

Digital Child Labour, the Latent Form of Exploitation?

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ABSTRACT

This article examined digital child labour as a less visible form of child exploitation emerging from the expansion of online platforms and technology-mediated work. It considered how children's participation in content creation, informal digital tasks, online commercial activity and other platform-based practices could blur the boundary between learning, recreation and labour. The analysis showed that digital work could provide skills and early practical exposure, but could also place children in unregulated environments marked by privacy risks, cyberbullying, grooming, sexual exploitation, academic disruption and the monetisation of their data, time and images. The article further assessed how international labour standards, Indian child-protection laws and selected European regulatory developments addressed these risks. It found that existing legal frameworks offered important protections but were not fully adapted to the distinctive features of digital labour, including weak employer-employee relationships, transnational reach and concealed forms of remuneration. The article concluded that stronger legal safeguards, platform accountability, coordinated enforcement, public awareness and improved data collection were required to protect children without excluding them from beneficial digital participation.



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INTRODUCTION

Children, as future generations, need to be nurtured at all times with responsible oversight right from childhood. Children are considered vulnerable, and their initial development is crucial; therefore, they must be safeguarded against every form of exploitation (Sonawane, 2019). The present wave of economic development has given rise to widespread abuses, encompassing child labour, punishingly long work days, hazardous work conditions, harsh discipline, sexual predation and suppression of the freedom to associate and organise. These kinds of servitude recall outright slavery in some exemplifications, and bear moral outrage the world over whenever they come to light. To curb these abuses, the labour market must be reregulated (Alston, 2008).

Child labour is a pernicious problem and the laws in India have laid their attention on addressing it, however, significant gaps remain in legal enforcement, institutional safeguards and public awareness. Digital child labour is less visible forms of exploitation which oftentimes escapes the legal intervention due to the blurred lines between learning, entertainment and work. While seemingly distinct, child work and child labour often overlap. Child work encompasses all paid and unpaid work, whether it is full-time or part time, for the household or for the market. On the other hand, child labour is a work that dispossesses children of their childhood and dignity, which encumbers their access to education and acquisition of skills and which is carried out under deplorable conditions that are deleterious to their health and development. Many children regard the opportunity to work as a rite de passage to adulthood. Work that does not detract from other indispensable activities of children, education, play and leisure, does not amount to child labour. Child labour is work that impairs the development and health of children (Weiner, Burra & Bajpai, 2006).

Child labour and child maltreatment is a hideous, widespread and chronic issue in the society which can take the form of physical abuse, emotional abuse, sexual abuse, educational neglect, physical neglect and emotional neglect. A child who is subjected to abuse or neglect is maltreated regardless of an absence of intent to harm (Reardon & Noblet, 2009). Child labour is exploitative if it contravenes children's dignity or basic interests. Labour is exploitative if it erodes the fullest mental and physical development of young persons or is likely to jeopardise the safety, health or morals of young persons. To differentiate exploitative from acceptable child labour is to place the child's labour in its broader economic factors. From this approach, children's work is only exploitative if it creates worst conditions than the child would otherwise experience. Exploitation is relative to surrounding social conditions such as poor educational opportunities and poverty. Child labour becomes exploitative when it infringes particular children's opportunity to attain their potential as human beings. Hence, it is ethically insupportable for children to work in conditions that foreclose their opportunities for reaching that potential because the work inhibits them from attaining a basic education, or because exposure to hazards on the job is likely to endanger the child's psychological or physical wellbeing. However, at the same time, child labour should not be considered exploitative if it is critical to their development and survival; if the harm that children suffer in workplace is outweighed by the advancement of their economic position and that of their families; or if difficulties in attending school may be offset by the work experience and skill development they gain in the workforce. Labour exploitation depends on how much weight is given to the intrinsic nature of the work itself versus the extrinsic social conditions around it (Wall, 2017).

Against this background, this article examines digital child labour as a latent form of exploitation and asks how established child-labour concepts and child-protection norms should be applied when work is mediated by digital platforms. It focuses on the boundary between acceptable child participation and exploitative labour, the principal risks created by online work and content creation, and the adequacy of existing legal safeguards. The article contributes by bringing labour rights, children's rights and digital-platform regulation into a single analytical frame, with particular attention to India and selected comparative developments. This framing is intended to clarify why forms of online activity that appear recreational, educational or family-managed may acquire the characteristics of labour when children's time, data, images or performances are systematically monetised or controlled for adult benefit.

RESEARCH METHODS

This study employed a qualitative, doctrinal and literature-based approach. It examined the legal and policy treatment of child labour in digital environments through interpretive analysis of the international labour standards, Indian constitutional and statutory provisions, comparative regulatory developments, scholarly literature and institutional reports cited in the manuscript. The materials were read thematically to distinguish acceptable child work from exploitative child labour, identify technology-mediated forms of exploitation, and assess whether existing safeguards adequately address platform-based work, content creation and related online risks. The analysis focused on the concepts of exploitation, vulnerability, child welfare, digital participation and legal protection. Because the study was document-based, it did not involve human participants, fieldwork, sampling or primary data collection. Its principal analytical task was to evaluate how established child-labour and child-protection standards translate to digital settings in which employment relationships, remuneration and adult control may be less visible.

RESULTS AND DISCUSSION

Technology-based child labour

Children are constantly relating to technology in terms of education, entertainment, financial transactions, e-commerce and e-sports. Whilst it is crucial for children to develop an aptitude for tech, after all, digital literacy is necessary; however, unregulated or excessive use can expose them to exploitative practices. The dangers posed by children to the use of technology have become an area of concern to governments and to those working with children and young people (Cleland, 2008). Technology plays an instrumental role, but there is no technological solution or specific blend of technological solutions to the issue of digital safety for minors (Lievens, 2010). The technology has enabled digital social networks that are almost pervasive in their use among children; it also facilitates

access to readily available digital content and interactive media. While these activities enable children to have greater access to information, support skill development and provide relaxation and stimulation, there is a concern pertaining to commercial exploitation, addiction, chances of exposure to inappropriate content and involvement in digital child labour (McDool et al., 2020).

Despite global condemnation of child labour, a modern form of online child labour persists today. There is a high degree of commercialisation associated with the practice of employing child workers. The online work has created novel avenues for children to perform tasks digitally, engage in micro-work, or be exposed to social or commercial pressures that take advantage of their limited autonomy and awareness. In general, the term 'exploitation' when applied to people represents some form of commercial aspect. A fundamental element of the exploitation of another person is the misuse of a position of authority by the exploiter, and the corresponding abuse of a position of vulnerability on the side of the exploited. This is particularly acute where the exploited is a child, as they lack the capacity to fully understand or resist exploitation (Kapoor, 2010).

The 1999 Worst Forms of Child Labour Convention (No. 182) is the first ILO standard to recognise sexual exploitation as a labour rights matter (Kooijmans, 2008). Article 3 of the Convention 182 has defined the worst forms of child labour to include: (a) all kinds of slavery or practices akin to slavery, such as the trafficking and sale of children, debt bondage and serfdom and forced or compulsory labour, including coerced or mandatory recruitment of children for involvement in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for unlawful activities, particularly for the production and trafficking of drugs as outlined in the relevant international treaties; (d) work that, by its nature or the conditions in which it is carried out, is likely to jeopardise the safety, health or morals of children. Categories (a)-(c) are the definite worst forms of child labour because improving working conditions cannot make these forms more admissible. Children may have to resort to child labour because of compelling circumstances, such as social exclusion or poverty. Only where child labour is carried out under the conditions defined in Article 3(a) of Convention No 182 can it be contemplated as slavery or slavery-like. In the digital sphere, this practice extends to cyber trafficking, where children are exploited through online platforms for various illicit purposes. It can include child trafficking through online recruitment, forced online sexual exploitation, or even coercive participation in illegal online activities. Virtually, minors can nimbly fall prey to exploitative individuals or groups who manipulate them into performing illegitimate acts, whether for sexual exploitation, financial gain, or even cybercrime. Likewise, the sexual exploitation of children is categorised in Article 3(b) as a separate worst form of child labour. Online platforms have enabled offenders to exploit vulnerable children across borders for pornography purposes by maintaining anonymity. Children may be manipulated or coerced into generating explicit material, which is subsequently distributed or sold through digital platforms. These minors can be enticed with promises of financial gain, only to be forced into sexual acts for the benefit of exploitative networks. The Convention recognises that not all commercial sexual exploitation of children can be described as forced labour, but necessitates its elimination and prohibition anyway, thereby enhancing the range of safeguard measures applicable to children in sexual exploitation (Kooijmans & Van de Glind, 2010). Article 3(c) is yet another unethical child labour practice where children are forced into online drug trafficking or coerced into other illegitimate activities, while remaining unaware of the broader repercussions of their actions. Lastly, Article 3(d) is also applicable to digital child labour as certain online activities, encompassing online sexual exploitation and coerced involvement in detrimental digital content, pose risks to children's physical and psychological well-being. These virtual spheres, though not physically dangerous in the conventional sense, can result in lasting harm to children's safety, health and emotional development.

Impact of digitalisation on child labour

The proliferation of online platforms has resulted in novel forms of child labour, such as children being exploited in the digital content creation or being engaged in the informal sector, which is particularly hard to regulate. Contemporarily, the scope and visibility of child labour have intensified, with children's work not only constricted to the conventional areas, including domestic work, agriculture, or mining, but also extending into the digital domains. This transformation has raised concerns with regard to the welfare and safety of children, making them less subject to labour inspections and safeguards established for the conventional forms of work. It has become complex to ascertain what exactly is considered child labour since it has extended beyond the conventional sectors.

Times have changed; while child labour used to be predominantly physical and arduous, it could now be as trivial as making a brief video and uploading it on digital platforms (Siewert, 2024).

Digital child labourers usually neglect valuable educational and leisure time to participate in activities that may impede their scholastic and extracurricular growth. The young digital workers operate within grey areas of occupational health and safety, with undefined employer-employee relationships. Structured oversight with regulated working hours and implementation of health and safety measures could help ensure children are not overburdened, safeguarding both educational engagement and wellbeing. Digital child labour can also alter family dynamics, as children become both potential earners and take on additional home responsibilities. However, digital child labour typically lacks the formalised remuneration structures present in conventional work, which leaves young workers without guaranteed wages, financial protections, or benefits.

In the case of children involved in online content creation, these kidfluencers face risks to their identity, reputation and dignity. An exposure to the public can shape how children are viewed and expected to behave, which impacts their developing sense of self and potentially creates inner discord between personal inclinations and societal pressures. The regular feedback, tagging, or spotlighting of their conduct, sometimes through hoaxes, pranks, or socially shared moments of distress, can undermine their self-esteem and subject them to emotional harm, ridicule, or cyberbullying (Rees, 2025).

Every day, children around the globe are abused emotionally, physically, sexually and sometimes with very severe consequences. The internet-related technologies have remoulded the patterning of everyday life, including the way we work, access and exchange information, meet people, shop, and organise and maintain persistent social ties. The technologies have done more than “add on” to persisting social arrangements; they have radically modified the three main areas of social life, the spheres of production, consumption and communication. Children find the adult world fascinating, challenging and worth exploring. Young people, alike adults, may suffer from a digital reliance on the internet. As children engage in online content creation, such as becoming “kidfluencers” or engaging in digital performances, they are exposed to a range of digital risks, including sexual exploitation. The collection and dissemination of indecent images of children is erroneously comprehended to be a novel trend, but in reality, this phenomenon dates long back. The online sexual abuse of children is not a technological issue but a people’s problem as those who endanger children are not computers; they are people. The policy-makers and LEAs are required to understand and learn how to address this ‘old crime in a new technology’ (Martellozzo, 2012).

The digital platforms are facilitating the exploitation of children via digital recruitment, remote surveillance and concealed payment systems. Moreover, over the past years, there have been high incidences of child sexual abuse material (CSAM) online. The escalated rise of AI-generated CSAM, ranging from altered images of real children to entirely synthetic yet realistic-looking content, is of deep concern.

Technological advancements have been playing a dualistic role in child labour, as it has not only created challenges related to child labour, but have also transformed the addressal mechanisms. Whilst digital innovations have generated new vulnerabilities, they have also provided novel tools for detection and enforcement.

Regulatory frameworks addressing digital child labour

Child labour, which we now regard as a social evil, was accepted during the onset of agricultural civilisation down to the advent of industrial civilisation. Perpetuation of child labour in escalating magnitude is an indicator of the failure of the human development process in the nation. Child labour of any form or mode is unacceptable to humanity. Child labour persists in the contemporary digital sphere in varied degrees and in diversified forms and characteristics scattered over different locations. The Indian Constitution, in its Directive Principles of State Policies, enjoins the government to provide free and compulsory education to all children up to the age of fourteen years. However, many children had never been to school because of supply-side barriers as well as for demand-side deficiencies (Chakraborty, 2013). The constitution serves as a significant pathway for incorporating child rights and aligning national laws with global standards. At times, constitutional provisions and norms are purely declaratory or aspirational and finite in scope. To be effective, it must incorporate a vast spectrum of rights and enforcement mechanisms and ensure the power of courts to review laws against the constitutional standards (Goonesekere et al., 2007).

The prohibition of digital and commercial sexual exploitation of children in India is strengthened through a matrix of legislative provisions that jointly address both online and offline offences. Sections 95, 96, 98 and 99 of the Bharatiya Nyaya Sanhita, 2023, alongside Sections 13-15 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, criminalise the exploitation and abuse of minors for commercial or sexual purposes. Moreover, Section 67B of the Information Technology Act, 2000 specifically prohibits the publication, transmission, or creation of material depicting children in sexually explicit acts, thereby extending protection into cyberspace. Likewise, the prohibition on using children in exploitative or illegal activities is supported by Sections 78, 79 and 83 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

At the global level, the legislative actions in France (2024) and Italy (2024) reflect that children require legal protection over their digital identities and image rights. France's law introduces mechanisms to safeguard children's dignity and moral integrity by permitting courts or social services to intervene when online sharing becomes harmful. Correspondingly, Italy's proposed legislation allows minors aged 14+ to remove online content featuring them and requires parents profiting from "baby influencer" content to deposit earnings in a child-controlled account (Niestadt, 2025).

With reference to the SDG Target 8.7, which aims to eradicate child labour in all its forms by 2025, the progress remains insufficient. The worst forms of child labour are driven by a web of factors, including political, socio-economic, legal, and structural shortcomings that often intersect and strengthen one another. Many of these causes have persisted for generations, compounded by legislative shortcomings and inconsistent implementation (Klein & Campos, 2025). Despite the parallels to conventional child labour, such as exposure to harm and exploitation, digital child labour is largely unregulated, which leaves minors vulnerable to cyberbullying, emotional abuse, privacy breaches, infringements on personal freedom and academic neglect.

Child labour laws have conventionally precluded minors from working long, hazardous hours in factories and other physical settings (Hibbert, 2024). However, digital work has provided a peculiar dimension to child labour, necessitating the formulation of comprehensive regulations to safeguard young workers in the online space. There is a need to set precise guidelines on work-time limits, health and safety standards, fair financial rewards, the preservation of a child's identity, dignity and reputation, and ensuring that children's engagement does not intervene with their education or well-being. Moreover, legal frameworks are required to be upgraded to address concerns such as the absence of formal employer-employee relationships, protecting children from exploitation whilst striking a balance between their digital involvement and their rights to education, health, development and protection from exploitation and abuse.

CONCLUSION

Over the years, the government has made significant strides to combat the pervasive issue of child exploitation, including child labour, through the implementation of laws, policies and awareness campaigns. Despite these efforts, the persisting digital economy has posed novel challenges that have made it difficult to monitor and regulate child labour in virtual spaces. The anonymity and wide reach of technology have made it difficult to detect and avert the issues of online child labour. While India has formulated robust laws for the protection of children, their effective implementation remains a significant issue. An effective collaborative effort between various stakeholders is the key to strengthen enforcement, gather practical insights, raise awareness and create a united front against digital child labour. For both prevention and proper enforcement, coordinated efforts of the law enforcement agencies, cybercrime units, the judicial system, academia, NGOs, tech industries and international organisations are necessary.

Moreover, there is a necessity to update current laws to specifically address the issues pertaining to digital child labour and address all root causes of digital child labour. Tech companies play a pivotal role in both facilitating and averting digital child labour. There is a need for technology companies and digital platforms to implement robust child protection strategies and regulations, which could include active monitoring of digital content, setting up mechanisms for reporting abuse and safeguarding minors from being exploited in online labour activities. Furthermore, public awareness and education campaigns must be intensified to educate and empower children, parents and communities about the dangers of online exploitation along with the safeguard mechanisms. Empowering children with knowledge about their rights and the dangers of digital exploitation can help them avoid falling victim

to such forms of abuse. Digital child labour involves transnational exploitation, which calls for enhanced cross-border cooperation with international agencies to track and apprehend perpetrators involved in digital child labour, particularly those operating across borders. The dearth of updated, systematic and disaggregated data gravely undermines the process of identification of children vulnerable to or engaged in the worst forms of child labour and precludes governments from adequately targeting and assessing the efficacy of their programmes. Therefore, the government should review and invest resources in ameliorating its targeted data-collection initiatives, including among those who are usually the hardest to reach.

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