

Digital Rights of the Elderly Digital Vulnerable Groups and Their Legal Protection

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ABSTRACT

With the rapid development of digital technologies such as big data, 5G, cloud computing and artificial intelligence, the world is moving towards the digital age. Digitalization has been embedded in all aspects of society and has a profound impact on personal life. However, the popularization and application of digital technology also gave birth to "digital vulnerable groups", especially the elderly, who are at a disadvantage in obtaining, using and enjoying digital dividends with digital technology, resulting in damaged rights, lack of information and marginalization. Based on the definition and characteristics of the digital vulnerable groups, this paper discusses the digital rights of the elderly digital vulnerable groups and their legal protection path, aiming at promoting the digital integration of the elderly groups through legal means and realizing fairness and justice in the digital society.

KEYWORDS

Digital vulnerable groups; Digital rights; Rule of law

1 Definition of digital vulnerable groups of the elderly

Digital vulnerable groups refer to specific groups in a weak position in data acquisition, application and enjoyment of digital dividends. Due to various reasons, such as economic conditions, technical ability, social status, etc., this group cannot fully enjoy the convenience and opportunities brought by digital technology. On the contrary, they may suffer from problems such as damaged rights, lack of information and marginalization of social status. With the continuous popularization and in-depth development of digital technology, the gap faced by digital vulnerable groups has gradually changed from the "access gap" of physical equipment to the group differences in digital acceptance ability and skills ^[1].

Digital vulnerable groups are not a concept constructed out of thin air, but a traditional concept of vulnerable groups. It is related to and different from the traditional vulnerable groups, such as the elderly, the disabled and low-income people. In the digital age, these traditional vulnerable groups are more difficult to adapt to and integrate into the digital society due to factors such as age, physical condition, economic conditions or technical ability, and thus become an important part of the digital vulnerable groups. Among them, the elderly, as an important group among the digital disadvantaged groups, have the following remarkable characteristics:

1.1 Access barrier

Older people are generally "hard isolated" by the digital world because they don't understand computers, networks, or physical conditions such as internet access equipment. They may lack the necessary digital equipment, or even if they have equipment, they can't access the digital world because they don't understand the operation. This kind of access barrier prevents the elderly from obtaining and enjoying the convenience brought by digital services in time.

1.2 Obstacle to use

The general lack of digital skills of the elderly has become a major obstacle to their use of digital devices and services. With the rapid development of digital technology, all kinds of application software have many functions, complicated operation and unfriendly interface, which makes the elderly face great difficulties in learning and using these applications ^[2]. They may not be able to master the operation method of the software skillfully, nor can they understand the technical terms and icon meanings in the software, thus affecting the popularization and use effect of the application software in the elderly group.

1.3 Knowledge barrier

Old people suffer from physiological aging due to age, and their ability to remember, transmit and understand information is weakened. This physiological change makes them lack the necessary knowledge and skills when operating intelligent devices. They may not be able to input information quickly and accurately, nor can they effectively process and filter digital information. This knowledge barrier not only affects the convenience and efficiency of the elderly to enjoy digital services, but also may lead them to lose their way in the digital world and even suffer from online fraud and other risks.

2 The content of digital rights of the elderly digital vulnerable groups

The digital rights of the digital disadvantaged groups of the elderly are a multi-dimensional and crucial concept, which covers many aspects such as digital equality rights, digital education rights and digital empowerment rights, which together constitute the rights and interests protection that the elderly should have in the digital age.

2.1 Digital equality right

The right to digital equality is the most basic and core right of the elderly digital disadvantaged groups. It requires the society to treat the elderly equally in the acquisition, application and enjoyment of digital dividends. This not only means eliminating the "access gap" in physical equipment, but also includes fully considering the actual needs and operational ability of the elderly in the design of digital products and services. For example, electronic products should add font enlargement function and voice assistant for the elderly to reduce the difficulty of operation; At the same time, the state and society should provide preferential policies or special investment for the poor elderly and the elderly in remote areas to ensure that they can also enjoy the convenience of digital technology. The realization of this equal right is not only the embodiment of social fairness and justice, but also an important manifestation of the social responsibility of the state, society and enterprises ^[3].

2.2 Digital right to education

The right to digital education is the key way for the elderly digital disadvantaged groups to improve their digital literacy and integrate into the digital society. In the digital age, information is updated rapidly and technology is iterated frequently. Because of age, experience and other factors, it is often difficult for the elderly to keep up with this rhythm. Therefore, it is particularly important to protect their right to digital education. This includes educating the elderly about the law and improving their legal awareness; Provide technical explanations and functional descriptions to help them understand and use digital products and services; And strengthen risk warning, especially for risks such as online fraud, to improve the awareness of prevention and self-help ability of the elderly. The media, social platforms, public security organs and other relevant units should jointly shoulder this responsibility and carry out network literacy education in various forms to ensure that the elderly can enjoy digital life safely and effectively.

2.3 Digital empowerment

Digital empowerment is an important basis for the digital disadvantaged groups of the elderly to obtain the universal dividend of the network economy and realize sustainable development. The rapid development of digital technology provides more opportunities for the elderly to start businesses and find jobs, but at the same time, it also puts forward higher requirements for their digital ability. In order to ensure the digital empowerment of the elderly, local governments, online platforms and supply chain enterprises should work together to provide policy, tax and technical support for the elderly. For example, relevant policies are introduced to encourage the elderly to participate in digital entrepreneurship and provide tax incentives and financial support; Strengthen digital skills training to improve the employment competitiveness of the elderly; Optimize the digital entrepreneurship and employment environment, and provide more employment opportunities and entrepreneurial space for the elderly. Especially for the disadvantaged groups such as residents in remote areas, the poor and the disabled, we should empower them through digital technology to help them get rid of poverty and achieve self-development.

3 The legal protection path of digital rights for the elderly digital vulnerable groups

In order to fully protect the digital rights of the elderly digital vulnerable groups, it is particularly important to build a perfect and efficient legal protection system. This system needs to start from the legislative, administrative and judicial levels, and form a protective network that is interconnected and mutually supportive to ensure that the elderly can enjoy the convenience and dividends brought by digital technology equally, safely and effectively in the digital age ^[4].

3.1 Legislative protection: laying the cornerstone of the rule of law

Legislative protection is the cornerstone of the legal protection system for the elderly digital vulnerable groups. It provides clear legal protection for the digital rights of the elderly by formulating and improving relevant laws and regulations. In the digital age, the digital rights of the elderly are not only related to their personal information acquisition, communication and convenience of life, but also related to their social participation, economic development and other rights and interests. Therefore, we must further refine and improve the special protection clauses for the elderly digital vulnerable groups on the basis of the existing legal system.

First of all, the protection of digital rights should be explicitly added to the Law on the Protection of the Rights and Interests of the Elderly, stipulating that the state and society should take measures to ensure that the elderly are treated equally in the acquisition, application and enjoyment of digital dividends. This includes, but is not limited to, providing digital products and services suitable for the elderly, ensuring their barrier-free access to digital information, and providing effective legal remedies when their digital rights are violated.

Secondly, in view of the digital divide that the elderly may face, special support measures for digital vulnerable groups should be added in the Law on the Protection of Disabled Persons and other related laws. These measures can include providing policy support and financial subsidies for the elderly in digital skills training, digital barrier-free environment construction, and aging transformation of digital products. Defining these responsibilities and obligations through legislation can promote the participation of the government, enterprises and all sectors of society, form a joint force, and promote the digital integration of the digitally disadvantaged groups of the elderly.

In addition, privacy protection and data security legislation in the digital age should be strengthened. With the wide application of digital technology, the personal information and data security of the elderly are facing unprecedented challenges. Therefore, we should formulate special privacy protection and data security laws, clarify the norms of data collection, use, storage and transmission, strengthen the protection of personal information of the elderly, and prevent it from being abused or leaked. Legislative protection is the cornerstone of the legal protection system for the elderly digital vulnerable groups. It provides clear legal protection for the digital rights of the elderly by formulating and improving relevant laws and regulations. In the digital age, the digital rights of the elderly are not only related to their personal information acquisition, communication and convenience of life, but also related to their social participation, economic development and other rights and interests. Therefore, we must further refine and improve the special protection clauses for the elderly digital vulnerable groups on the basis of the existing legal system.

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3.2 Administrative protection: strengthening policy implementation and supervision

Administrative protection is the key link of the legal protection system for the elderly digital vulnerable groups, which requires the government to play a leading role and promote the digital integration and rights protection of the elderly digital vulnerable groups by formulating and implementing relevant policies and measures.

On the one hand, the government should strengthen the construction of digital barrier-free environment and promote the aging transformation of smart devices and digital products. This includes optimizing the user interface design of digital products to make it more concise and easy to use; Provide auxiliary functions such as voice assistant and font enlargement to reduce the operation difficulty of the elderly; Strengthen the construction and upgrading of digital infrastructure to ensure that the elderly can access the Internet conveniently ^[5]. At the same time, the government should also strengthen the supervision of the digital market, standardize the development and sales of digital products, and prevent digital fraud and infringement against the elderly.

On the other hand, the government should increase investment in digital literacy education and technical training for the elderly. By setting up special training institutions, conducting online and offline training courses and providing free digital education resources, we will help the elderly master basic digital skills and improve their digital use ability and risk prevention awareness. In addition, the government can also encourage social organizations and volunteers to participate in digital education and services for the elderly, and form a good atmosphere for the whole society to pay attention to and support the digitally disadvantaged groups of the elderly.

In administrative protection, the government should also establish a sound digital rights protection mechanism. This includes setting up a special digital rights protection agency or department to handle digital rights disputes and infringement cases of the elderly digital vulnerable groups; Establish digital rights complaint and reporting channels to facilitate the elderly to reflect problems and seek help in time; Strengthen the supervision and enforcement of digital platforms and crack down on online fraud and infringement against the elderly. Through the implementation of these measures, the digital rights of the elderly can be effectively safeguarded.

3.3 Judicial protection: building the last barrier

Judicial protection is the last barrier of the legal protection system for the elderly digital vulnerable groups, which requires the judicial organs to provide timely, fair and effective legal relief when the digital rights of the elderly are violated. In order to achieve this goal, judicial organs should strengthen the research and trial of digital rights disputes and infringement cases. The efficiency and professionalism of case handling can be improved by setting up a special digital rights court or appointing special judges to handle cases involving the digital rights of the elderly. At the same time, judicial organs should also strengthen the identification and collection of digital evidence, ensure that evidence can be collected accurately and comprehensively in digital rights disputes, and provide strong support for the fair trial of cases.

In addition, judicial organs should also strengthen legal aid and judicial assistance for the elderly. For the elderly with financial difficulties or mobility difficulties, free legal advice and agency services should be provided to help them safeguard their digital rights. At the same time, the judicial organs should also strengthen the supervision and accountability of the responsible subjects such as digital platforms, and investigate the legal responsibility of the infringement of the digital rights of the elderly according to law to safeguard the legitimate rights and interests of the elderly.

3.4 Strengthen social supervision and public opinion guidance

In addition to the protection at the legislative, administrative and judicial levels, social supervision and public opinion guidance also play an indispensable role in the protection of the rights and interests of the elderly digital vulnerable groups. Through the extensive participation and effective supervision of the media, social organizations, the public and other multi-subjects, a powerful social force can be formed, which will urge the government, enterprises and all walks of life to pay more attention to and attach importance to the protection of the rights and interests of the elderly digital vulnerable groups.

As an important channel of information dissemination, the media should actively play the role of public opinion supervision, timely report and deeply analyze the issues concerning the rights and interests of the digital vulnerable groups of the elderly, expose and criticize the behaviors that infringe on the digital rights of the elderly, and promote the

solution and improvement of related issues. At the same time, the media should also strengthen positive publicity, show the positive image and achievements of the elderly in the digital age, and eliminate social prejudice and misunderstanding of the elderly^[6].

As a bridge between the government and the public, social organizations can organize all kinds of public welfare activities to improve the public's understanding and participation in the protection of the rights and interests of the elderly digital vulnerable groups. The public can directly participate in the supervision of the infringement of the digital rights of the elderly by reporting and complaining, and form a protection mechanism for the participation of the whole people.

In addition, it is also crucial to strengthen the guidance of public opinion. By advocating the social fashion of respecting the elderly and creating a good atmosphere for the whole society to pay attention to and support the digital vulnerable groups of the elderly, fairness and justice in the digital age can be promoted, and the elderly can enjoy the convenience and well-being brought by the development of digital technology equally. The formation of this atmosphere not only helps to enhance the social status and happiness of the elderly, but also promotes the harmonious, stable and sustainable development of society.

4 Conclusion

The digital rights protection of the digital disadvantaged groups of the elderly is very important, which is related to the fairness, justice and sustainable development of the digital society. By constructing a comprehensive legal protection system, including legislative protection, administrative protection and judicial protection, the digital integration of the elderly can be effectively promoted. In legislation, relevant laws and regulations should be improved to clarify the rights and protection measures of the elderly digital vulnerable groups; Administratively, the government should strengthen policy guidance and support, promote the construction of digital barrier-free environment and improve the digital literacy of the elderly; In judicature, we should strengthen the judicial protection and relief of the digital rights of the elderly. In the future, it is necessary to deepen research and practical exploration, continuously optimize laws, regulations, policies and measures, lay a solid foundation for the digital rights protection of the elderly digital vulnerable groups, and provide all-round social support.

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