November 2020

UN General Comment on Children’s Rights in relation to the digital environment  
Missing Children Europe’s comment

Missing Children Europe is the European federation for missing and sexually exploited children, representing 31 European grassroot organisations. Through four programmes (runaways, parental abductions, children in migration and 116000 missing children hotlines coordination) it focuses its efforts to prevent and ensure the best possible response to child disappearances.

On behalf of the network and the organisations Missing Children Europe represents, we would like to submit inputs on the following points of the UN General Comment Children’s Rights in relation to the digital environment

III. General principles

A. The right to non-discrimination (art. 2)

§12. Specific groups of children may require particular measures to prevent discrimination on the grounds of sex, disability, socioeconomic background, ethnic or national origin, or any other ground. This includes minority and indigenous children, asylum-seeking, refugee and migrant children, LGBTIQ+ children, child victims of sexual exploitation and abuse, children in poverty and children in alternative care, including institutions, and children from other vulnerable situations. This is because, for such groups, the digital environment may both provide unique access to vital resources, and also it may present heightened risks.

In relation to the right of education - XI A

States should ensure availability of and accessibility to digital tools for all children in need, to tackle the existing digital inequality and to fulfil children’s right to education, especially in the aftermath of COVID-19 and e-learning. In addition, States should ensure that students with disabilities, migrant children, children in poverty, children in alternative care and children from other vulnerable situations have equal access to the same educational opportunities, so that no one is left behind.

D. The right to be heard (art.12)

The right to be heard should be considered in light of and relation to child’s right to the freedom of expression (right 13), as it concerns the freedom to seek, receive and express information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

V. General measures of implementation by States (art. 4) in relation to VII. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39; OPSC; OPAC)

Add a paragraph in regard to the prevention and fight against online child sexual abuse.

§ Member states should encourage IT service providers to detect (through PhotoDNA and similar automatic detection technologies that are respectful to the privacy of children) and report to authorities, any online child sexual abuse material and/or grooming on the services they host, including their email and messaging services.

Indeed, more than 2/3 of the reports of child sexual abuse online concern email and messaging services. These automatic detection tools would have the sole aim of detecting material threatening children’s safety and would be used to detect not only well-known images and videos, but also new content, which may indicate ongoing abuse. These tools can also be used to detect imminent threats to children in text form, such as 'grooming' (situation where an adult solicits a child online for sexual purposes). Such technologies are therefore essential in quickly helping abused children, rescuing them and making sure that they are not re-victimised on an ongoing basis as the material detected would be removed permanently from the web.

§ Current circumstances, and the restrictive measures taken to limit the spread of COVID-19 have exacerbated the situation of already vulnerable children, exposing them to a higher risk of online grooming, exploitation and abuse. States shall strengthen the role of phone and online services that support children confronted with these challenges, such as hotlines and helplines to ensure that such essential child protection services remain functioning, available and accessible to all children and adolescents in need, in order to provide a proper and professional response to online abuse and violence, especially under current circumstances.

XII. Special protection measures C. Protection of Children in armed conflict, migration and other vulnerable situations (arts 22 and 38; OPAC) in relation to VI Civil rights and Freedoms, A. Access to information (arts 13 and 17)

Missing Children Europe suggests to add a paragraph to underline the positive role technology could play in delivering information to children in vulnerable situation, and especially to children in migration, encouraging Member States in investing in such technology to ensure all children receive the same standard of protection and care, while guaranteeing respects of the privacy of the young users.

Missing Children Europe has well documented that the lack of information is one of the main causes for children going missing during their migration journey in Europe[[1]](#footnote-2)

Without access to consistent, up-to-date and child-friendly information in their language, children are forced to rely on unverified information and on those who profit from their vulnerability.

Once missing, and outside the protection system, children face situations of sexual/labour exploitation, trafficking and are exposed to serious risks to their mental and physical health.

In 2017, 56% of refugees could understand the information they had been given in Greek camps[[2]](#footnote-3) And it is documented[[3]](#footnote-4) that information is either not targeted at young children in migration or is often too complex and unsensitive to children’s age and literacy level.

In 2017 Missing Children Europe decided to leverage the smartphone as a tool to close the information gap and developed a project that guarantee due protection to young newcomers on the move: The [Miniila](https://miniila.com/) app gives children access to child friendly, up to date and accessible information on their rights, procedures and the available support wherever they are –being it legal support, education opportunities or language assistance so that they are empowered to take the right decisions and therefore better protected while on the move in Europe.

Missing Children Europe suggests promoting Miniila and similar digital services as concrete and remarkable examples of inclusive and accessible child protection services. These services put the digital environment to good, take the best out of technology and hand it at the service of the community and the children in need. Member States should be encouraged to invest into these services, to make them sustainable, inclusive and accessible to all children. In doing so, due attention should always be paid to the privacy protection of the users, as such tools should always be created and used with the best interests of all children as the primary consideration.

With the participation of Telefono Azzurro (IT) and The Smile of the Child (GR) - members of Missing Children Europe

1. Reference to Summit/interact [↑](#footnote-ref-2)
2. <https://translatorswithoutborders.org/findings-language-studies/> [↑](#footnote-ref-3)
3. <https://translatorswithoutborders.org/wp-content/uploads/2017/07/Bridging-the-Gap.pdf> [↑](#footnote-ref-4)