ICT AND THE RIGHTS OF THE CHILD AND THE USE OF ICT IN PROMOTING AND DEFENDING THE RIGHT OF THE GIRL CHILD BEING THE TEXT OF A LECTURE DELIVERED BY HON. JUSTICE BOLATITO AJIBADE AT THE SECOND QUARTER NATIONAL EXECUTIVE COUNCIL MEETING OF THE FEDERACION INTERNATIONAL DE ABOGADAS (FIDA) ONDO STATE BRANCH HELD ON THURSDAY, 22ND JUNE, 2023 AT THE INTERNATIONAL EVENT CENTRE, THE DOME, AKURE, ONDO STATE.

It is an honour for me to be in the midst of eminent women and mothers especially female lawyers at this programme themed: THE USE OF TECHNOLOGICAL INNOVATION IN ADVANCING THE CAUSE OF CHILDREN IN NIGERIA. The topic given to me is: **ICT and the rights of the child and the use of ICT in promoting and defending the right of the girl child**.

As we all are aware, FIDA was established to promote, protect and preserve women's and children's rights, interests and wellbeing. Because of our role in nation building, women have always been charged to utilize their innate talent and harness them to the raising of children to be useful and relevant to the community and society at large. It is that promotion of children's right that is featuring in this topic.

The topic today are intertwined and as we navigate the challenges of the modern world, it is imperative that we harness the power of technology to improve the lives of our girls and secure a brighter future for the next generation while also protecting their rights.

The intersection of Information and Communication Technology (ICT) and the rights of the child. In this rapidly evolving digital age, where technology shapes our lives and shapes the lives of our children, it is crucial that we explore and understand how we can safeguard their rights while embracing the immense potential of ICT.

Firstly, let us acknowledge the incredible advancements in ICT that have revolutionized the way we communicate, learn, and connect with one another. The power of technology knows no bounds, transcending geographical barriers and bridging gaps between individuals, cultures, and communities. It has opened up a

world of knowledge and opportunities, enabling children to access information, educational resources, and platforms for creative expression like never before.

However, as we celebrate the positive aspects of ICT, we must also confront the challenges it poses to the rights of the child. In this digital landscape, children face unique risks and vulnerabilities that demand our attention. One such challenge is the protection of their right to privacy.

In recent years, Nigeria has made significant progress in areas such as education, healthcare, and child protection. However, there is still much work to be done. Technological innovations offer a unique opportunity to bridge gaps, overcome barriers, and empower our girls in numerous ways.

The advancement of technology in the world right now is quite confounding as new innovations are recorded every now and then. The competition to break new technological grounds is fierce in different countries of the world. The train of technology as at this moment has no known destination and it is moving at a pace that is sometimes of great concern to scientists.

The major example at hand is Artificial Intelligence commonly know as AI. Artificial Intelligence refers to the simulation of human intelligence in machines that are programmed to think and learn like humans. AI encompasses a wide range of technologies and techniques that enable machines to perform tasks that typically requires human intelligence, such as visual perception, speech recognition, decision-making, problem-solving, and natural language understanding. What about our phones that connects us to the world in nano seconds, computers that are programmed to take instructions from you without knowing us in person, GPS that takes you to your destination without you having to ask anybody for direction? I have only mentioned this to bring to our consciousness the need to key the girls into new ways of doing things in the world. The opportunities are mind-boggling and limitless.

INFORMATION AND COMMUNICATION TECHNOLOGY

Information and Communication Technology by its various definitions, covers any product that will store, retrieve, manipulate, transmit, or receive information electronically in a digital form (e.g., personal computers including smart phones, digital television, email or robots.

The effects of these technologies are holistic in the everyday life of the population of children and adolescents: they affect their schooling, physical and mental health, entertainment, socio-cultural development, political life, among other aspects. Information and Communication Technology (ICT) represent the fastest and most profound technical change experienced in Nigeria, and, indeed, in the world. For example, a robust global pedagogical method has been developed to facilitate the education of large numbers of children; however, it is essential to discuss and offer recommendations for the participation of girls in ICT laws / policies and strategies.

No group has been more affected than girls by the communications revolution of the internet age. In affluent countries, online communication is now embedded in children's lives from their earliest years; in the UK, for example children aged 5–15 are spending two hours online each day. Many poorer countries, particularly the larger emerging economies, are catching up. There is no doubt that information and communication technologies (ICT) play an increasingly important role in the lives of the new generations, however there are still inequalities between genders, which go beyond access.

For better or worse, the internet will soon be inseparable from the personal development and social lives of the large majority of children worldwide. This brings multiple benefits: access to information, opportunities for self-expression, wider horizons of awareness, and a radically extended scope for social interaction. It also exposes children to much-publicized, new risks, including exploitation and abuse by adult users, cyber-bullying by peers, and over-use.

IMPACT OF TECHNOLOGICAL INNOVATIONS

Let me briefly discuss the remarkable impact of technological innovations on advancing the cause of children in Nigeria just to justify the importance of the need to use technological innovations to advance the cause of the girl child in Nigeria.

There are several ways in which technology can be used to achieve this which ways are also related to the rights and entitlements of girls.

BIRTH REGISTRATION: Technology can simplify the process of birth registration, ensuring that every child is officially recognized and has access to basic rights and services. Mobile registration units and online registration systems can help reach

remote areas and improve the efficiency of registration process.Mobile units equipped with registration equipment can reach remote areas and provide birth registration services to children who may otherwise face challenges accessing government offices.

Health and nutrition:

Mobile health applications can provide access to vital healthcare information, enabling parents and caregivers to monitor their child's health, receive vaccination reminders, and access telemedicine services. Additionally, technology can assist in the distribution of nutritional information, ensuring children receive proper nourishment.

Access to education: Technology can bridge the educational gap by providing access to quality education, especially in remote areas where schools may be scarce or where the terrains could be difficult to access sometimes. Online learning platforms, educational apps, and digital content can deliver educational resources to children, enabling them to learn at their own pace. This can help improve literacy rates and provide opportunities for children to acquire essential skills. Education stands as a pillar of child development, and technology has revolutionized the way knowledge is accessed and imparted. In Nigeria, where access to quality education can be challenging, technological advancements offers a welcome lifeline.

Empowering youth: Technology can be used to empower young people by providing them with digital skills and entrepreneurship opportunities. Initiatives such as coding boot camps, online training programs, and incubators can equip children and young adults with the necessary skills to participate in the digital economy.

Emergency response: Technology plays a crucial role in disaster preparedness and response. Mobile alerts, emergency apps, and online platforms can provide timely information during emergencies, helping to protect children and coordinate relief efforts more effectively. For example, in advanced climes, 911 is used for emergency response and virtually any child can operate the number in case of an emergecy. In Lagos State, 767 and 112 are for emergency numbers to call. Some other States are also keying into this whilesome are trying to perfect the use of emergency numbers in their various situations. Online platforms,websites and mobile applications can

be used to coordinate emergency response efforts, facilitate communication between stakeholders, and provide updates on relief activities.

Child protection is another critical area where technology plays a pivotal role. With the rise of digital communication, it has become imperative to safeguard children from abuse, exploitation, and trafficking. Technological tools, such as mobile apps and hotlines, offer anonymous reporting mechanisms for children and community members to report incidents. Leveraging the power of data analytics and machine learning algorithms, we can identify patterns and indicators of child abuse, aiding law enforcement and social services in their efforts to protect children. By harnessing technology, we can build a safer environment where children can thrive without fear.

Moreover, technology can be a catalyst for awareness and advocacy. Social media platforms, online campaigns, and digital storytelling offer powerful tools to amplify children's voices and raise awareness about their rights and issues they face. Through these mediums, children can share their experiences, advocate for their rights, contribute to positive societal change and make them successful in their chosen careers.

WHO IS A GIRL?

Let us consider the definition of a girl. The Merriam Webster dictionary meaning of a girl is: a female child from birth to adulthood while adulthood is the state of being fully grown or developed. A girl is also referred to as a young female human, usually a child or an adolescent. The term girl is however also used for other meanings, including young woman, and is sometimes used as a synonym for daughter or girlfriend, regardless of age. A girl is also said to include a woman of any age. This is the definition that I like most. This means that in sum total, girl who by dictionary definition is also an adult, is entitled to all the rights enshrined in Chapter IV the 1999 Constitution of the Federal Republic of Nigeria as amended. There are other complimentary instruments that have provided for some rights for the girl.

By the provisions of the Child Right Act, every child is entitled to respect for the dignity of his person and accordingly, no child shall be –

(a) Subjected to physical, mental or emotional injury, abuse, neglect or maltreatment, including sexual abuse; or

(b) Subjected to torture, inhuman or degrading treatment nor punishment; or

(c) Subjected to attacks upon his honour or reputation; or

(d) Held in slavery or servitude while in the care of a parent, legal guardian or school authority or any other person or authority having the care of the child.

Now, faced with rapid technological advances, policy-making has been reactive and fragmented. The policy agenda is typically set without consulting girls or assessing its impact on them, and without regard to children's legal rights. In particular, policy intended to protect children from online abuse and overuse, but has often cut young girls off from the benefits of the digital age, to which they have an equal right alongside adults. I make bold to say that where we do protect the right of the girl, we have neglected such a girl and that is a violation of the provisions of the Child's Right Act.

Let me quickly say here that the duty to safeguard girls and their right of access to the internet are not in opposition; there is no need to cut children off from their world just because we think we need to protect them from it. By combining digital literacy education with the principles of informed consent, a rights-based approach can integrate girls' right to be protected with their right to use the internet freely.

The greatest inequity of the digital age remains that girls from poorer families in developing countries are unlikely to have any access to the internet at all. These children have the most to gain from internet access, and also the most to lose from remaining cut off from it.

Even when safeguarding concerns provide genuine grounds to restrict children's access to extreme violence, child abuse images, or proscribed organisations, restrictions are typically applied to excess, screening out age-appropriate information about sex, illicit drug use, and political and social issues. In addition, corporate marketing, which is often presented as non-commercial information can profoundly skew the content that girls access and digest.

RIGHTS OF GIRLS TO ICT

I want to draw your attention to an inspiring aspect of Information and Communication Technology (ICT) usage—one that showcases the power of technology in promoting and defending the rights of the girl child.

In this age of digital empowerment, we have witnessed countless examples of young girls utilizing ICT to break barriers, challenge norms, and create positive change in their communities.

Education: The right to education is enshrined in Section 18 of the 1999 Constitution and it enjoins the government to direct its policy towards ensuring there are equal and adequate educational opportunities at all levels. Additionally, the right to education is intrinsically tied to ICT. The digital device, characterized by disparities in access to technology and connectivity, threatens to deepen existing inequalities among children. To uphold the right to education for every child, we must strive for universal access to ICT tools and affordable internet services. By doing so, we can empower children with the knowledge and skills necessary to thrive in the digital era.

Nigeria has a legal duty to ensure that girls have an education, and can access information widely and equitably in support of their development and well-being. A girl without education is limited and cannot have access to information technology talk less of benefiting from such huge space.

GIRLS RIGHTS

Girls have a legal right in international and most domestic law to be safeguarded from abuse, including sexual abuse. The legal onus is on state authorities to prevent abusers from contacting girls and so make the internet a safer place, rather than to prevent girls from accessing it.

Psychiatrists in the United Kingdom discourages parents from snooping on their children, which can leave children feeling untrusted and increase the risk of self-harm. The best defence against online grooming and bullying is informed and engaged parents who discuss the internet with their children from an early stage and can recognise the warning signs (such as emotional withdrawal), so that children feel able to report and discuss anything that has made them uncomfortable.

FREEDOM OF SPEECH/ FREEDOM OF EXPRESSION: The Nigerian Constitution in S39 provides inter alia that every person

shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart information without interference.

Girls' right to free expression requires that they will be able to seek out information -and ideas of all kinds. The implication is that authorities should presume in favour of girls' access to the internet and that restrictions should only be imposed by law when necessary to ensure respect for the rights of others, for the protection of national security, public order or public health. Our girls also have a right to be protected from economic exploitation by wolves seeking to prey on the girls. The internet has enabled children to become active politically and to mobilise for social and ecological causes, projecting their voices into the world with unprecedented reach. This has exposed children to the same repression of free expression that affects adults. In China, for example, it is unlawful to use the internet to spread information critical of the government.

The growing use of surveillance – from the monitoring habits of parents and schools to the mass harvesting of personal data by state agencies is also playing a role in 'chilling' free expression. Now, many girls are ingeniously preserving their freedom of action by circumventing surveillance using technologies like WhatsApp and Firechat.

Our girls have a right to freedom of expression, and also a right to have their views heard in all matters affecting them. As a legal principle, the right of freedom of expression takes precedence over the policy preferences of schools and other institutions; any restrictions on this fundamental freedom are not legitimate unless required by law and strictly necessary to safeguard the rights of others, national security, public order or public health.

To this end and in adherence to the provisions of the Constitution, children must not be made to feel afraid to speak their mind online, even when their views seem objectionable to others, provided that they act within the law and pose no serious risk of harm/danger to themselves or others. It falls to the state and society at large to protect the internet as a space where girls can express themselves without undue anxiety, and to safeguard their right to be heard in their own interests. Children should not attract suspicion for exercising these rights.

FREEDOM FROM EXPLOITATION AND ABUSE

This another of the right of the girl. Certain characteristics of the digital environment magnify the risk that girls will be exploited or abused by other users. In particular, online abusers can easily operate anonymously and bypass gatekeepers such as parents or teachers. When children are bullied online, such as through '**revenge porn**', their humiliation can be very public.

Online grooming – deceiving a child for sexual purposes – is on the rise, although its extent remains unknown. The sexual abuse that follows may be online, such as by 'sexting' – sending or eliciting explicit sexual images – or offline, if the victim is lured into a meeting.

Cyber-bullying, which takes several forms is becoming more common and can have a profound impact on mental health, well-being, and educational attainment. When children go online they are more likely to bully others, and to be bullied, than when they are offline.

Although the risk of abuse online is clearly serious, media coverage habitually fails to recognise the capacity of most children (and their parents) to protect themselves.

Internet provision:

Nigeria's economy may not be too good now but we must not let that hold the girls back. Our country should consider Overseas aid to be used to support children living in economically deprived regions to access the internet on an equal basis with those from more affluent backgrounds.

Restrictions. Except where limiting access to content is unambiguously required by law and that law meets the children's rights standard, educating children in digital literacy is a preferable means of safeguarding them from harm.

ICT CHALLENGES FOR GIRLS

Girls are especially vulnerable to exploitation of their personal information by both commercial and state agencies, whose data-harvesting practices remain largely

unregulated in most parts of the world. Girls are less likely than adults to be aware that they have a legal right to privacy, that their online activity is automatically recorded, and that they are targets for corporations collecting their personal data for commercial gain.

For example, many online services, such as games, require girls to provide detailed personal information as a condition of access, such as by logging in using their Facebook credentials. Once access is granted, providers track online activity in detail, and may entice girls to divulge further personal data using personality questionnaires. Often, the sole safeguard against this is a privacy policy or statement of terms of service, which is typically perfunctory and written in opaque language.

In addition, girls' physical whereabouts and online activity are increasingly monitored by others (such as parents, schools, and the state). Monitoring technology ranges from apps for parents that report their child's whereabouts to the screening of schools for potential future terrorists using IT systems that collect information about children's activities. Monitoring is by nature intrusive; it is not normally subject to the consent of children, and they are often not told about it. It can also be counter-productive. When children are aware that they are being watched, they are likely to adapt their behaviour and self-censor their communications, and their trust in others – parents, their school, the state – may be damaged. It is therefore necessary that mothers should cultivate good relationships with their girls to enable them have the confidence to confide in the parents. Both ways, the right of the girl is protected.

Asking girls for their consent to collect their information shows the greatest respect for children's right to privacy. Consent must be free and informed and a child must be able to withdraw at any time. If a child does not have the capacity to consent, then their consent can never justify the collection of their information.

No personal data should be collected from children without their informed consent, which should be based on a clear, accessible and unambiguous statement of how it is to be treated; children should be given the option to withdraw consent at any time. Children who have yet to develop the capacity to grant such consent should not be asked to provide any personal data online. In all cases, the data collected should be the **minimum** necessary to provide the online service in question.

Data storage and sharing. A girl's personal data should never be shared with third parties except where this is absolutely necessary to provide an online service or is required by law, and it should never be traded for profit. When sharing of data is genuinely necessary, girls should always be told before they are invited to provide it, and all shared data should be erased once its purpose has come to an end.

Monitoring: Except where monitoring of children's activity – online and elsewhere – is required by law, it should not take place without: a) their informed consent; or b) where children do not yet have the capacity to grant such consent, the consent of their parents. In all cases, no girl should be monitored without their knowledge.

Let us now talk about **prevention and remedies**

States have a legal duty to safeguard children against harmful content and abuse, but to do so it is neither necessary nor effective to curtail their digital rights. The optimal safeguard is to facilitate children's access to the internet, protect their privacy, encourage self-expression, and ensure that they can recognize potential dangers and know what to do about them.

It is based on this premise that I suggest that a strategic approach to parenting and policymaking in this sphere should rest on at least these four pillars:

1. A rights first approach. Maximise girls' enjoyment of all of their rights online equitably, including girls who currently have little or no access to the internet.
2. -Digital literacy. From an early stage and throughout their development, ensure continuously that children are aware of digital rights and risks, and what to do about them.
3. Consent. Empower children to decide for themselves how others collect and use their information by requiring their consent. (To protect younger children, it may be necessary to establish a minimum age of digital consent, as is now the case in the European Union and United States).

4. Access to justice. Ensure that children have avenues for formal (including legal) complaint in cases where their rights have been breached and the support to make effective use of these complaints procedures.

These four principles, if applied consistently, should greatly reduce the need to restrict digital access or monitor our girls' behaviour without their permission or knowledge.

Analyzing the access and use of ICT by girls, through a qualitative approach, based on a gender perspective, is extremely relevant for the development of inclusive public policies that address the opportunities and consequences, often unequal, of technologies.

Permit me to cite two common international examples who have used the power of technological innovation to break barriers.

One remarkable example is that of Malala Yousafzai, a Pakistani activist who used the power of social media and online platforms to advocate for girls' education. In 2012, Malala survived a targeted attack by the Taliban for her vocal support of girls' education. Despite this horrific incident, she did not retreat. Instead, she harnessed the power of ICT to amplify her message, sharing her story through blogs and interviews, and using social media to rally support worldwide. Her courageous efforts not only brought global attention to the cause but also inspired millions of young girls around the world to stand up for their right to education.

Another notable example is the Girls Who Code movement, founded by Reshma Saujani. Recognizing the gender disparity in the tech industry, she established an organization that offers coding education and mentorship to young girls. By leveraging ICT tools and platforms, Girls Who Code has empowered thousands of girls to pursue careers in technology, breaking the stereotypes that have hindered their progress for far too long. Through coding camps, online resources, and virtual communities, these girls have gained the skills and confidence necessary to succeed in the digital world, opening up new opportunities for themselves and challenging the notion that tech is a male-dominated field.

In addition to these prominent examples, countless other girls have utilized ICT to overcome barriers and champion their rights. They have leveraged social media to raise awareness about issues such as child marriage, gender-based violence, and access to healthcare and education. By sharing their experiences and connecting with like-minded individuals and organizations, these girls have been able to create networks of support, inspire policy changes, and foster a sense of solidarity among young girls facing similar challenges.

Moreover, ICT has proven instrumental in providing girls with access to crucial information and resources. Mobile applications and online platforms have been developed to provide girls with comprehensive sexual and reproductive health education, allowing them to make informed decisions about their bodies and well-being. These platforms also offer a safe space for girls to seek guidance, ask questions, and connect with healthcare professionals, particularly in regions where discussing these topics openly is culturally taboo.

The use of ICT in promoting and defending the rights of the girl child extends beyond individual cases. It encompasses collective movements and initiatives that leverage technology to drive social change. By amplifying the voices of young girls through social media campaigns, podcasts, and digital storytelling, we have seen a significant shift in societal attitudes, breaking down stereotypes and challenging discriminatory norms that limit the potential of girls.

Furthermore, we cannot overlook the issue of digital literacy. As ICT becomes an integral part of our daily lives, children must be equipped with digital skills and critical thinking abilities to discern credible information from misinformation. By promoting media literacy and digital citizenship education, we empower children

to become responsible digital citizens who can utilize technology for positive purposes while being aware of its potential risks.

To address these multifaceted challenges, collaboration between governments, civil society, and the private sector is paramount. Policymakers must enact legislation that safeguards the rights of the child in the digital sphere while fostering innovation. Technology companies should prioritize child protection in the design and development of their products, ensuring age-appropriate interfaces and robust security measures. Parents and caregivers have a crucial role to play by actively engaging with their children's digital lives, fostering open conversations, and promoting responsible online behavior.

In conclusion, as we embrace the immense potential of ICT, let us not forget the rights of the child. It is our moral obligation to ensure that the digital world becomes a safe, inclusive, and empowering space for every child. By safeguarding their privacy, promoting universal access, combating harmful content, and fostering digital literacy, we pave the way for a brighter future—one where the rights of the child are protected, and their full potential is realized.

As I move to conclude this paper, it gives me ultimate pleasure to cite examples of Nigerian girls breaking barriers using ICT.

One inspiring example is the story of Rebecca Gyedr, a Nigerian girl who harnessed the power of ICT to fight against child marriage. Rebecca, at the tender age of 14, created a blog where she shared her personal experiences and the stories of other girls who were forced into early marriages. Through her blog, she raised awareness about the harmful effects of child marriage on girls' education, health, and overall well-being. Rebecca's blog gained national and international attention, leading to increased dialogue on the issue and inspiring others to join the fight against child marriage.

Another remarkable example is that of Uche Pedro, the founder of BellaNaija, a popular online platform that celebrates African culture, fashion, and lifestyle. Uche recognized the need for a space that represented and showcased the voices and stories of African women and girls. Through BellaNaija, Uche has given a platform to countless Nigerian girls to share their experiences, talents, and achievements, empowering them to break free from societal norms and stereotypes. This online community has become a source of inspiration, support, and encouragement for Nigerian girls, fostering a sense of belonging and amplifying their voices.

Additionally, we have the story of Blessing Okoro, a young Nigerian girl who used social media to raise awareness about gender-based violence. Blessing started the hashtag #SilentTears, encouraging survivors to share their stories and break the silence surrounding this issue. Through this digital movement, she not only provided a safe space for survivors to find support but also sparked national conversations and prompted action against gender-based violence. Blessing's advocacy demonstrates the power of ICT in giving a voice to the voiceless and driving real change in society.

Moreover, Nigerian girls have utilized ICT to address educational barriers and promote access to quality education. The organization "Project Girls for Girls" is a prime example of this. They have developed a mobile application that provides girls with educational resources, mentorship programs, and career guidance. We also have Miishe Addy who is the ceo and co-founder at Jetstream africa, a tech platform that is democratising access to cross border trade for businesses in emerging markets.

Chioma Okotcha is another Nigerian doing exploits in theinformation technology world. She is the co-founder and chief operating officer at Payhippo, the company creating the most seamless small business loan experience in nigeria. She was a part of the team that launched a non-profit start-up, Teach for Nigeria,in Lagos.

By leveraging technology, they are breaking down geographical barriers and providing girls in underserved areas with opportunities for learning and personal growth.

In conclusion, there is a need raise awareness among various stakeholders of the importance of taking gender into account in the formulation of public policies relating to the use of ICT by girls. In order to leverage the positive aspects of the Internet and optimize the opportunities it provides for girls. Before I take my seat, let me appreciate the organizers of this programme for the opportunity given to me to deliver this important lecture.

I am grateful for everyone's attention. GOD bless you all.

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