Policy Guidance on AI and Child Rights

CONCEPT NOTE | March 2019

THE ISSUE

Recent progress in the development of artificial intelligence (AI) systems, unprecedented amounts of data to train algorithms, and increased computing power are expected to profoundly impact life and work in the 21st century, raising both hopes and concerns for human development. On the benefits, AI can drive learning platforms that deliver personalized education; big data analysis can identify patterns to generate development insights, for example, the early detection of diseases and better management of city resources for urban planning. Virtual assistants or robotic devices can increase accessibility for children who are differently abled.[1] At the same time, challenges abound around AI.[2] It is poised to disrupt many industries, driving automation and potential job losses. Biased data used to train AI algorithms can exclude and further marginalize certain groups, for example, in systems used by justice departments. Facial recognition software, while offering a range of beneficial uses, can equally be used for surveillance.

Not surprisingly, AI has emerged as an important policy discussion in recent years[3], largely amongst developed countries at this stage. A number of governments, businesses, civil society organizations and researchers are rightly concerned about the future of AI for societies and recognize the current window of opportunity to lay down ethical and policy safeguards to try to maximize the benefits while limiting the risks of an AI future.

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[1] UNICEF (2018). Children and AI. Available at
https://wcmsprod.unicef.org/innovation/sites/unicef.org.innovation/files/2018-11/Children%20%2B%20AI%20Framework_%20Long%20Version.pdf
[2] McKinsey & Company (2018). The promise and challenge of the age of artificial intelligence. Available at
https://www.mckinsey.com/featured-insights/artificial-intelligence/the-promise-and-challenge-of-the-age-of-artificial-intelligence
[3] Mercatus Center at George Mason University (2017). Artificial Intelligence and Public Policy. Available at
https://www.mercatus.org/publications/artificial-intelligence-public-policy

However, despite the growing interest in AI, it appears that little attention is paid to how it will impact on children and their rights. An initial review of one collection of national AI strategies[4] shows that even governments that have come out with bold AI ambitions, such as China, France and the European Union[5], make no or only cursory mention of children and their specific needs. When children are referenced, it is usually only about educating them for an AI future.

Technology giants that have developed guidelines on the responsible and ethical use of AI – for example, Google[6] – tend to equally focus on people (i.e. adults), not distinguishing children as a distinct group with specific needs and opportunities. Even civil society organizations – such as Amnesty International and Access Now – working to uphold rights to equality and non-discrimination in AI systems through the Toronto Declaration[7], do not dedicate attention to children as a specific group.

It appears that for governments, the private sector and civil society, from a policy perspective there is a vacuum for considered and practical guidance on AI and children. UNICEF can play a key role in working with organizations to ensure that the voices, rights and needs of children, specifically, are well represented. In the same way that the Convention on the Rights of the Child[8] was necessary to extend the Universal Declaration of Human Rights[9] for the unique situation of children, drawing out children as a special group is necessary in the field of AI. After all, they will inherit the future world of AI whose foundations are being laid now.

Even today, children are increasingly using AI in everyday situations: from playing with robotic toys that listen, observe, talk and move; to interacting with voice assistants; to being served algorithmically selected online videos and using educational bots that profile children; to using surveillance mechanisms that capture children's everyday lives.[10] The intimacy and opaque nature of these interactions – often happening in AI "black boxes" – raises issues of privacy, accountability, recourse and exclusion for those who are least aware of their rights in the digital age. Without the perspectives, representative data (especially from developing countries) and talent of children as AI users and creators, there is a real risk that their rights, for example, to equality, play and education, will be undermined.

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[4] Dutton, T. (2018). An Overview of National AI Strategies. Available at https://medium.com/politics-ai/an-overview-of-national-ai-strategies-2a70ec6edfd
[5] See http://www.gov.cn/zhengce/content/2017-07/20/content_5211996.htm, https://www.aiforhumanity.fr/pdfs/MissionVillani_Report_ENG-VF.pdf and https://ec.europa.eu/digital-single-market/en/news/communication-artificial-intelligence-europe, respectively
[6] See https://ai.google/education/responsible-ai-practices
[7] See https://www.accessnow.org/cms/assets/uploads/2018/08/The-Toronto-Declaration_ENG_08-2018.pdf
[8] Office of the United Nations High Commissioner for Human Rights (OHCHR) (1989). Convention on the Rights of the Child. Available at https://www.ohchr.org/en/professionalinterest/pages/crc.aspx
[9] United Nations (1948). Universal Declaration of Human Rights. Available at http://www.un.org/en/universal-declaration-human-rights/
[10] See the Children and AI Workshop Synthesis Deck from the Generation AI workshop, which considers these interactions from a child rights perspective. Available at https://docs.google.com/presentation/d/124kB3ZKVSwrt3tU2i8MdpXgGido_3BM_dCD2Jz6yj_M/edit#slide=id.g36621bbc91_0_13

Ensuring that children develop and thrive in an AI world will require the involvement of a range of stakeholders, from those that develop and use AI products, to those that teach data literacy to children and caregivers, to governments that provide regulatory frameworks. In recognition of this, UNICEF has started working with the World Economic Forum, UC Berkeley, Article One Advisors, Baker Mckenzie, Microsoft and others, to set and lead the global agenda on AI and children.

THE CONCEPT

A key program for UNICEF will be the development of a policy guidance for governments, businesses, the non-profit sector and the Organization itself, which, if applied, will create environments that support the safe and beneficial use of AI systems for children's development. UNICEF will lead the creation of the guidance in partnership with a range of external stakeholders. The guidance aims to bring a balanced perspective to the policy table, avoiding the current AI hype and providing clear, usable principles.

Further, given that AI and children is an emerging field, the guidance will be piloted with policy makers in select countries for validation and learnings as broad principles are adapted to different country contexts. A small number of countries will be targeted as early implementers of the guidance. Such implementation will create case studies for other countries to learn from, as well as provide feedback that can inform subsequent versions of the guidance.

GOALS AND EXPECTED OUTCOMES OF THE GUIDANCE

The guidance has four main goals:

- To raise awareness among decision-makers from the public, private and non-government sectors, as well as within UNICEF, about AI and child rights. In short, to put children on the AI policy agenda.
- To provide clear and usable policy guidelines that safeguard child rights and inform AI related principles, strategies and practices. The guidelines could take different forms, for example, to ensure that ethical and child-rights principles are embedded in policies and government or business strategies around a range of areas: certification of child-friendly algorithms by standards bodies; investment in AI research and development; support for growing a pipeline of AI talent; or requirements for transparent AI systems for public services like welfare benefit allocations.
- To offer a support tool for UNICEF Country Offices and partners when engaging with governments on AI related policies and to ensure an understanding of AI ethics when implementing programs.
- In a consultative manner, to create a testable set of guidelines that can be piloted in select countries.

The following outcomes are expected from use of the guidance for government, private sector, non-profit and UNICEF stakeholders:

- Decision-makers have a clearer understanding of the key issues around AI and child rights, the contributions that well-designed AI can make to children's development, and the challenges that AI poses.
- Decision-makers create enabling policy environments in which the benefits of AI for children are realized and the associated risks are minimized.
- Decision-makers, together with UNICEF, include children's voices and participation in the process of refining, adapting, and – where appropriate – implementing these guidelines.

TARGET AUDIENCE OF THE GUIDANCE

The primary target audience of the guidance are government policy makers and the decision makers in the private sector. Given the wide-ranging nature of AI, policy makers could include stakeholders from a number of ministries, such as Economic Affairs, Communications / ICT, Justice, Education or Health. Since much of AI is developed by the private sector and their policies and practices can impact large numbers of users, policy leads and executives of technology companies are equally included in the primary target audience. Policy influencers, such as those from research institutions and thinktanks, are regarded as a secondary target audience.

LEARN MORE

To learn more about participating in this initiative please contact UNICEF's Steven Vosloo, Digital Policy Specialist, Policy Lab svosloo@unicef.org or Jasmina Byrne, Chief, Policy Lab, jbyrne@unicef.org.