



## Social Media Regulation for Children

For Prelims: [Digital Personal Data Protection Act \(DPDPA\) 2023](#), [Prime Minister, High Court, General Data Protection Regulation \(GDPR\)](#), [Children's Online Privacy Protection Act \(COPPA\)](#)

For Mains: Social Media and Its Regulation in India, Related Laws, Implications for Regulating Social Media Platform, Way Forward

[Source: TH](#)

### Why in News?

Recently, the Australian **Prime Minister** has announced a plan to implement a **minimum age for social media usage**, aiming to protect children from potential online harms.

- This initiative is in response to **rising concerns over children's safety online**, especially following the pandemic, which saw increased screen time among youth.

**Sharenting:** It is a combination of the words "**sharing**" and "**parenting**".

- It describes the increasingly popular **habit of parents sharing photos, videos, or other information about their children on social media**.

### What are the Global Regulatory Efforts Regarding Social Media Usage?

- **Social Media:**
  - Social media refers to the **means of interactions** (collection of websites and apps) among people in which they **create, share, and/or exchange information and ideas** in virtual communities and networks. Example: **Facebook, Instagram, LinkedIn** etc.
  - A newspaper is a type of print media which is **not considered social media**. It is a traditional form of media that includes magazines, journals, and newsletters.
- **In India:**
  - [Digital Personal Data Protection Act \(DPDPA\) 2023](#) aims to **regulate children's use of social media**. Section 9 of DPDPA outlines 3 conditions for handling children's data under the age of 18 years.
    - **Verifiable Parental Consent:** Companies must obtain consent from a parent or guardian.
    - **Alignment with Child Well-being:** Processing of personal data must prioritise the child's well-being.
    - **Restrictions on Monitoring and Advertising:** There is a ban on tracking, behavioural monitoring, and targeted advertising aimed at children.
  - **Karnataka High Court:** In 2023, Karnataka **High Court** suggested to the Union

Government to implement an **age limit of 21** for **accessing social media**, citing concerns about excessive addiction among schoolchildren and its negative impacts.

#### ▪ **Global Context**

- **South Korea:** The **Cinderella Law**, also known as the **Shutdown Law**, restricted children under 16 from playing online games between midnight and 6 AM.
  - The law was passed in 2011 to address concerns about internet addiction and was abolished in August 2021.
- **United States:** The US passed the **Children's Online Privacy Protection Act (COPPA), 1998** that requires websites to **obtain parental consent** before collecting data from children under 13, leading many platforms to restrict access for this age group.
  - The Children's Internet Protection Act (CIPA) of 2000 mandates that **schools and libraries** receiving federal funds **filter harmful online content**.
- **European Union:** In 2015, the EU proposed a **law banning children under 16** from accessing the internet **without parental consent**.
  - The **General Data Protection Regulation (GDPR)**, 2018 sets **strict data privacy standards** in the EU, giving **users control over their personal information** and serving as a global benchmark.
- **United Kingdom:** The UK, while part of the EU, set the age for parental consent for online access at 13. In May 2024, a government panel recommended raising it to 16. The UK also introduced the **Age-Appropriate Design Code**, which requires platforms to prioritise children's safety and privacy by implementing stronger default settings and minimising risks.
- **France:** In July 2023, France passed a **law that requires social media platforms** to block children under 15 without parental authorization, imposing **fines of up to 1% of global sales for non-compliance**.
  - Also, if a **child under 16 works as an influencer and earns income**, their parents **cannot access that income until the child reaches the age of 16**.
- **China:** In August 2023, China set strict limits on children's internet usage: **minors aged 16-18 can use it for two hours daily**, ages 8-15 for one hour, and under 8 for 40 minutes, with access restricted from 10 PM to 6 AM.
  - **Exceptions apply for development-focused apps.**
- **Brazil:** In April 2023, Brazil enacted child data protection laws to limit how digital companies collect and handle children's data, part of broader efforts in Latin America to enhance online safety for minors.

#### **State of Digital Literacy in India:**

- Digital literacy in India is low with **only 40%** of Indians knowing **basic computer functions**, as per **NSSO (National Sample Survey Office)** 2021 data.
- A survey in Tier 2 and Tier 3 cities found **80% of children help their parents navigate online platforms**, highlighting a digital gap.
- Additionally, India's **linguistic diversity and common device-sharing practices** make it **challenging to implement consistent digital safety measures** across the population.

#### **What are the Reasons for Regulating Social Media Usage for Children?**

- **Safety Concerns:** Increased **exposure to harmful content, cyberbullying, and online predators** poses significant risks to children.
  - Children are also **vulnerable to mental health issues** exacerbated by social media use, including anxiety and depression.
- **Pornography:** The proliferation of explicit content on social media platforms exposes **young people to age-inappropriate material**, potentially shaping their understanding of sexuality and **relationships in unhealthy ways**.
- **Misleading:** Social media can be a source of misleading information, and children may be vulnerable to being influenced by propaganda.
- **Promoting Real-life Connections:** A ban would encourage children to **engage in face-to-face**

**interactions**, fostering better social skills and emotional intelligence.

- **Technological Responsibility:** There are arguments that technology companies should be held accountable for creating safer online environments for children, rather than relying solely on parental oversight.

## What are the Issues Against Banning Social Media Usage for Children?

- **Enforcement Challenges:** Bans are difficult to enforce in a digital environment. Children **often find ways to circumvent age restrictions**, as evidenced by the failure of **South Korea's Cinderella Law**.
- **Burden on Parents:** Implementing age restrictions places an unreasonable burden on parents, particularly in regions with low digital literacy.
  - Many **parents may lack the skills to navigate online platforms** effectively, making it challenging to monitor their children's activities.
- **Loss of Positive Engagement:** Social media can provide **valuable opportunities for learning, socialisation**, and creativity.
  - A blanket ban may deprive children of these benefits and limit their ability to develop digital skills essential for future employment.
- **Freedom of Expression:** Minors have the right to express themselves and access information. A ban could infringe upon these rights, limiting their ability to engage with diverse ideas and communities.
- **Benefits of Social Media:** Social media fosters community building by connecting young people with supportive networks that affirm their identities, while also serving as a valuable tool for learning and keeping youth informed about global issues and trends.

## Way Forward

- **Education and Awareness:** There is a need to introduce **digital literacy programs** in schools to **teach safe online navigation**, privacy, and recognizing risks.
  - Also, there should be **warning labels on social media apps** to highlight **mental health risks for teens**, similar to cigarette packaging.
- **Safe Platform Design:** Tech companies must prioritise child safety by implementing protective features and user-friendly privacy settings.
- **Collaborative Regulation:** Governments, educators, and tech firms should collaborate on regulations that balance safety with digital engagement, adopting models like the **UK's Age-Appropriate Design Code**.
- **Monitoring and Evaluation:** Continuously assess regulations and platform changes, ensuring transparency and accountability from tech companies.
- **Parental Involvement:** There is a need to **encourage parents to model healthy online habits and discuss** digital experiences with their children, providing resources to help them understand platforms.

### **Drishti Mains Question:**

Discuss the challenges in enforcing age restrictions on social media platforms and analyse the roles of parents, educational institutions, and tech companies in safeguarding children online.

## UPSC Civil Services Examination, Previous Year Question (PYQ)

### **Prelims:**

**Q1. 'Right to Privacy' is protected under which Article of the Constitution of India? (2021)**

- (a) Article 15
- (b) Article 19
- (c) Article 21
- (d) Article 29

**Ans: (c)**

**Q2. Right to Privacy is protected as an intrinsic part of Right to Life and Personal Liberty. Which of the following in the Constitution of India correctly and appropriately imply the above statement? (2018)**

- (a) Article 14 and the provisions under the 42nd Amendment to the Constitution.
- (b) Article 17 and the Directive Principles of State Policy in Part IV.
- (c) Article 21 and the freedoms guaranteed in Part III.
- (d) Article 24 and the provisions under the 44th Amendment to the Constitution.

**Ans: (c)**

**Mains:**

**Q.** Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy. **(2017)**

PDF Reference URL: <https://www.drishtias.com/printpdf/social-media-regulation-for-children>

