocketed following the advent of social media and smartphones⁶⁷. In the United Kingdom, Cyberbullying was the most recorded form of online abuse with as high as 51 percent of the respondents reporting this experience, and 36 percent of respondents reporting to have experienced Cyberstalking.⁶⁸ Also in the UK, the Office of National Statistics reported one in five children which is about 764,000 children within the ages of 5 and 10 experienced some form of Cyberbullying in the year ending March 2020.⁶⁹ Cyberbullying is a fast growing problem in the third world. For example in India, a study found that Cyberbullying incidents recorded over three years advanced from 3.8 percent to 6.4 among females and 1.9 to 5.6 percent among males from 2016 to 2019. Cyberbullying can lead to mental health issues in later life for adolescents, depression and suicidal thoughts⁷⁰.

5. Safeguarding Children from Unwholesome Online Materials

As previously stated, the internet has several merits in offer for children, but with these advantages come some obvious risks that may not only affect the mental health of kids, but can lead to loss of life if not properly managed.⁷¹ Upholding the rights of children and protecting them from unwholesome contents online should be one of the utmost priorities not just of the child's parents but the government and entire society. Despite efforts in this direction by governments the plight of children on the global scale can be said to have gotten worse.⁷² Enforcement of the rights of children is worse in states with political instabilities, conflicts, environmental degradation and poor economic conditions⁷³. Governments around the world have made efforts in this regard. Most prominent of this is legislations and setting up of agencies for the purposes of enforcing the rights of children and protection of children from harmful materials online. All these notwithstanding, the incidences of children online sex abuse, child trafficking online, cyberbullying, etc are still on the rise. There is need to adopt more novel measures in this regard towards addressing these challenges. The following are the recommended means of protecting children's rights in the cyberspace, and safeguarding children from crimes, abuse and violence online:

(1) Education/Enlightenment of Children on the Risks in the Internet Usage

The Council of Europe, (COE) recognised the need for a multi-pronged approach in protection of children's rights online and this involves efforts by not just the government and family but educators, and internet service providers. COE believes empowering children to protect themselves from the dangers of the internet is the most effective tool to fight against children being harmed online. When children are enlightened and aware of their responsibilities online they can make better choices on proper usage of the internet, how to protect themselves from dangers and exposure to unwholesome contents and finally how to safeguard their privacy data. The so called digital literacy tools are important for reasons that cut across ability to identify negative materials online and the knowledge to avoid them, their privacy rights online and also the rights of other internet users.⁷⁴

(2) Promotion of More Positive Contents Online: The internet especially the social media is riddled with harmful unhealthy contents that are not safe for the consumption of the young mind. The more harmful contents there is on the internet the more likely it is for children to get injured by it. There is need for internet service providers, app developers and bloggers to always publish contents that will be of added

⁶⁵ Emily A. Vogels 'Teens and Cyberbullying' (Pew Research Centre, December 15, 2022) <<https://www.pewresearch.org/internet/2022/12/15/teens-and-Cyberbullying-2022/>> Accessed August 5, 2023

⁶⁶ *ibid*

⁶⁷ *Ibid*

⁶⁸ Stacy Jo Dixen, 'UK: Harassment Experienced Online' (Statista, July13, 2022) <<https://www.statista.com/statistics/1319815/UK-online-abuse-experienced/>>

⁶⁹ ONS, 'Online Bullying in England and Wales: Year Ending March 2020' (Office of National Statistics, November 16, 2020)

<<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/onlinebullyinginenglandandwales/year-endingmarch2020>> Accessed August 10, 2023

⁷⁰ Chanda Maurya et al, 'The Effects of Cyberbullying Victimization on Depression and Suicidal Ideation among Adolescents and Young Adults: A Three Year Cohort Study From India' (2022) 22, 599 BMC Psychiatry <https://doi.org/10.1186/s12888-022-04238-x>> Accessed July 30, 2023

⁷¹ Muhammad Bello Nawaila, Umar Mohammed Kani and Sezer Kanbul, 'Digital Children's Right: Human Right Perspective' (2022) IntechOpen <<http://dx.doi.org/10.5772/intechopen.97048>>

⁷² *Ibid* Claire Freeman and Paul Tranter

⁷³ *Ibid*

⁷⁴ COE, 'Protecting Children's Right in a Digital World: An Ever-Growing Challenge' (Council of Europe April 29, 2014) <<https://www.coe.int/en/web/commissioner/-/protecting-children-s-rights-in-the-digital-world-an-ever-growing-challen-1>> Accessed July 5, 2023

benefit to kids and the entire society. Such contents like human right issues, educational materials are more likely to add value to the society than pornographic materials and addictive online games. Contents encouraging drug use and addiction are to be restricted.

- (3) **Blocking and Filtering out Harmful Contents:** the Internet Service Providers (ISP) have a major part to play in this regard by using filtering options to detect unsafe posts and block them. The private sector has an integral role to play in securing children from negative contents on social media. There should be an implementation of a global framework in this regard as soon as possible by stakeholders by designing instruments and programs that will preclude children from viewing unwholesome contents online.⁷⁵
- (4) **Guarding Children's Digital Footprint:** Once a child posts a picture or video online, or this is done on their behalf by a family member this constitutes a digital footprint for that particular child. There is always a possibility that information shared online will remain in the cloud forever especially when a third party gets hold of this data and stores it at their end. In this case deleting this information by the original poster would not make a difference as the information will not be erased from the various servers it has been shared into. For this there is need for a child and family to guard against posting private information or other sensitive contents online as they might not be able to erase or retrieve them back after sharing widely.
- (5) **Turning off GPS Location:** Most sites and social media apps have a feature that gives out the location of the individual using them. This can easily show the location of a child victim to a predator or anyone who seeks to do them harm. Children or their parents should make sure location services are turned off while using the internet or social media sites except when absolutely necessary for academic or learning purpose. Most cyber criminals find it a lot easier to locate their victims and harm them when GPS services are turned on. This is a grave concern that should be urgently managed.
- (6) **Reducing Social Media Addiction and Time Spent Online:** This is one of the many forms of internet addiction which involves excessive use of the internet by an individual.⁷⁶ Excessive long-term social media usage may lead to depression, anxiety and stress and may have long-term implications on the individual.⁷⁷ A study by the Addiction Centre revealed about 27% of children who are engaged in social media usage for 3 or more hours per day are likely to show signs of poor mental health.⁷⁸ The impact of excessive social use is worse in children because their brains and social skills are still in development.⁷⁹ Some of the most important ways of reducing social media addiction is to reduce the source of the addiction itself, which is the time spent online each day by setting limits, or seeking the help of a professional if the addiction has reached severe stages.
- (7) **Online Gaming Addiction:** Excessive online gaming can drastically affect the life of a child socially and academically. Studies about online gaming addiction are in early stages but it has been proved that at least 1-9 of online gamers are addicted to online games.⁸⁰ Cognitive behavioural practice which involves replacing thoughts about playing games with other thoughts or activity has been proven to help in this regard. Other ways to avoid game addiction or prevent it can include the child or parents giving a set of limits per day or week a child can play the game, trying as much as possible to keep gadgets for gaming out of reach of the child, and getting professional help when necessary.
- (8) **Use of VPN Network and Sophisticated Passwords:** VPNs can protect a user's data by providing an encrypted and secure link by use of data tunnels making the connection between networks and users

⁷⁵ Ibid Muhammad Bello Nawaila

⁷⁶Yubo Hou et al, 'Social Media Addiction: Its Impact, Mediation, and Intervention' (2019) 13(1), 4, *Cyberpsychology: Journal of Psychosocial Research on Cyberspace* <<https://doi.org/10.5817/CP2019-1-4>> Accessed July 13, 2023

⁷⁷ Ibid

⁷⁸Ashish Bhatt, 'Social Media Addiction' (Addiction Centre, April 8, 2023) <<https://www.addictioncenter.com/drugs/social-media-addiction/>> Accessed July 8 2023

⁷⁹Ibid Ashish Bhatt,

⁸⁰Smitha Bhandari, 'Is Video Game Addiction Real?'(Webmd, May 15, 2023) <https://www.webmd.com/mental-health/addiction/video-game-addiction>

protected.⁸¹ A VPN simply put is a secure server that restricts a user's IP address from unintended users like hackers.⁸² It hides someone's online identity making internet use anonymous.

6. Conclusion: Digital rights of children refer to children's rights to safe usage of online materials in the present internet age. The most significant digital rights of children are the rights to freedom of expression which empowers them to use and seek information online and the right to privacy which safeguards their identity, personality and digital footprint from use by unscrupulous persons who seek to do them harm. Though the internet has immense benefits for children, there are several materials online that can be harmful to kids. With the advent of the internet have emerged cybercrimes and social vices like sex abuse of children, cyberbullying, cyberstalking, swatting, doxing, online gaming addiction etc. There have been legislative interventions to stop these crimes and social vices by various governments around the world, and the use of agencies of government and organisations to fight this trend. Unfortunately, cases of kids being abused online, cyberbullying and cyberstalking, name calling, hate speech online etc has maintained and upward climb. This brings the need to adopt more effective novel methods to fight this trend. Some of these could include holistic efforts by the parents, government, corporate bodies and children themselves. Instances include orientation and enlightenment of kids on the risks they face as users of the internet, promotion of posting of wholesome contents online that are kid friendly and will benefit children, filtering out unwholesome materials from the internet, protecting the identity of children and their digital footprint, turning off GPS locations that make it possible for predators to locate kids, reducing excessive usage of the internet and gaming addiction by children etc.

⁸¹ Mohamed Naas and Jan Fesl, 'A Novel Dataset for Encrypted Virtual Private Network Traffic Analysis' (2023) 47,108945, Data in Brief <<https://doi.org/10.1016/j.dib.2023.108945>> Accessed August 2, 2023

⁸²Maile McCan and Robb Watts, 'What is a VPN used for? VPN uses in 2023' (Forbes Advisor, March 3, 2023) <<https://www.forbes.com/advisor/business/software/why-use-a-vpn/>> Accessed July 8, 2023