



Growing up **2030**
in a digital world

GOVERNING HEALTH FUTURES
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POLICY BRIEF

Children's rights and digital health

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KEY MESSAGE

Weak governance of digital technologies and data risks infringing children's rights, including their right to health. Realising children's rights in the domain of digital health requires governments, businesses, and other digital health actors to enact a child-rights approach to governance and to create ongoing processes to consider children's views in digital health policy and programming.

The Governing Health Futures 2030 Commission has paid special attention to children and young people, convinced that maximising their safety, wellbeing, and rights in an age of digital transformations represents a litmus test for the whole of society and its concern for the most vulnerable. Whilst digital technologies offer huge potential for improving young people's health and wellbeing and supporting their transition to adulthood, weak governance risks exposing children to multiple harms and human rights infringements.

Conceptualising children's rights for promoting health in the digital age

Article 24 of the United Nations Convention on the Rights of the Child (UNCRC) stipulates children's right to "the enjoyment of the highest attainable standard of health".¹ The UNCRC conceives the right to health holistically and recognises that realising children's right to health entails addressing the many underlying determinants of health and fulfilling other rights.²

Digital health is interconnected with, and can both positively and negatively impact, a wide range of children's rights, including: their rights to information; privacy; identity; and protection

from forms of physical and mental abuse and exploitation. Moreover, digital health is also connected with the specific rights of vulnerable children such as refugees and/or children living with disabilities.

Child rights issues for digital health governance

Digital health initiatives offer opportunities to support and sustain children's rights. When appropriately integrated into primary health care, digital technologies can improve children's access to and experiences of health services. Furthermore, digital technologies can support the delivery of quality, accessible information, tailored to individual needs; this in turn can foster improved health outcomes and facilitate continuity of care (eg, through enabling greater contact between health and care professionals and children). Children often seek health information and engage in health-related practices using digital platforms (eg, social media), requiring the realm of digital health governance to extend beyond the health sector and to consider the broader digital environment.

Children themselves believe that technology significantly impacts their rights and they are optimistic that digital technology can enable their right to physical and mental health.

1 United Nations. [Convention on the Rights of the Child](#). Geneva: UNICEF; 1989.

2 UN Committee on the Rights of the Child. [General comment No. 15 on the right of the child to the enjoyment of the highest attainable standard of health](#) (art. 24). CRC/C/GC/15. 2013.

Children also report that they use technology primarily for communication, connection, and sharing with family, friends, and others, followed by information seeking; all of which they conceive as vital to their health and wellbeing.^{3,4}

The challenge of harnessing the benefits of digital technologies for health, while mitigating the potential risks of harm, foregrounds the need for strong and effective digital health governance across the life cycle of technology production and use. In particular, governance approaches must:

1. Address inequities in children's digital inclusion and accompanying literacies so all children can benefit from digital health initiatives.
2. Enact stronger regulation and legislation of commercial practices online that override and compromise children's best interests as well as their right to health.
3. Cultivate diverse and inclusive health data ecosystems that protect the privacy and security of children's data and do not exacerbate inequities or discrimination.
4. Uphold quality standards for data and health-related content that is available to children and their carers through digital technologies.
5. Create mechanisms for children's systematic participation in the design, evaluation, and governance of digital health policy and programmes.

Putting child rights at the centre of digital health governance

To date, the digital health sector has given little consideration to how children's needs, rights and aspirations are impacted by digital transformations.⁵ At best, children's rights are overlooked and, at worst, compromised by the design, development, use, and implementation of digital technologies and data. The Commission's analysis of digital health strategies indicates that such strategies are often not developed in consultation with young people and therefore do not adequately consider the positive and negative impacts of digital transformations on children's health and other rights.⁶

Efforts to build more effective, child rights-responsive digital health ecosystems must draw from children's views and experiences and conform with the UNCRC. Whilst it was written before digital became a prominent aspect of our everyday lives, the UNCRC's articles remain a relevant roadmap for governments and other actors to maximise children's health and wellbeing in an increasingly digital world. In 2021, the UNCRC produced a General Comment which provides governments and other actors with specific guidance on fulfilling their obligations under the UNCRC in relation to the digital environment.⁷ Digital health actors can also draw upon a growing body of scholarship and practice-based guidance which has begun to explore the opportunities and challenges digital technologies and data, including those within the domain of digital health, present for children's rights.⁸

3 Third A, Bellerose D, Oliveira JD, Lala G, Theakstone G. [Young and online: Children's perspectives on life in the digital age. The State of the World's Children 2017 Companion Report](#). Sydney: Western Sydney University; 2017.

4 Third A, Moody L. [Our rights in the digital world: A report on the children's consultation to inform General Comment 25](#). London and Sydney: 5Rights Foundation and Western Sydney University; 2021.

5 Governing Health Futures 2030 Commission. [From strategy to implementation: On the pathways of the youngest countries in Sub-Saharan Africa towards digital transformations of health systems](#). Geneva; 2021.

6 Holly L. [Health in the Digital Age: Where Do Children's Rights Fit In?](#) Health and Human Rights. 2020;22(2):49.

7 UN Committee on the Rights of the Child. [General comment No. 25 \(2021\) on children's rights in relation to the digital environment](#). 2021.

8 See Third A, Collin P, Fleming C, et al. [Governance, children's rights, and digital health. Background Paper for the Governing Health Futures 2030 Commission](#). Geneva; 2021.

Implications for policymakers

The task ahead for digital health governance in securing children's rights is complex. The breadth of potential impacts of digital health on children's rights—whether by design or unintentional; whether positive or negative—means that effective digital health governance is both a significant challenge and a necessity. As such, digital health governance that embeds children's rights will help to ensure that the rights of all people can be realised.

The Governing Health Futures 2030 Commission calls for a digital governance architecture based on human rights and principles of democracy, equity, solidarity, and inclusion. Specifically, it recommends that national and local governments:

- Adopt country-wide strategies to safeguard health and digital rights, including regulatory measures to protect children and young people against online harms;
- Create data governance institutions that unlock the public value of health data whilst safeguarding individual rights;

- Strengthen transparency and accountability mechanisms for emerging AI and machine learning applications in health;
- Provide universal, affordable, safe, and meaningful connectivity as a human right and public good;
- Enfranchise communities—including children—and advance public participation in the co-design and implementation of digital health policy and technology.

Realising children's rights in the domain of digital health will require governments, businesses, and other digital health actors to create ongoing processes which meaningfully engage children and reflect their views in policy and programming. This requires resourcing tools and structures for children's participation and educating children, decision-makers, and the digital health workforce about children's rights.

This policy brief draws upon a longer background paper commissioned by the Governing Health Futures 2030 Commission: Third A, Collin P, Fleming C, et al. Governance, children's rights, and digital health. Background Paper for the Governing Health Futures 2030 Commission. Geneva; 2021.

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