

Basic information Please tell us about yourself (optional)

Alana Institute is a Brazilian non-profit civil society organization that invests in programs that seek to guarantee conditions for the full experience of childhood. Child and Consumerism is one of these programs. Its goal is to increase awareness of the impacts and damage of children's commercial exploitation in Brazil and worldwide, especially by advertising and marketing targeted at children in all kinds of media, including the digital environment. In particular, the program has been developing a series of advocacy initiatives that aim at the protection of children in their digital experience, which include a view on AI. As an example of Child and Consumerism latest and upcoming actions related to the topic are: the submission of contributions to the UN's Committee on the Rights of the Child General Comment on children's rights in relation to the digital environment; the submission of a piece of contribution to the UN's Special Rapporteur on the Right to Privacy on Privacy and the Child; the hosting of a 2020 Internet Governance Forum workshop entitled "New profiles of marketing aimed at children in the Internet".

Also, Alana Institute and specifically Child and Consumerism's representatives are part of the Coalizão Direitos na Rede (free translated as "Coalition of Network Rights), a network of more than 40 academic and civil society Brazilian organizations that work in the defense of digital rights, particularly access to the Internet, freedom of expression, personal data protection and privacy. Moreover, Institute's representatives have been selected to participate in specialists' groups that analyze children and their digital rights. We hereby highlight our participation in UNICEF's Data Governance Working Group and in NIC.br's specialists' group for TIC Kids Online Brazil.

Consultation feedback The following section pertains to the format and content of the draft guidance

1. Is the purpose of the guidance clear? Not clear at all / Not clear / Neutral / Clear / **Very clear**
2. Is the target audience for the guidance clear? Not clear at all / Not clear / Neutral / **Clear** / Very clear
3. Are the format and visual elements of the document easy to understand? If not, please specify what improvements could be made (in the category labeled 'Other'). Not at all / No / Neutral / Yes / **Yes, very much so**
4. What are the aspects and/or sections of the guidance that are the most useful to you and your organization and why?

We believe the guidance as a whole will be very useful for the Alana Institute, especially the Child and Consumerism program, as an accountable and respectable source and a reference document able to support our advocacy strategies in dialogue with legislative and judiciary institutions and tech business enterprises.

5. Are the terms and definitions in the guidance understandable? If not, what relevant terms could be added or clarified and how? Please limit your response to include no more than 3 key terms in the category labeled 'Other'. Not at all / No / Neutral / Yes / **Yes, very much so**
6. Are the use cases presented in chapter 4 relevant for your local context? Are there any other use cases or examples that should be included to further describe the impact of AI systems on children's rights?

Even though a large portion of Brazilian children face great obstacles to access the digital environment and/or live in places where technologies and AI systems are still not widespread to their benefit, we do believe the use cases are relevant for our local context.

In addition to the issues described in chapter 4, we stress how fastly the implementation of facial recognition systems is spreading in Brazil - and not only for biometric identification, but really for the incrementation of surveillance apparatus. In schools, for example, facial recognition systems have been tested as a mechanism for measuring students' level of concentration. Alongside, several Brazilian cities' public transportation systems have started to use this kind of technology, often without previous studies of how they might impact children.

7. Our aim is to provide practical guidance that can be used by government agencies, companies and organizations. Do you consider the guidance practical enough to use in these settings? If not, please specify what improvements could be made (in the category labeled 'Other'). Not at all / No / Neutral / Yes / **Yes, very much so**
8. Are the nine requirements for child-centred AI understandable? Not at all / No / Neutral / Yes / **Yes, very much so**
9. Is a requirement missing or does a requirement need to be expanded further? If so, which one and why?

We understand the list of requirements is complete, precise and will provide great advances on child-centred AI policies. Yet, we suggest that the guidance explicitly indicates that, in order for children's rights to be utmost fulfilled, all nine requirements must be applied

cumulatively. We believe this provision is important because mechanisms such as the collection and verification of parental or child consent are often used by private and public actors as a *carte blanche* to the detrimental employment of AI systems in interactions with children, especially in territories where the legal and regulatory framework on AI and data protection is not very robust and where digital literacy is not widespread (or equally widespread) - which is the case of most global southern countries.

10. Are concrete recommendations missing from any of the nine requirements? Do any recommendations need further elaboration? If so, please propose additional recommendations or edits and explain why they are needed.

(1) Our first suggestion is that requirement 1 (Support children's development and well-being) is shortly further elaborated so that its concrete recommendations expressly address a major current topic on AI and child interaction: children's commercial exploitation.

As properly mentioned in the guidance, a number of lucrative business models benefit from children by commercially exploiting them, including by the collection and treatment of their personal data - thus depending on the employment of AI systems. Children's personal data are as a rule monetized by the commercial use of profiling and automated decision-making, microtargeting of advertising or even by direct data selling to third parties.

This commercial exploitation translates into methods that include explicit or thinly veiled marketing strategies targeted to children, such as data-driven by ethnicity and race with 'culture-coded' content; geotargeting and 'place-based' marketing, including in-store surveillance and point-of-purchase prompting; and new measurement tools to 'micro-moment' messaging. The effectiveness of these strategies is constantly measured by marketers, enabling real-time optimization for impact, in the course of persuasive design techniques. Children, however, as extensively documented by research, are particularly vulnerable to any kind of marketing communication targeted at them, especially the ones based on personal data and microtargeting. Indeed, it is hard for anyone to comprehend the extent and depth of the persuasive tactics used by marketers when manipulative psychological techniques are coupled with algorithms that calculate the perfect advert to show next.

Moreover, marketing to children demonstrably intensifies problems that jeopardize child development such as obesity and chronic non-communicable diseases (NCDs), family stress, violence, early binge drinking and smoking habits, unsustainable consumption behaviors, gender stereotypes and precocious eroticism, materialistic values and several impacts on the enjoyment of cultural rights.

Therefore, considering these issues, we suggest the addition of specific mentions to children's commercial exploitation in the guidance, as a further elaboration of item 2.4 (Key risks and concerns) and as part of requirement 1 (Support children's development and well-being), so that the document explicitly indicates that child-centred AI systems imply the prevalence of children's rights above commercial interests and that the employment of AI systems for microtargeting and effective advertising to children does not reflect the fulfilment of child rights.

- (2) Our second recommendation also regards a further specific elaboration in requirement 1 (Support children's development and well-being), so that it addresses an important topic on children's well-being and environmental sustainability, directly related to the development of child-centred AI systems: children's right to disconnect.

A great amount of research and literature shows that there has been a significant decline in the quality and quantity of children's experience with the outside world as over the last few generations, childhood has moved indoors, leaving children aside from the natural world, their neighborhoods and the streets. Many authors refer to how the digital environment and the persuasive design that is the core of many AI systems play a significant role in this scenario and the importance of forging the balance between offline and online experiences. This worldwide trend of switching outdoor, nature and interactive time with others to digital experiences impacts children directly and has profound implications on their healthy development, on their belonging to their communities and on how they fulfill their right to culture, leisure and play - as well as on the future of our cities and natural landscapes.

Therefore, we suggest the inclusion of a specific concrete guideline that recommends the development and implementation of AI systems that facilitate children's access to offline spaces, encourage them to take breaks during their online time and to

balance those with stimulating everyday city and nature experiences such as outside social interaction, chance encounters, playful journeys and discovery.

11. Are there resources, materials or evidence that could be used to further support the guidance? If yes, please specify: (1) the material type (i.e. report, toolkit, guidance, initiative, etc.), (2) the name of the resource, (3) URL, and (4) what specific section of the guidance it relates to.

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12. Are the 'Tools to Operationalize the Policy Guidance' (roadmap for policymakers and a development canvas for AI software teams) practical for you and your organization? Please describe.

Yes, as an accountable and respectable source and a reference document able to support our advocacy strategies in dialogue with legislative and judiciary institutions and tech business enterprises.

13. Is anything else missing from the policy guidance that UNICEF should consider for inclusion in the next version?

For the next version of this very important document, we suggest the inclusion of more explicit instructions on the target audience for the guidance. As properly indicated in this current version, the interaction between children and AI systems is not limited to the systems designed for and used by children.

Therefore, it is vital that all actors who develop and/or implement AI systems children might interact with or be impacted by consider themselves as targets to the guidance provisions, independently from the fact that their system was not designed for children's use. In practical terms, we believe it is important to specifically indicate that all AI systems placed in children's socialization environments (such as their homes, schools and all public places) or that might impact their families' decisions and consequently them, are the target audience for the guidance.