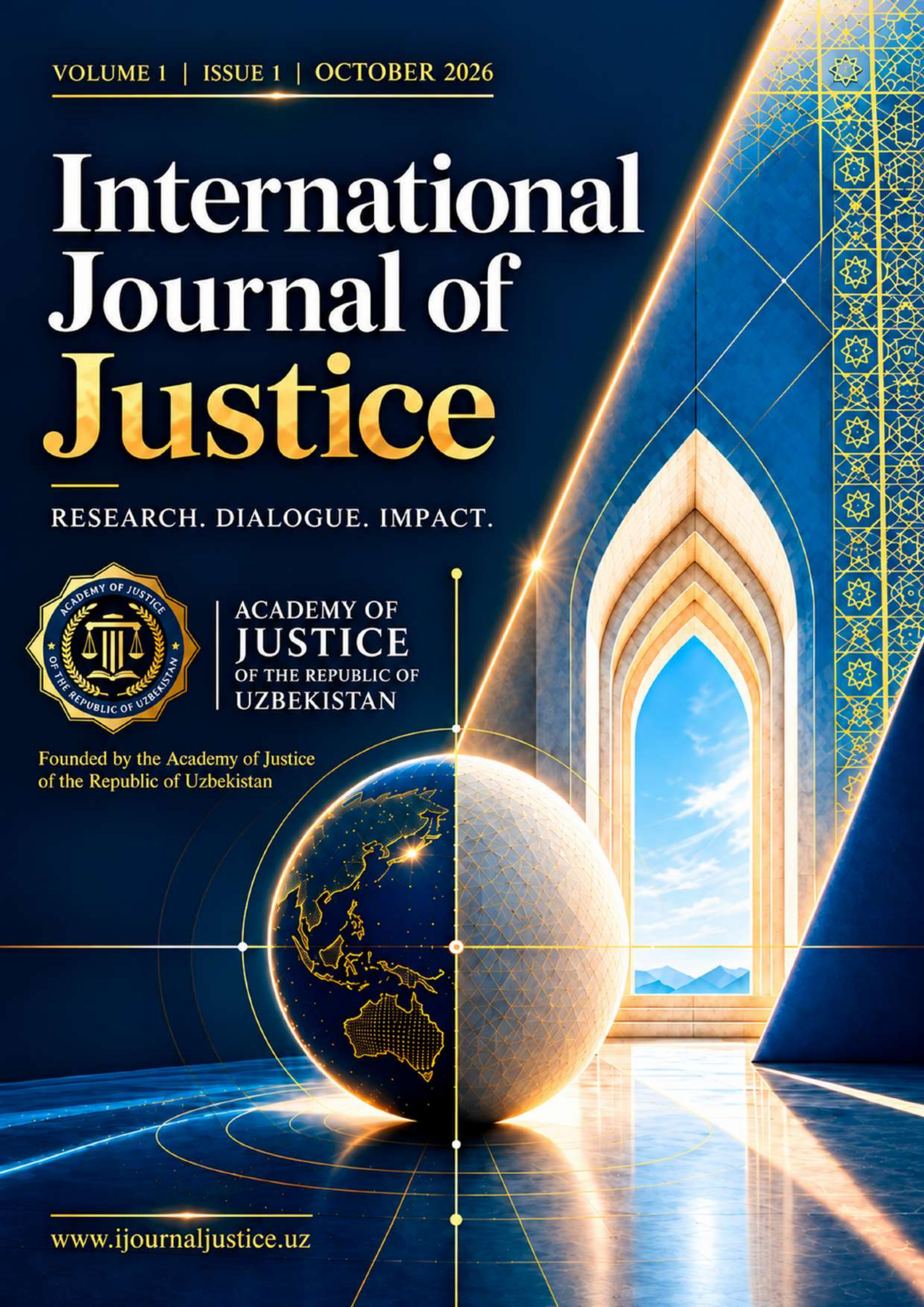
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ARTIFICIAL INTELLIGENCE AND CHILDREN'S RIGHTS: PROTECTION OPPORTUNITIES AND EMERGING LEGAL RISKS

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Abstract. *This study examines the impact of artificial intelligence technologies on children's rights and legitimate interests from the perspective of both protection opportunities and emerging risks. The study employs normative-legal, comparative-legal, systematic, and analytical methods. It examines the potential of artificial intelligence to individualize education, expand inclusive opportunities for children with disabilities, facilitate access to information, and enhance child safety, as well as the risks associated with the protection of personal data, privacy, algorithmic discrimination, errors in automated decision-making, deepfake technologies, artificial intelligence-based chatbots, and digital profiling. Particular attention is paid to the importance, in the context of artificial intelligence, of the principles established by the United Nations Convention on the Rights of the Child, including the primary consideration of the best interests of the child, non-discrimination, the right to life and development, and the child's right to express their views freely. The study also examines the approaches of the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization to children and artificial intelligence, as well as the legal mechanisms being developed in Uzbekistan. The findings demonstrate that it is one-sided to regard artificial intelligence itself as either a technology that protects children's rights or one that creates risks. Its impact depends on the purpose of the technology, the data used, the decision-making mechanism, and the extent of human oversight. On this basis, the study proposes preliminary child rights impact assessments, meaningful human oversight, data minimization, age-appropriate design, and consideration of the child's views as safeguards for protecting children's rights in the context of artificial intelligence.*

Keywords**:** *child rights, artificial intelligence, digital rights, personal data, algorithmic discrimination, deepfake, child safety, digital education.*

Introduction

Artificial intelligence (AI) is increasingly becoming part of children's everyday lives. Children use AI systems for educational activities, information retrieval, language learning, creative tasks, communication and, in some cases, advice concerning personal problems. Recent UNICEF evidence demonstrates the scale and speed of this development. According to UNICEF, an analysis based on data from ten countries estimates that at least 20 million children have used AI, while children in some contexts are adopting these technologies at rates more than three times faster than adults. The same evidence indicates that approximately 13 million children use AI to support learning and homework, while more than 2 million children report turning to AI for advice concerning matters that worry them [1]. UNICEF

These developments demonstrate that AI is no longer merely a prospective technology for future generations. It is already influencing childhood. At the same time, children cannot be regarded simply as ordinary users of digital technologies. Their age, developmental stage, limited ability to assess long-term consequences and particular dependence on adults may increase their vulnerability to privacy violations, manipulation,

discrimination and erroneous technological decisions. The legal assessment of AI therefore requires a child-rights-centred approach. The United Nations Convention on the Rights of the Child (CRC) establishes fundamental principles that remain applicable in digital environments, including non-discrimination, the right to life, survival and development, the best interests of the child as a primary consideration, and the child's right to express views freely in matters affecting them [2]. The Committee on the Rights of the Child has further emphasized that children's views must be given due weight in accordance with their age and maturity [3]. The best interests principle operates simultaneously as a substantive right, a fundamental interpretative principle and a procedural rule guiding decisions concerning children [4].

The rapid development of AI creates both opportunities and risks in relation to these principles. AI may facilitate individualized education, accessibility and access to information. However, the same technologies may generate risks related to excessive data collection, profiling, algorithmic discrimination, automated decision-making, manipulation and synthetic media. Recent scholarship similarly emphasizes that AI systems should be considered in the context of children's human rights rather than solely through technological or economic perspectives. Research has highlighted the need to place children at the centre of AI governance and to provide them with meaningful opportunities to participate in decisions concerning technologies that affect their lives [5]. Other studies have emphasized that translating general ethical principles into practical safeguards for children remains a significant regulatory challenge [6].

Against this background, the purpose of this study is to determine how AI affects children's rights, identify the principal legal risks associated with its use, examine the adequacy of existing international approaches and assess the emerging legal framework of Uzbekistan. The central research question is whether AI should be understood primarily as an instrument for protecting children's rights or as a source of new legal risks. The study proceeds from the hypothesis that neither characterization is sufficient on its own. The legal consequences of AI depend on the purpose, design, data, decision-making mechanisms, degree of transparency and human oversight associated with a particular system.

Materials and methods

The study employs normative-legal, comparative-legal, systematic and analytical methods. The normative-legal method was used to examine international child-rights standards, including the Convention on the Rights of the Child and the interpretative approaches of the Committee on the Rights of the Child, as well as the emerging legal framework of Uzbekistan concerning artificial intelligence.

The comparative-legal method was applied to compare international approaches developed by UNICEF and UNESCO with the regulatory principles emerging in Uzbekistan. Particular attention was given to the principles of human oversight, data minimization, non-discrimination, transparency, accountability and child participation. The systematic method was used to examine AI as a sociotechnical phenomenon affecting several interconnected areas of children's rights, including education, privacy, personal data protection, equality, freedom of expression, safety and access to

justice. The analytical method was used to identify the relationship between technological opportunities and legal risks and to formulate proposals for strengthening safeguards applicable to AI systems affecting children. The empirical basis of the study consists of international legal instruments, reports and guidance documents issued by UNICEF and UNESCO, relevant scholarly literature, and legislation and regulatory instruments of the Republic of Uzbekistan concerning artificial intelligence and personal data.

Results

1. Artificial Intelligence as an Instrument for Expanding Children's Rights

It would be incorrect to assess AI exclusively through the prism of risks. Properly designed and appropriately supervised AI systems may contribute to the realization of children's rights, particularly the right to education and the principle of inclusion.

UNESCO notes that AI may provide opportunities for personalized learning and broader access to education, while simultaneously creating risks associated with inequality, privacy, safety, ethics and governance [7]. UNESCO

In a conventional classroom, students naturally differ in their level of knowledge, learning speed, reading ability and preferred methods of acquiring information. AI systems can assist teachers by identifying learning gaps, generating supplementary exercises, providing alternative explanations and adapting educational materials to individual needs.

AI may also improve educational accessibility for children with disabilities. Technologies such as speech-to-text, text-to-speech, automatic translation, image description and other assistive functions can reduce barriers to participation in educational processes. UNICEF similarly identifies accessibility and support for learning as important potential benefits of child-centred AI [8]. However, these benefits should not be interpreted as justification for replacing teachers with automated systems. AI can identify patterns in educational data, but it cannot necessarily understand the complete social, emotional and psychological circumstances of a child. UNESCO's guidance on generative AI therefore emphasizes a human-centred approach in which technology supports, rather than replaces, human agency [9].

2. Personal Data, Privacy and Digital Profiling

One of the most significant legal issues concerns the volume and nature of data processed by AI systems. Depending on the application, information relating to children may include names, age, photographs, voice recordings, educational performance, health information, behavioural characteristics, interests and family circumstances.

UNICEF emphasizes that children's data may include information directly provided by children, information collected about them and information inferred through algorithms and AI systems [8]. This creates a particular legal concern because children may not fully understand how information concerning them can be collected, combined, analyzed and used in the future. The principle of data minimization is therefore particularly important. AI systems affecting children should process only information that is necessary and proportionate to a clearly defined and legitimate purpose. The collection of additional information merely because it may be technologically useful should not be treated as sufficient justification.

Recent academic research has likewise identified children's data collection as a significant concern where predictive technologies are used to make or influence decisions affecting children [10].

The issue is also relevant to Uzbekistan. The Law of the Republic of Uzbekistan of 21 January 2026 No. LRU-1115 introduced provisions specifically addressing relations arising from the use of AI and established safeguards concerning AI-based decision-making and unlawful processing of personal data [11]. The amendments form part of Uzbekistan's emerging statutory framework for AI regulation. Dentons

The collection of more information in the name of child protection does not automatically result in greater protection of children's rights. Continuous monitoring of a child's online activity, for example, may reduce certain safety risks while simultaneously creating disproportionate interference with privacy, autonomy and freedom of expression. Effective regulation must therefore maintain a proportionate balance between protection and privacy.

3. Algorithmic Discrimination and Automated Decisions

AI systems are often perceived as objective because their outputs are generated through automated processes. Automation, however, does not itself guarantee fairness.

Where training data contains existing social, economic or cultural inequalities, an AI system may reproduce or amplify those patterns. UNICEF therefore emphasizes the importance of testing AI systems for accuracy, representativeness and fairness [8]. For example, an educational AI system may evaluate a student's previous grades, attendance and activity and generate recommendations concerning future educational opportunities. If the underlying dataset reflects socioeconomic inequalities, the resulting recommendation may reproduce those inequalities rather than correct them.

The issue is particularly important for children because an automated classification may affect access to education, social services or other opportunities at an early stage of life. A technological classification made during childhood may consequently have effects that extend far beyond the original decision.

Uzbekistan's emerging AI framework recognizes the importance of human responsibility and oversight. The Law No. LRU-1115 establishes that when legally significant decisions affecting human rights and freedoms are made, exclusive reliance on conclusions generated by AI-based information resources and information systems is not permitted [11]. Dentons This principle has direct relevance to children. An AI-generated conclusion concerning a child's educational capacity, risk status or other legally significant circumstance should not automatically determine the child's legal position.

4. Human Oversight and the Judicial Protection of Children's Rights

The requirement of human oversight becomes particularly important in the judicial and legal sphere. A judge cannot delegate the legal responsibility for a decision to an algorithm. Where AI is used to analyze information relevant to a case involving a child, its output should be treated as an assisting analytical instrument rather than as determinative evidence. The judge must independently evaluate the available evidence, consider the individual circumstances of the child and apply the principle of the best

interests of the child. This approach is consistent with the broader principle that children's rights require individualized assessment. An algorithm may identify patterns, but it cannot independently assume the legal and moral responsibility associated with a judicial decision. The ethical rules adopted in Uzbekistan for AI-based solutions also emphasize human responsibility and oversight. The relevant regulatory framework provides that AI-generated decisions should not be treated as final decisions and that human control must be maintained [12].

Accordingly, the use of AI in judicial proceedings involving children should be accompanied by at least four safeguards: human verification of AI-generated conclusions, protection of children's personal data, documentation of AI use, and an effective mechanism for challenging AI-assisted conclusions.

5. AI Chatbots and Children's Psychological Vulnerability

The development of generative AI has created another important category of risk. Children increasingly interact with AI chatbots not only for factual information but also for advice concerning school, friendship, family relations, fears and personal problems.

The legal significance of this development lies in the distinction between an information source and an interactive system that may influence behaviour. A child may attribute authority or emotional reliability to an AI system even though the system lacks human understanding and responsibility. UNICEF has emphasized that children may be particularly vulnerable to forming attachments to AI companions and chatbots and has stressed the importance of clearly communicating that such systems are not human [8].

Accordingly, AI systems intended for children should use age-appropriate interfaces, clearly disclose their artificial nature and incorporate safeguards against harmful, manipulative or developmentally inappropriate responses. AI should also support rather than undermine children's independent cognitive and socio-emotional development. Excessive reliance on automated assistance may reduce opportunities for children to develop critical thinking, problem-solving and independent decision-making abilities.

UNESCO's AI Competency Framework for Students similarly emphasizes critical judgement, ethical awareness and responsible engagement with AI [13].

6. Deepfakes and New Forms of Harm to Children

Deepfake technology creates particularly serious risks for children because photographs, voices and videos can be manipulated or generated to produce highly realistic false content. The problem is not limited to material created by children themselves. Images previously shared online may potentially be collected, manipulated and incorporated into harmful synthetic content without the child's knowledge.

UNICEF's February 2026 issue brief identifies AI-generated child sexual abuse material as a significant escalation of risks to children and calls for stronger legal and technical safeguards [14]. UNICEF This development creates challenges not only for child protection but also for the justice system. Courts increasingly need to assess the authenticity, provenance, integrity and context of digital evidence. Where a child is involved as a victim or witness, manipulated audio, photographic or video material may directly affect their rights and interests. Consequently,

AI-generated or AI-modified evidence should be subject to careful human examination. Automated detection tools may assist in identifying manipulation, but their conclusions should not themselves be treated as infallible.

7. Children's Digital Identity and the Right to Challenge Automated Profiles

A child's digital identity may increasingly be constructed from information generated through online activity. Photographs, writing styles, educational results, interests, behavioural patterns and social connections may be analyzed by AI systems to produce profiles or predictions. This creates an important legal question: if an AI system incorrectly classifies a child as an underperforming student, a problematic user or a member of a particular risk group, what mechanism allows the child or their legal representative to challenge and correct that classification?

UNICEF emphasizes children's agency over their personal data, including their ability, according to age and maturity, to understand, control, access and delete relevant information [8]. The development of effective correction and challenge mechanisms is therefore essential. Children and their legal representatives should have an opportunity to request human review of significant AI-generated conclusions and to seek correction of inaccurate data.

8. The Risk of a New Digital Divide

AI can expand educational opportunities, but unequal access to AI may also deepen existing inequalities.

UNESCO has emphasized that the digital divide may develop into an AI divide, particularly affecting rural communities, persons with disabilities and socially disadvantaged groups [7]. UNESCO Consider two schools. In the first, students have reliable internet access, modern devices and access to AI-assisted learning tools. In the second, internet access is limited, devices are scarce and teachers have insufficient access to AI technologies. Students in the first school may obtain individualized exercises, language-learning support and additional educational resources that are unavailable to students in the second. AI should therefore be incorporated into educational policy in a manner that promotes equality rather than merely increasing technological capacity for already advantaged groups.

DISCUSSION

The results demonstrate that the central legal problem is not whether AI is inherently beneficial or harmful. The more appropriate question is whether a particular AI system is designed, deployed and governed consistently with children's rights. The child-rights approach differs from a purely technology-centred approach because it begins with the child as a rights-holder rather than merely as a user or source of data. Contemporary scholarship similarly argues that children's rights should be incorporated directly into AI governance and system design [5, 6]. The principle of the best interests of the child is particularly important in this context. It cannot be reduced to an abstract ethical preference. Where an AI system affects a child's education, health, social protection, safety or legal position, the child's best interests should be assessed as part of the decision-making process.

At the same time, the principle of participation requires that children themselves should not be excluded from discussions concerning technologies that affect them. Research on children's participation in AI policy demonstrates that children's voices are frequently underrepresented and that co-

creative approaches may strengthen child-inclusive AI governance [5].

This is particularly important for Uzbekistan. The country's AI regulatory framework is developing rapidly, including the adoption of Law No. LRU-1115 and subsequent ethical regulation of AI-based solutions [11, 12]. These developments establish important general safeguards, but children require additional protection because of their age, developmental characteristics and heightened vulnerability. The existing framework should therefore be supplemented with child-specific mechanisms.

First, a child-rights impact assessment should be introduced for AI systems that are likely to have a significant direct or indirect impact on children. Such assessment should consider the categories of data collected, the purposes of processing, potential discriminatory effects, error rates, consequences of incorrect decisions and possible long-term effects on the child's development.

Second, meaningful human oversight should be mandatory for decisions concerning fundamental rights and interests of children. Human review should be substantive and capable of changing or rejecting an AI-generated recommendation.

Third, data minimization and privacy by design should become mandatory elements of systems intended for children. The system should not collect or retain information merely because it may be useful for future algorithmic processing.

Fourth, age-appropriate design should be required. Children should be informed in language appropriate to their age that they are interacting with AI and should be provided with safeguards against inappropriate or manipulative interaction.

Fifth, the child's right to be heard should be incorporated into AI governance. Depending on age and maturity, children should have an opportunity to express their views concerning the use of AI systems that significantly affect them.

Sixth, effective challenge and correction mechanisms should be established. A child or legal representative should be able to request human review of a significant AI-generated conclusion and correction of inaccurate information.

Seventh, AI literacy should be strengthened. Children should be educated not only in the technical use of AI but also in understanding its limitations, possible errors, data risks, deepfakes, misinformation, manipulation and algorithmic discrimination [13].

Eighth, special safeguards should apply to AI in the judicial and legal system. These should include verification of AI-generated evidence, documentation of AI use, protection of children's personal data, human assessment of algorithmic outputs and a clear prohibition on treating AI-generated conclusions as determinative in decisions affecting children's fundamental rights.

These responsibilities cannot be assigned exclusively to the state. Effective protection requires cooperation between public authorities, technology developers, schools, parents, teachers, legal professionals, civil society and children themselves.

Conclusion

Artificial intelligence is already part of children's everyday lives and will continue to influence education, communication, information access, creativity and interactions with public and private services. Its development therefore requires a legal

approach that recognizes both its potential benefits and its capacity to create new risks.

The study demonstrates that AI cannot be classified exclusively as a technology that either protects or threatens children's rights. Its effects depend on the purpose of deployment, the data used, the structure of decision-making, the transparency of the system and the degree of human oversight.

AI can contribute to the realization of children's rights by supporting individualized education, improving accessibility for children with disabilities, expanding access to information and assisting in the identification of certain risks. At the same time, it may generate serious threats to privacy, equality, personal data protection, freedom of expression and psychological well-being and may facilitate discriminatory profiling, erroneous automated decisions, deepfakes and other forms of digital harm.

The central legal principle should therefore be that technological efficiency cannot override children's rights. The best interests of the child, non-discrimination, development, participation and effective protection must remain central to the design and use of AI systems affecting children.

For Uzbekistan, the emerging legal framework provides an important foundation for further development. However, general AI regulation should be complemented by child-specific safeguards. In particular, it is advisable to introduce mandatory child-rights impact assessments, meaningful human oversight, data minimization, age-appropriate design, effective challenge mechanisms, child participation and specialized safeguards for AI used in judicial and legal contexts.

The judicial system has a particularly important role in this process. When AI is used in proceedings affecting children, technological conclusions must remain subordinate to individualized judicial assessment and human legal responsibility. An algorithm cannot replace a judge's responsibility to protect the rights and legitimate interests of a child.

The objective of AI governance should therefore not be to maximize automation, but to ensure that technological development remains compatible with dignity, equality, safety, participation and the best interests of every child.

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