COMMITTEE ON THE RIGHTS OF THE CHILD

REPORT OF THE 2014 DAY OF GENERAL DISCUSSION "Digital media and children's rights"

I. BACKGROUND

1. The Days of General Discussion of the Committee on the Rights of the Child (DGD) seek to foster a deeper understanding of specific articles or topics of the Convention on the Rights of the Child by providing a forum for discussion between policy-makers, practitioners and researchers with the Committee.

2. On 12 September 2014, the Committee devoted its twenty-first Day of General Discussion to "Digital Media and Children's Rights". The objective was to analyse the effects of children's engagement with social media and information and communications technologies (ICTs), in order to better understand the impact on and role of children's rights in this area, and develop rights-based strategies to maximize the online opportunities for children while protecting them from risks and possible harm without restricting any benefits.

3. Following an opening plenary featuring presentations by four experts, discussions proceeded in two parallel Working Groups. The first Working Group on "*Children's equal and safe access to digital media and ICT*" focused on measures to ensure equal and safe access to the Internet and digital media for all children irrespective of their sex, socio-economic status, geographical location, language, cultural context or disability, including how to overcome barriers and address risks children face without limiting their access. The second Working Group on "*Children's empowerment and engagement through digital media and ICT*" examined how children use the Internet for creative purposes, their engagement in matters that affect them and the factors that promote and enable their participation, while discussing the risks they face in this context.

4. Prior to the DGD, the Committee had issued a call for written submissions, and 30 organizations submitted contributions, which are available on the Committee's 2014 DGD website.[1] The Committee also invited children to send videos, drawings, pictures and written submissions. Videos received from children were shown during the different sessions of the DGD. The Committee also invited children to share their opinions and experiences and participate in the discussions, which were live streamed[2] during the day, via Twitter (#DGD2014), Facebook[3] and Google+.[4] All information, including children's videos, photos, comments and other materials, was collected on the 2014 DGD Storify[5] page and the DGD photo message gallery can be visited on Instagram.[6]

5. Additionally, in order to provide space for further discussion, the Office of the High Commissioner for Human Rights (OHCHR) organized two parallel side events during the lunch break of the day. The first side event was entitled "Good practices and lessons learned on digital media and children's rights" and involved presentations of projects undertaken by Telefonica, the Council of Europe, Keeping Children Safe and RedANDI in

[1] http://www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2014Contributions.aspx (last visited 26 February 2015).
[2] treatybodywebcast.org/ (last visited 26 February 2015).
[3] https://www.facebook.com/events/788040757902342/ (last visited 26 February 2015).
[4] https://plus.google.com/events/cche75trhvncpv2sj95gslfuqjo#events/cche75trhvncpv2sj95gslfuqjo (last visited 26 February 2015).
[5] https://storify.com/UNrightswire/digital-media-and-children-s-rights-dgd2014 (last visited 26 February 2015).
[6] http://www.childrightsconnect.org/dgd-2014-photo-message-gallery-digital-media-childrens-rights/ (last visited 26 February 2015).

Latin America (see also Annex A).[7] The other side event included the screening of the film "The Rights of the Child in the Digital Age: A Download from Children Around the World"[8], which was then followed by a speakers' corner, consisting of informal parallel discussions with expert speakers on their various projects (see also Annex B).[9]

6. It should be emphasized that this report summarizes the main aspects of the DGD discussions and draws recommendations based on these and other information received previous to the day. The report is not intended to be an exhaustive account of all comments raised at the DGD.

7. The DGD was financially supported by the OAK Foundation, United Nations Children's Fund (UNICEF), Child Rights Connect and the Global Child Forum.

II. SUMMARY OF OPENING PLENARY

8. Ms. Kirsten Sandberg, Chairperson of the Committee on the Rights of the Child, opened the 2014 DGD by explaining that the key objective of discussions was to examine the effects of children's engagement with new information and communication technologies (ICTs) and digital media in order to better understand the impact on and the role of children's rights in this area and develop rights-based strategies in this respect. Digital media have provided children with vast opportunities to learn, participate, play, work and socialize, but at the same time children face new risks. Hence, a balance between empowerment and protection of children in the online world has to be found.

9. Ms. Sandberg also highlighted the many socio-economic and cultural factors, such as stereotyped gender roles, that constitute barriers to a balanced and equal access to ICTs for children, and asked how digital media can enhance the fulfilment of rights for children, for example of children with disabilities.

10. In addition, Ms. Sandberg explained that the Committee had decided to ensure children's participation primarily through social media. They could follow the discussions on the webcast and participate via Twitter and Facebook.

11. Prof. Sonia Livingstone, Department of Media and Communications, London School of Economics and Political Science, explained that children's lives increasingly have a direct online engagement component and that it is hard to draw the line between online and offline when discussing their lives. Yet, children's needs are rarely considered explicitly when formulating policies in this area. They tend to be ignored, left to parents or considered undemanding because children are supposedly "digital natives". At the same time the media spread panic about the risks in children's online lives, such as Internet pornography or companies seeking new ways to profit from children.

[7] Speakers included: Mr. Jonny Shipp, Telefónica; Ms. Regina Jensdottir, Council of Europe; Ms. Virginia Murillo Herrera, DNI/DCI Costa Rica; Ms. Charlotte Aynsley, Keeping Children Safe.
[8] The film was introduced by: Ms. Emma Keltie, Institute for Culture and Society, University of Western Sydney.
[9] Speakers included: Mr. Kristof Claesen, Internet Watch Foundation; Mr. Ernst Suur, Warchild Holland; Ms. Anne Collier, connectsafely.org; Mr. Patrick Burton, Executive Director, Centre for Justice and Crime Prevention.

12. Prof. Livingstone also pointed out that, while Internet use in the global South is steadily increasing, most available evidence about the contexts and consequences of children's Internet use comes from the global North. However, in light of differences in access to and use of the Internet, good practices and lessons learned from the global North cannot simply be extended to the global South, without understanding the different contexts.

13. In addition, Prof. Livingstone emphasized that although the Convention on the Rights of the Child had been formulated in the pre-digital era, the rights enshrined therein remained as relevant as ever. She provided an overview of key articles of the Convention relevant to children's rights in the digital age and pointed out that the emphasis should be on the right to protection from harm, the right to provision to meet needs and the right to participation as an agent, or citizen. The task at hand was therefore to identify where, when and how the Internet reconfigured the conditions of harm, need and agency. In this context, she also addressed some main problems in implementing children's rights in the digital age, including the fast-changing, highly complex and transnational nature of socio-technological infrastructures and the fact that the Internet is largely blind to age, treating children and adults equally. Prof. Livingstone concluded by recalling that it is imperative to remind all stakeholders that what happens offline today, will also be manifest online and what happens online has consequences offline.

14. Mr. Frank LaRue, Coordinator of Demos Institute in Guatemala and former UN Special Rapporteur on the Right to Freedom of Opinion and Expression, recalled that international human rights law does not limit the right to freedom of expression to adults. Children are beneficiaries of this right to the same extent, including in the online environment. Mr. LaRue moreover emphasized that there was no conflict between the right to freedom of expression and children's right to protection from harm online. On the contrary, international human rights law is built upon complementarity and interdependency of rights. While clear regulations are necessary to protect children from harmful and inappropriate content, concerns about their protection should not be used to stifle an open public debate.

15. Mr. LaRue underscored that ICT in itself is neither good nor bad from a human rights perspective - its benefits or harms depend on how it is used. However, in most countries, the Internet has become a fundamental means for persons to express themselves freely, including for children. He urged all actors to ensure that access to the Internet is not restricted to a privileged few, but rather that it be used to connect people and cultures, facilitating democratic governance and economic development. Accordingly, it would be important to include the issue of equal and safe access to ICTs in the post-2105 development agenda. Mr. LaRue also highlighted that the Internet is much more difficult to regulate than traditional media. Contrary to television, the Internet does not have a time schedule as it works around the clock. While blocking or limiting children's access to the Internet seems a tempting option, the main focus of work should be on prevention of harm and empowerment of children. Only then children can fully participate in society and have their voice heard, while staying safe online.

16. Mr. Simeon Oriko, founder of Jamlab, Kenya, explained that about half a million people in Africa are using ICTs to seek opportunities that will benefit them. His organization, Jamlab, teaches students how they can use the Internet and other ICTs to meet professional and personal goals, and to seek opportunities for their future. He outlined a vision for a safer Internet, starting by explaining the cultural tradition of the community

taking responsibility for children's upbringings in Africa. He then elaborated on how the communal upbringing model mimicked the current structures on the Internet – peer-to-peer responsibilities – which both serve to protect children and create opportunities. Finally, Mr. Oriko stressed that all stakeholders should have clear roles to play in the network and should be educated to be able to fulfill those roles online. In this way, they would assume greater communal oversight of activities in which children were engaging to ensure that all corners of the Internet were safe, while allowing children to discover and express themselves.

17. Prof. Amanda Third, Institute for Culture and Society, University of Western Sydney, introduced the research project "Rights of the Child in the Digital Age".[10] The objective of the project was to allow children to express themselves about their rights in the context of digital media, including issues of access to the Internet, safety and freedom of expression, and the impact of technology on their lives. 148 children from 16 countries were involved. Research results indicate that for children in the developing and developed world access to digital media, which they considered to be a fundamental right, remained a challenge. Children show high degrees of inventiveness and efficacy when they do not have access, but also that lack of access in communities where most children have access can result in an acute sense of exclusion. The most common uses of the Internet by children are for the purposes of social connection, access to education, entertainment and creative and self-expression. While children are generally aware of possible dangers, they also believe that digital media play a positive role in the enjoyment of their rights.

18. The research highlighted the need for a child-centred definition of risks and opportunities associated with digital media. Children were aware of being personally accountable for the ways their online interactions had an impact on others and knowing when to exercise self-control. They wanted adults to understand how and why they used digital media and wanted to be trusted to use it wisely. Prof. Third concluded by emphasizing how policymakers and practitioners must engage with children in an ongoing conversation about how to use digital media to support children's rights and make the Internet a better place as children have valuable expertise to share.

19. Following the presentation by Prof. Third, a shortened version of film "The Rights of the Child in the Digital Age: A Download from Children Around the World" was shown.[11] At the end of the plenary session, the Chairperson, Ms. Sandberg, noted the large number of messages that had already been received via Twitter. The DGD then continued in two working groups.

III. SUMMARY OF PRESENTATONS IN WORKING GROUP 1 "CHILDREN'S EQUAL AND SAFE ACCESS TO DIGITAL MEDIA AND ICT"

20. Working Group 1, chaired by Committee members Ms. Renate Winter in the morning and Mr. Gehad Madi in the afternoon, started with the screening of a short video produced by ITU on the "International Girls in ICT Day 2014". Ms. Olga A. Khazova and Ms. Aseil Al-Shehail were rapporteurs for Working Group 1.

21. Ms. Roxana Widmer-Iliescu, International Telecommunications Union (ITU), explained that as ICTs are increasingly relevant for all aspects of our lives, digital literacy is

[10] In partnership with the Digitally Connected Network and UNICEF.
[11] The long version of the film was presented during a lunch time side event. See para. 5 above.

becoming more and more important. Yet, for many children, in particular girls, access to ICTs remains a challenge. Some of the causes of unequal access include geographic, economic or cultural factors, such as gender inequalities, and lack of knowledge, skills or accessibility, including for persons with disabilities. She then presented digital solutions to overcome youth unemployment, which includes early development of digital skills for children. She also elaborated on the importance of investing in girls in all parts of the world so that they can access these technologies, pointing out that girls' access to ICTs is an important aspect for gender equality, empowerment and economic and social development. In order to encourage girls to take up ICT studies and careers, the ITU started the "International Girls in ICT Day" to be held in April every year.

22. Ms. Widmer-Iliescu also presented initiatives focused on creating accessible and inclusive ICT solutions targeting children with disabilities, as well as the ITU "Connect a school, Connect a community" project to promote access to and use of ICTs by all people, including children in marginalized and vulnerable situations. Digital literacy is now as important as reading and writing for children, and "connected schools" could not only help children with their learning and their leisure, but also offer facilities to the local community.

23. Following the presentation of Ms. Widmer-Iliescu, a short film on the ITU Connect a School, Connect a Community pilot project in Nicaragua was screened.

24. Mr. John Carr, ECPAT International, referred to the uneven distribution of technology in the world, including within developed countries. There are clearly many social, cultural and legal differences between countries, particularly those of the global North and the global South, but differences also exist in access within countries. Yet, as new technologies are spreading throughout the world, children in very different countries are actually using them in similar ways, thus confronting society with similar challenges. He emphasized that access for every child to the Internet is essential, especially in the context of education, and presented an initiative by a previous UK Government to ensure that every child is provided with a computer at home. However, the initiative had to be abandoned for lack of financial resources with the exception of children with disabilities.

25. Mr. Carr furthermore emphasized that there is no contradiction between protecting children and respecting and fulfilling their rights. Referring to the system of protection of children against sexual exploitation online, Mr. Carr stressed that while technical tools exist to track pornographic images as well as users of child pornographic images, prosecution of these crimes is often difficult and a very lengthy process. In closing, Mr. Carr pointed out that vulnerability to sexual exploitation for children "offline" almost certainly translate into vulnerabilities "online". Hence, children should be protected both offline and online.

26. Mr. Rabi Karmacharya, One Laptop per Child (OLPC) Nepal program, explained that for many disadvantaged communities, technology offers more than just an easy and affordable access to information and resources. ICTs can reduce disparity in education, transform learning culture, engage children in the learning process and contribute to building a capable human capital.

27. However, Mr. Karmacharya acknowledged that protecting children from potential harm in the age of the Internet and digital media is challenging in disadvantaged communities. Adult supervision is not always possible as they often lack knowledge,

awareness, time, tools and inclination to supervise children's use of ICTs. Many societies in the South Asian region also do not give much importance to protecting children from exposure to violence and other gruesome acts. Moreover, as conversations related to sex are often taboo and sex education is lacking in schools, children, in particular young boys, tend to use pornography – which is easily available online – to learn about sex and sexuality.

28. Mr. Karmacharya suggested a two pronged approach to mitigate these risks, combining technical solutions, such as filters and firewalls, and education of children, parents and teachers about benefits and risks of the Internet and sexual and reproductive health. Finally, he explained that in the case of Nepal, one of the successful approaches includes providing schools with local offline servers preloaded with a digital library containing thousands of books, interactive lessons, audio-books, reference materials, Wikipedia, educational videos, and learning software packages that students and teachers can access over the school intranet.

29. Dr. Juan Cruz Gonzalez-Allonca, Ministry of Justice and Human Rights, Argentina, elaborated on the risks and threats caused by new technologies and how these can be managed. He said that today's children had never known a world without the Internet and made no distinction between the online and real parts of their lives, whether in schoolwork, interacting with friends or playing games. However, they need to be aware of and protected from the risks and threats of such a situation. Both parents and the government need to develop ways to protect them, while remembering that the children themselves were key to the process. He explained that in fulfilling this objective, the State should provide training on the use of ICTs and on children's rights, including on how to protect their privacy. In this context, Mr. Gonzalez-Allonca presented an initiative of the Argentinian Government to promote connectivity and accessibility for children, focusing on children in secondary schools. More than 4 million netbooks had been distributed and infrastructure had been set up across the country. Another key component is to train teachers to properly use the technology to be able to support children's learning.

30. In addition, Mr. Gonzalez-Allonca highlighted that online safety is also a major concern and the national programme provided user-friendly guidance for both children and adults through tutorial videos, chat rooms and information for classroom teachers. He further pointed to the importance of taking the views of children into account before adopting a policy and working with parents to improve their understanding of how the Internet and social networks work, which is often limited. Finally, he stated that the main aim of developing digital literacy is to teach children to use their critical judgment to filter the information that is accessible and available on the Internet in order to maximize positive impact and reduce the risk of harm. Through these programmes, the Argentinian Government aims to reduce not only the digital divide, but also the generational divide.

31. Ms. Jasmina Byrne, Child Protection Specialist, UNICEF Office of Research, and resource person for Working Group 1, outlined a few key questions for the group's consideration: What can be done to promote equal access and remove barriers for the most marginalized groups of children, including with regards to children who are not in school, such as children in street situations? What measures should be taken to minimize risk of harm for these children? What are the factors that make a child vulnerable online, and are they different from factors that lead to vulnerability offline? Which actors should be responsible to ensure equal and safe access at the policy and strategy level, and what should be the role of teachers, parents and peers in this regard?

IV. SUMMARY OF PRESENTATIONS IN WORKING GROUP 2 "CHILDREN'S EMPOWERMENT AND ENGAGEMENT THROUGH DIGITAL MEDIA AND ICT"

32. Working Group 2 was chaired by Committee members Ms. Sara Oviedo in the morning and Ms. Hiranthi Wijemanne in the afternoon. Mr. Bernhard Gastaud and Ms. Yasmeen Muhamad Shariff were rapporteurs of Working Group 2.

33. Prof. Ferhan Odabasi, Anadolu University, explained that when she started working in the field of children and the Internet, the Internet was considered to be a realm exclusively for adults, and discussions on risks and safety online in Turkey were met by accusations of promoting censorship. She discussed the importance of developing skills to empower people throughout the ages, but cautioned that skills alone did not lead to efficient results. An underlying vision is needed to ensure effective use of these skills. Against this background, Prof. Odabasi argued that by empowering children in the digital age, they can effectively communicate, share their ideas with others and understand the world in which they live. To reach this objective, digital literacy of children and families must be ensured. If children do not have anyone to guide and teach them in the ICT learning process or are not allowed to use digital media (so-called "digital orphans"), they are likely to become more vulnerable to risks involved with improper use. Prof. Odabasi also emphasized the importance of ICTs for the education and empowerment of children with disabilities, allowing for improved communication and additional educational opportunities.

34. Ms. Maud de Boer-Buquicchio, UN Special Rapporteur on the sale of children, child prostitution and child pornography, stated that digital media are part of children's daily lives in the digital age. Today's challenge is to make the Internet safe for children to maximize its benefits rather than allow them to fall into its traps. While there is a tendency to focus on sanctions and repressive measures, it is more crucial to empower children to protect themselves and create self-immunity. Ms. de Boer-Buquicchio furthermore explained that parental advice and lectures in school are important, but may not always have the desired effects. Strong partnerships with technology services providers of digital media services for enhanced prevention methods and awareness creation are equally important.

35. Awareness creation should also go hand in hand with effective law enforcement authorities and government policies. Therefore, transnational cooperation for effective detection and reporting systems, information-sharing and other security systems is crucial. This cooperation should be complimented by partnerships with other stakeholders, particularly the private sector, to develop the technological tools necessary to enable identification, investigation and prosecution before the courts, as well as the active involvement and participation of children as advocates of child protection, and the adoption and promotion of digital literacy tools for children.

36. In addition, Ms. de Boer-Buquicchio called for an exploration of the potential for children to contribute to crowdsourcing, which can be a safe and anonymous way for them to share information nationally or transnationally, and seek help if required. She recalled that at the same time traditional methods, including awareness raising efforts, digital empowerment of parents and digital literacy for children should remain cornerstones of a successful policy effort.

37. Ms. Marcela Czarny, RedNATIC/chicos.net, focused her presentation on the roles and responsibilities of different social actors, including the State, school, families and civil society, to ensure that children can enjoy their rights in the digital environment. She pointed out that there is a basic difference between adults and children regarding ICTs: while children "live" within a world of technology, adults just "use" technology, thereby still idealizing a world without technology, as they knew from their childhood. This difference in perception also leads to different views on opportunities and risks relating to the online word. Policies therefore should ensure access to "technical knowledge" for parents, particularly from families in vulnerable situations, and comprise measures to strengthen parents in their child-rearing responsibilities in general.

38. Ms. Czarny also highlighted the importance of including digital literacy in school curricula as part of an integral policy on education. In addition, she explained that the role of the State is to ensure equal access to the Internet and to empower children to benefit from available resources. It is thus important to take comprehensive measures to protect rights in the digital environment and to combat online crime, which goes hand in hand with education and support for victims. Legislation and policies should be based on the Convention on the Rights of the Child. States are also responsible to ensure dialogue and cooperation between all relevant actors, including on the regional level.

39. Ms. Czarny further elaborated that many private companies are aware of and engaged in ensuring the well-being of children. The notion of "child-friendly companies" should be further promoted, that is, apart from complying with the law, companies should seek a more active approach in achieving a child-friendly use of the Internet. Civil society should also be part in all efforts to promote a better online environment for children. Finally, she pointed out that children should be empowered to voice their own ideas and participate in decision making processes.

40. The presentation was followed by the screening of the videos "Todo a un Click" and "Interviews with Children" produced by RedNATIC.

41. Ms. Janice Richardson, INSAFE network, presented some recommendations and key points that have been raised through the "Youth Manifesto" initiative of young people across Europe, supported by the European Commission. The initiative aims to give young people a voice in shaping the online world of tomorrow. She explained that the Manifesto relates very closely to the right to receive and seek information and emphasized that the list of recommendations was the product of the discussions among children and young persons.

42. The list includes calls and requests for better access to Internet, particularly in schools; governments to invest to improve the quality of the Internet; better technical protection against hacking; the elimination of advertising online; the promotion of an open and democratic Internet; the creation of more reliable content; a stop to bullying and intolerance online; ICT education in schools; educations for adults to allow them to understand the online world; responsibility of content and service providers; protection from advertising, protection of data, privacy, and protection of the right to be forgotten; prosecution of offenders; and protection from violence. Moreover, Ms. Richardson explained that children and young people want their parents to communicate with them and to understand their online experiences, and they also want to learn more about their rights under the Convention on the Rights of the Child.

43. Prof. Sonia Livingstone, resource person of Working Group 2, outlined some key questions for the discussion: Do you agree on the philosophy that children need to be empowered for the skills to be useful? Is there agreement on a vision and on how to implement it? What are the roles of different actors and spaces for different stakeholders to come together, including States, family, school, civil society, and children themselves? What about potential conflicts among different stakeholders (i.e. family and school; State and private sector; lack of resources and visibility for civil society)? How can you practically implement the advice given from the podium on crowdsourcing spaces and the Youth Manifesto?

V. DISCUSSIONS

44. In its deliberations on the discussions which took place across the two respective Working Groups of the DGD, the Committee found that there were substantial areas of common concern and numerous issues which prominently featured in both. In this light, the main lines of discussions from both Working Groups have been consolidated in this section.

1. General Observations

45. Discussions across both Working Groups emphasised that many children use ICTs as part of their everyday lives, irrespective of their cultural and geographic context. It is expected that the number of children online worldwide will double in the coming few years. It was also pointed out that the digital environment offers enormous opportunities for children and is a highly complex and challenging area, touching upon every aspect of children's lives and involving continuously changing and quickly developing technology.

46. Participants acknowledged that even though the Convention on the Rights of the Child was adopted by the General Assembly at a time where the Internet was still in its infancy, it is fully relevant and applicable in the digital environment. However, it is important to apply a digital-age specific interpretation of every article, adapted to today's realities. During the discussion, the possibilities of adopting a General Comment, a new Optional Protocol or even a new Convention on digital media and children's rights were addressed. Some participants cautioned that new legal instruments may create uncertainties and urged to rather build upon existing norms and standards and ensure their effective implementation.

2. Legislation and policies

47. Participants pointed to a lack of clear and effective regulations of online activities. In this regard, discussions related to the question whether changes in existing legislation or adoption of new laws and policies were necessary at the national level. Similarly to above, participants cautioned about calls for new laws and policies, explaining that this may not always be the most efficient approach to address the needs of the quickly developing digital world, which demands an instant response. Instead, it was suggested to start by using and implementing already existing legal and policy frameworks. It was moreover stressed that the children's digital agenda should be integrated as a core component in a national comprehensive child protection framework.

48. In addition, it was underscored that law and policy makers, including parliamentarians, often lack or have insufficient technical knowledge and awareness in relation to ICTs, which makes it difficult to adopt relevant legislation. Hence, training should

be offered to law and policy makers so that they better understand how Internet is being used, including by children. In addition, the view was expressed that State parties to the Convention on the Rights of the Child should consider having a coordinating body at the national level to ensure the implementation of children's rights specific to the digital world.

49. In the course of the discussions, participants also shared some examples of model policies and guidelines for States. For instance, the ITU developed four sets of guidelines for (1) children;[12] (2) parents, guardians and educators;[13] (3) policy makers;[14] and (4) industry on child online protection,[15] the last of which was developed in cooperation with UNICEF. Moreover, UNESCO provides a Model Policy for Inclusive ICTs in Education for Persons with Disabilities. Reference was also made to the Council of Europe Guide for Internet users, based on the European Convention for the Protection of Human Rights and Fundamental Freedoms and the jurisprudence of the European Court of Human Rights, which aims at contributing to an equal exercise and protection offline and online of existing human rights, including for children. Moreover, participants pointed out three relevant regional conventions, which are open to non-member States of the Council of Europe, and could serve as guidance for the development of other regional frameworks: the Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, the Convention on Cybercrime and the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

3. Data collection and research

50. Discussions across both Working Groups stressed the lack of data on children and digital media as a key concern. Participants agreed that further research and data collection, including comparative research, was necessary in order to better understand how children engage with ICTs and what their needs and concerns are. The discussion moreover touched upon possible misuse of data to encourage censorship or serve other political purposes. However, it was recognized that independently produced and continuously updated data and research are indispensable to adopt evidence-based legislation and policies, particularly in the fast changing online universe. In this context, participants suggested the creation of a platform to facilitate exchange of information, good practices and methods used.

4. National Human Rights Institutions

51. Participants discussed the role of National Human Rights Institutions (NHRIs) in ensuring the access of children to ICTs and in protecting their rights online. It was pointed out that NHRIs can channel children's voices, bring them to attention of the government and make the public aware of children's rights. They can also contribute to pinpointing gaps in the protection of children online. Finally, it was stressed that NHRIs can and should offer children a complaints mechanism for violations of their rights, including when violations happen in the online environment.

[12] ITU Guidelines for Children on Child Online Protection, 2009, see http://www.itu.int/en/cop/Documents/gl-child-2009-e.pdf (last visited 15 December 2014).
[13] ITU, Guidelines for Parents, Guardians and Educators on Child Online Protection, 2009, see http://www.itu.int/en/cop/Documents/guidelines-educ-e.pdf (last visited 15 December 2014).
[14] ITU, Guidelines for Policy Makers on Child Online Protection, 2009, see http://www.itu.int/en/cop/Documents/guidelines-policy%20makers-e.pdf (last visited 15 December 2014).
[15] ITU and UNICEF, Guidelines for Industry on Child Online Protection, 2014, see http://www.itu.int/en/cop/Documents/bD_Broch_INDUSTRY_0909.pdf (last visited 15 December 2014).

5. Cooperation with relevant actors

52. Discussions in both Working Groups underlined the importance of dialogue and cooperation between all relevant actors in order to respect, protect and fulfill children's rights in this area.

- **State / Government**

53. It was pointed out that governments have the main responsibility in realizing children's rights, being tasked with the adoption and implementation of national legislation, policies, strategies and programmes. Governments are moreover responsible to ensure space for dialogue, facilitate cooperation between different actors and provide the necessary resources to guarantee accessibility for all children, including children in the most vulnerable situations. Due to the interdisciplinary nature of the digital environment, it is crucial to involve all key governmental actors, including the ministries of education and finance.

- **Private sector**

54. Many participants particularly highlighted the importance and necessity of partnership with key actors from the private sector. The ICT industry plays a significant role in developing technical solutions, such as photo DNA technology to prevent child pornography or filters for inappropriate and harmful content. Private companies offer technical and practical expertise which can assist lawmakers and practitioners to better understand and develop adequate responses and policies in the complex and quickly changing online environment. It was pointed out that in many instances, private companies are more than willing to collaborate with governments and international organizations as it is in their interest to have a good reputation.

55. In this regard, some voluntary initiatives of the private sector in the UK to combat child pornography were presented. It was explained that children and adolescents have access to the Internet either at home by a fixed broadband connection, via their mobile phone or through a wireless connection in public places or shops. In all three cases, Internet providers have agreed, on a voluntary basis, to block all pornographic sites featuring children. Moreover, no pornographic site can be accessed via a wireless connection in public places. As to the Internet at home, parents should indicate whether or not they wish to install filters to block sites with content restricted to adults, such as pornography. Regarding mobile networks, websites for gambling and liquor sales are also blocked unless the customer proves that he or she has reached majority.

56. At the same time, participants addressed some problematic issues in cooperating with ICT companies. Among the main concerns highlighted was that private companies are not required to follow the principles laid down in the Convention on the Rights of the Child and the UN Guiding Principles on Business and Human Rights. In addition, it was pointed out that the conduct of private companies is not always appropriate or even violates children's rights. The adoption of a voluntary code of conduct for private companies was suggested as one solution in this regard. Participants also mentioned good examples of self-regulation involving Internet providers. It was underlined that the Convention on the Rights of the Child should be the operating principle for all child-related activities of private companies.

- **Civil society**

57. In addition, it has been stressed that civil society organizations are a decisive contributor and partner to various efforts to empower children and ensuring a safe online environment for them, not least by facilitating children's participation and supporting parents in understanding the ICT context where they children operate. Hence, civil society should have an impact on the work carried out between governments and private companies. However, they often lack visibility and resources.

- **Regional / international cooperation**

58. The discussions also addressed the question whether States should engage in regional and international cooperation on children's rights and digital media. While some participants highlighted that a purely national approach was insufficient to tackle the cross-border aspects of the issue, other participants pointed out a number of challenges, including different practices in different countries and time restraints. In this context, the MERCOSUR (Southern Common Market) was mentioned as a good practice of regional cooperation between countries with cultural, economic, social, political and legal similarities. However, the application of the rules relating to ICTs was hampered by the fact that major ICT companies are based in countries with different legal standards. Hence, it was argued that this problem can only be addressed by agreeing on international norms and standards.

6. Equal access

59. Discussions in Working Group 1 particularly addressed the question of equal access to digital media. Participants highlighted a number of barriers for children in this regard. It was established that a lack of or insufficient technical and physical availability of digital media and ICTs constitutes a key problem, particularly in remote geographic areas. Children may also face economic barriers in accessing digital media and ICTs. Moreover, it was underlined that problems of access are not only linked to geography, infrastructure or resources but also to cultural factors which may hinder access to technology for groups that are marginalised in some societies or in vulnerable situations. For instance, girls often do not receive training in or are less encouraged to utilize ICTs due to traditional attitudes and gender stereotypes. Children living in street situations, those belonging to linguistic minorities as well as indigenous children and children living in rural areas were also identified among the groups in need of special measures.

60. The discussion furthermore focused on the importance for children with disabilities to access digital media and ICTs. It was pointed out that digital media and ICTs can provide crucial tools for ensuring inclusive access of children with disabilities to mainstream schools. However, although the Internet has a great potential to facilitate inclusion, it can lead to exclusion for children with disabilities if their needs are not properly considered. Barriers are created by the lack of inclusive and accessible design of technology and content. Another problem relates to the cost of supportive technology. Although technological development has contributed to reducing costs, intellectual property rights can limit access to such technology. It was also mentioned that measures to be taken vary according to the needs of children with disabilities. In the course of discussions, participants encouraged the Committee to refer to the Convention on the Rights of Persons with Disabilities (CRPD) and the work of its treaty body, and to promote collaborative action

between States, content providers and technology developers towards designing technology that is inclusive for children with disabilities.

7. Consulting with and taking into account the views of children

61. Discussions across both Working Groups recalled the importance of consulting with and taking into account the views of children. Any initiative should recognize the crucial role of children in decision-making processes. Only through their input, it can be ensured that the online content is of interest and use for children. In addition, it was stressed that even though children are sometimes consulted in decision-making processes, they are usually not integrated in the process or made part of the final decisions. Children should also be informed of the outcome of decisions concerning them and receive training to develop their skills in order to ensure their effective participation. An Australian initiative which provides the Government with youth opinion on cyber safety issues was mentioned as good practice. Participants also mentioned an initiative of the Costa Rican National Childhood Council. The Council engaged in dialogue with children on Facebook, asking them to help pinpoint inappropriate websites. The initiative was very successful and led to a number of websites being blocked or shut down.

62. Participants moreover encouraged the Committee to publish all of its materials, in particular relating to the discussion on digital media and children's rights, in a child-friendly format.

8. Uses

63. Participants across both Working Groups agreed that the digital media and ICTs not only have a huge impact on children's lives, but also provide them with countless opportunities. It was pointed out that the online environment, in particular social networks, has replaced "the street" as the playground for children, where they would formerly gain their learning and social experiences. Children inter alia use the Internet to learn, participate, express their opinion, play, and socialize. Information is often more easily accessible online, and is available for free or at low-cost. In this context, the importance of ensuring that every child has access to quality information was stressed. A number of participants moreover underlined that the Internet opens up numerous possibilities for children to participate and engage themselves in political and other matters. Hence, children should be provided the possibilities and be motivated to be involved. In addition, it was mentioned that the Internet is also an important tool for development and future employment.

64. The NGO "The smile of the child" presented its "you smile" platform where teenagers can share creativity as a good practice in this context. Tools used are a website, webradio and webTV where teenagers are creating their own shows and conducting interviews with celebrities and other persons they choose. The website also has e-learning and e-sharing platform. Children can enhance their e-learning skills, such as power point, chat and others. It is free of charge to be shared by schools across the countries and offers information on and access to a child hotline.

65. Participants also addressed differences in Internet uses according to geographic location. For instance, in a study in Argentina it was found that while girls in rural areas have the same computers as girls with better education in bigger towns, they use it for different purposes. It was also mentioned that while most of the available evidence comes from the

global North, there are big difference in access to and the use of the Internet between children from the global North and those from the global South.

9. Protection

66. Alongside the unique potential of digital media and ICTs, it was recognized that they are associated with different risks, including online harassment, sexual exploitation of children, targeted advertising directed at children, privacy concerns, self-generated sexual content (e.g. "selfies") and easy access to inappropriate content. Participants discussed that protection was sometimes used as a pretext for control and restrictions of uses. However, there was consensus that protection should not be confused with control. Protection of children is a specific right guaranteed under the Convention on the Rights of the Child. Hence, children should enjoy their right to protection alongside their other rights guaranteed under the Convention, including access to ICTs. In particular participants stressed that protection of children and their right to have access to ICTs should not be separated from each other but be dealt with together.

67. It was furthermore pointed out that child protection is not only about technical means, such as blocking, filtering or tracking. While these measures may be commercially viable and sometimes be helpful, it must be made sure that they do not unduly restrict human and children's rights. Participants also stressed that often vulnerabilities of children online correlate to vulnerabilities offline. In this context, the importance to educate children on acceptable social behavior as a part of digital literacy skills – so called "social literacy" – was particularly highlighted. Another problem that was identified in this respect is that many adults often have a wrong perception of children's experiences and behaviours online.

- ***Inappropriate and violent content, online harassment, sexual exploitation:***

68. One participant explained how she had become the victim of cyber bullying as an adolescent and the spiral of harassment and harmful effects that resulted from this, while little action was taken by law enforcement and other authorities. Other participants pointed out that cyber bullying is often listed as number one concern by children in online surveys. Around the world there have been a number of cases where children have committed suicide because of cyber bullying. Participants explained that effective support by adults and peers for child victims of cyber bullying is crucial as isolation is only benefitting the bully. It is also key to address the root causes of this kind of behavior, which are often linked to lack of social skills offline. It was suggested that educating children in social literacy should form part of any response to cyber bullying.

69. Regarding violent online content, it was discussed that adults often tend to look at the protection of children from the adult point of view. Violent content may be experienced differently by children. It is important to bear in mind children's emotional fragility, and to ensure that children understand how to approach such content. Furthermore, participants pointed to difficulties in age control in the online environment.

- ***Targeted marketing and advertising***

70. Discussions in both Working Groups showed that commercial exploitation of children through targeted marketing and advertisement is considered a major issue, because of the type of advertising and privacy concerns. It was stressed that children - as a large group of

users of digital media – are increasingly becoming targets for private companies selling products or services online. A multitude of techniques are used, including direct email, mobile messages, in-games advertising and "advergames". It was furthermore pointed out that such marketing can have serious effects on children, including effects on children's health, for instance by advertising junk food.

71. It was proposed that the Committee on the Rights of the Child align its position with the UN Special Rapporteur in the field of cultural rights who recommended that State parties adopt legislation to "prohibit all forms of advertising to children under 12 years of age, regardless of the medium, support or means used, with the possible extension of such prohibition to 16 years of age and to ban the practice of child brand ambassadors" (A/69/286).

- ***Privacy and data protection***

72. A part of the discussion addressed a number of issues concerning privacy and data protection. The risks for children posed by the mass collection of personal data that has become a part of Internet usage and the lack of safeguards and disclosure was stressed. It was stated that governments and companies can make patterns of our behaviour on the net and then sell or exploit this data. In this regard, reference was made to the recent report of the Office of the High Commissioner for Human Rights on the right to privacy in the digital age (A/HRC/27/37). Participants raised questions about the extent to which children are and can be aware of what data they are sharing, with whom, and what it will be used for.

73. Moreover, the discussion addressed the issue of complex terms and conditions for use of online services. Participants pointed out that companies often do not provide adequate information or, if provided, it is difficult to find and understand, even for adults, let alone for children. Hence, it was questioned whether children can consent to conditions that may interfere with their rights, in particular their right to privacy. Participants also explained that companies, such as social media platforms, may have a different understanding of privacy than children and young people. It was suggested that ICT companies should provide child-friendly terms and conditions.

74. The fact that children often voluntarily publish private information, including so called "selfies", in their online interaction was also discussed. Participants underscored that the Internet does not know boundaries and does not forget, including any experimental behaviours of children. Highlighting that childhood is a vulnerable period of life, the question was posed to what extent children can understand the consequence of creating such a digital footprint. The importance of teaching children that their digital footprint cannot be erased was reiterated. At the same time, participants also stated that parents should not publish too detailed information about their own children.

75. It was pointed out that due to the quickly changing Internet landscape, any measures taken would have to be easily adaptable and up to date with current practices. Moreover, considering differences in national legal protection systems – each country has its own rules on privacy - and the lack of international norms and standards, the importance of collaboration with the ICT industry in this field was highlighted.

- ***Remedies (including complaint mechanisms), hotlines***

76. During the discussion, the importance of providing effective and child-sensitive remedies for victims of sexual exploitation, child pornography, bullying and other violations of children's rights online was reiterated. Participants explained that children who suffered harm online, in particular sexual exploitation and abuse, are frequently afraid to disclose what has happened, often because the perpetrator is someone they know or because they feel guilty or complicit. Hence, it is not only necessary to provide effective support mechanisms, but also to create an environment where children feel believed and safe.

77. It was also underlined that children should have someone to talk to and a place to go to with their problems. Moreover, helplines should be available when children see a danger for themselves or their friends. Finally, participants underscored the importance of ensuring the provision of compensation as well as psychological assistance for victims of rights violations.

- ***Prosecution***

78. It was acknowledged that online crimes present new challenges to law enforcement, including due to the involvement of new, fast developing and complex technologies. Participants also highlighted the problem that cyber bullying and other forms of online harassment are often not considered a proper crime. The importance to ensure adequate training and awareness-raising, as well as adequate human, technical and financial resources, for law enforcement and the judiciary to better address these crimes in a child-sensitive manner was reiterated.

79. In addition, participants stressed that in 60 countries worldwide no law exists that would allow for the seizure of pornographic images of children by the police. In this context, it was pointed out that while the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography does not explicitly mention the possession of child pornography among its articles, there is still a very clear obligation for States to make the position of child pornography illegal.

10. Family environment

80. Discussions in both Working Groups highlighted the need to inform, support and engage parents and other caregivers in order to be able to empower and protect children when accessing and using ICTs. There was consensus that parents and other caregivers are key actors in this context. However, it was pointed out that parents may not always be in a position to support and advice their children or to check on the Internet use of children, for instance due to a lack of technological awareness and knowledge or work obligations. Moreover, violence, abuse, exploitation, including sexual exploitation, and access to inappropriate content often takes place in spaces that do not come under adult supervision and sometimes political, social or religious views may differ between parents and their children.

81. In addition, it was reiterated that the existence of the Internet and the development of ICTs has not changed the role and responsibilities of parents in teaching children fundamental human values. Children are generally more resilient when they grow up in a nurturing environment and they have the possibility to learn from parents what is right and what is wrong, which also applies to the online world. It was however acknowledged that

parenting has become very demanding, not only due to new technologies, but also because of higher expectations. Hence, parents should be adequately assisted and supported in their child rearing responsibilities.

11. Education / digital and social literacy

82. Discussions in both Working Groups highlighted the importance of education and training of children and all other relevant actors. Participants stressed that schools have a unique potential to facilitate access to ICTs, provide children with the necessary technical skills and promote the creative, critical and safe use of the Internet. Furthermore, promoting digital literacy in schools can also contribute to social inclusion. Good practices from Argentina and Nepal of using schools as a medium to provide access to ICTs were shared. However, it was also pointed out that children out of school are not covered by these initiatives and that additional efforts were necessary to include all children.

83. In addition, it was stressed that education and training should not only provide children with the necessary digital literacy, but at the same time efforts should be made to develop their social skills (so called "social literacy"). Digital and social literacy skills provide the foundation for a responsible use of digital media and ICTs and can enhance children's capacity to protect themselves from harm. Those children are more likely to avoid and adequately react to risks they may encounter and less likely to become perpetrators of cyber bullying or to adopt other harmful attitudes. Furthermore, some participants highlighted that education should also include information on sexual and reproductive health in order to prevent children learning from easily available online pornography. Finally, it was pointed out that teachers themselves need to understand the online environment and possess the necessary skills to advice, guide and empower children.

VI. RECOMMENDATIONS

84. In the light of the DGD objective of being a forum for raising awareness about and discussing children's rights in order to identify issues for States to take account of in their policies and programmes, as well as to provide guidance to other relevant actors on the respect, promotion and fulfilment of children's rights in the context of digital media, the Committee issues the following recommendations. The recommendations below, while addressed to the primary duty bearers, States, also require the active engagement and participation of other stakeholders including families, schools, civil society and the private sector.

<u>General recommendations, including legislation, policies and coordination</u>

85. **States should recognize the importance of access to, and use of, digital media and ICTs for children and their potential to promote all children's rights, in particular the rights to freedom of expression, access to appropriate information, participation, education, as well as rest, leisure, play, recreational activities, cultural life and the arts. In addition, States should ensure that equal and safe access to digital media and ICTs, including the Internet, is integrated in the post-2015 development agenda.**

86. **States should adopt and effectively implement comprehensive human rights-based laws and policies which integrate children's access to digital media and ICTs and ensure the full protection under the Convention and its Optional Protocols**

when using digital media and ICTs. In light of the evolving nature of the issue, States should also ensure regular monitoring of implementation and assessment of legislation and policies.

87. **States are called upon to promote and facilitate regular public debates and the active involvement of all stakeholders, in particular children, parents and other caretakers, professionals working with or for children, including in the educational field, civil society and ICT and other relevant industries, before adopting draft laws, policies, strategies and programmes and when setting up services for child victims. It is furthermore recommended that States effectively evaluate the impact of digital media and ICT related policies, programmes, practices and decisions on the rights, well-being and development of all children. States should thereby ensure that the fundamental principles of the Convention, including the right to non-discrimination, the right to have the child's best interests taken as a primary consideration, the right to life, survival and development and children's right to express their views in matters affecting them, are effectively prioritized and meaningfully implemented.**

88. **States should adopt a national coordinating framework with a clear mandate and sufficient authority to coordinate all activities related to children's rights and digital media and ICTs at cross-sectoral, national, regional and local levels and facilitate international cooperation. States should also ensure that said coordinating body is provided with the necessary human, technical and financial resources for its effective operation.**

Data collection and research, monitoring and evaluation of efforts

89. **States should undertake research, data collection and analysis on an ongoing basis to better understand how children access and use digital and social media, as well as their impact on children's lives. The data should cover both risks and opportunities for children and should be disaggregated by age, sex, geographic location, socio-economic background, disability, membership of minority and/or indigenous group, ethnic origin or any other category considered appropriate in order to facilitate analysis on the situation of all children, particularly those in situations of vulnerability.**

90. **The Committee recommends that the data be used for establishing baselines against which progress can be measured, for the formulation and evaluation of relevant laws, policies, programmes and projects, as well as for the monitoring of their implementation. States should also ensure safeguards for guaranteeing that these data are not used by authorities to encourage censorship or any other political and economic interference.**

91. **The Committee furthermore recommends that States promote the exchange and sharing of ideas, information, experiences and good practices, including through the creation of platforms, with all stakeholders, especially children, at the national, regional and international level.**

Independent monitoring

92. **States should empower and provide adequate resources to national institutions responsible for guaranteeing human rights (such as national human rights**

institutions, ombudspersons or equality bodies) to allow them to play a key role in monitoring compliance with the Convention and its Optional Protocols. Such an institution should have a specific mandate to address the rights of children in relation to digital media and ICTs, and be able to receive, investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, and undertake monitoring, follow-up and verification activities for child victims.

Cooperation with civil society

93. **The Committee recognizes the important role played by non-governmental organisations (NGOs) in ensuring access of children to ICTs and digital media and protecting their rights when using these means. It recommends that States systematically involve all NGOs working in the field of digital media and children's rights in the development, implementation, monitoring and evaluation of relevant laws, policies and programmes as well as in research and data collection.**

Awareness-raising and training

94. **The Committee recommends that States carry out age appropriate awareness-raising programmes to sensitize the public in general and children in particular on opportunities and risks, including unintended consequences of self-generated content, relating to the use of ICTs and digital media. States should distribute relevant information material tailored specifically to children, and tailored to specific age-groups, as well as to parents and other caregivers, and all professionals working with or for children, and seek close cooperation with civil society in the organisation and implementation of awareness-raising programmes.**

95. **The Committee further recommends that States provide adequate training and support for children to ensure the development of their digital and social literacy skills with a view to enhancing a responsible use of digital media and ICTs as well as their capacity to avoid risks and protect themselves from harm. States should also provide adequate training and support to parents and other caregivers, as well as professionals working with and for children including in the educational field, to enhance their technical skills, inform them about risks and potential harm, learn about how children use technology and be able to support children in using digital media and ICTs in a responsible and safe manner.**

Children's rights and the business sector

96. **In the light of the Committee's General Comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, as well as other international norms and standards in this area, States should ensure a clear and predictable legal and regulatory environment which requires ICT and other relevant industries operating in the State party to respect children's rights. States should also establish monitoring mechanisms for the investigation and redress of children's rights violations, with a view to improving accountability of ICT and other relevant companies, as well as strengthen regulatory agencies' responsibility for the development of standards relevant to children's rights and ICTs.**

97. **The Committee recommends that States require businesses to undertake child-rights due diligence with a view to identifying, preventing and mitigating their impact on children's rights when using digital media and ICTs. Moreover, States should encourage and facilitate the development of voluntary, self-regulatory, professional and ethical guidelines and standards of conduct and other initiatives, such as the development of technical solutions promoting online safety and the adoption of child-friendly terms and conditions for the use of ICTs and digital media, as well as developing age-appropriate content, by ICT and other relevant industries to ensure that their practices are in full compliance with the Convention and its Optional Protocols and other international human rights norms and standards. In addition, it is recommended that States ensure space for discussion and cooperation with ICT and other relevant industry.**

Non-discrimination

98. **States should ensure that all children within their jurisdiction, in particular girls, children with disabilities, children living in remote areas, children living in poverty, children belonging to minorities, indigenous children, children living in street situations, children living in institutions and other children in vulnerable and marginalized situations, have access to digital media and ICTs without discrimination. In particular, the Committee recommends that States *inter alia*:**

- **(a) Take measures to improve the coverage of Internet infrastructure to include rural communities;**
- **(b) Promote inclusive accessibility to digital media and ICTs and affordable design of technology and digital content, taking into consideration age, and ensure that intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by children to cultural materials, in particular children with disabilities and children belonging to minorities or indigenous groups;**
- **(c) Promote linguistic and cultural diversity of digital content;**
- **(d) Intensify efforts to ensure the effective elimination of all forms of discrimination against girls and address gender stereotypes and social norms that limit girls' access and use of technology, including through awareness-raising programmes;**
- **(e) Provide assistance to schools and communities to cover the costs of computer equipment and connectivity and promote the development of low-cost technical solutions;**
- **(f) Include in non-discrimination laws, policies, strategies and programmes aspects dealing with access for children to digital media and ICTs, in particular children belonging to most vulnerable and disadvantaged groups.**

In that regard, the Committee recommends that States seek technical cooperation from, among others, the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Telecommunications Union (ITU) and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

Respect for the views of the child

99. **States should ensure that children are consulted in order to take into account their views and experiences in developing laws, policies, programmes, and in the setting up of services, and other measures relating to digital media and ICTs. This should include girls as well as boys, and children in vulnerable or marginalized**

situations. Children should also be actively engaged in the design and implementation of initiatives aimed at fostering safe use of digital media and ICTs, including online safety. In particular, States are encouraged to establish online spaces, where children can express their views and opinions in a responsible and safe manner.

Rights to freedom of expression, access to appropriate information, freedom of association and peaceful assembly

100. **The Committee calls upon States to revise their national laws, regulations and policies that limit children's rights to freedom of expression, access to appropriate information as well as association and peaceful assembly in any setting, including the online environment, to align them with the Convention and other international human rights norms and standards.**

101. **States should furthermore actively promote children's rights to freedom of expression, access to appropriate information and association and peaceful assembly in all settings, including the online environment. In particular, States should promote the creation of channels for child-led activism, as well as educational and recreational content for children of different ages, including content produced by children themselves.**

Right to privacy

102. **States should guarantee the protection of children's rights to privacy in relation to digital media and ICTs and develop effective safeguards against abuse without unduly restricting the full enjoyment of their rights laid down under the Convention. States should also develop and strengthen awareness-raising programmes for children on privacy risks related to the use of digital media and ICTs and regarding self-generated content.**

103. **The Committee moreover recommends that States ensure that all children have meaningful and child-friendly information about how their data is being gathered, stored, used and potentially shared with others. In this regard, States should ensure that age-appropriate privacy settings, with clear information and warnings, are available for children using digital media and ICTs.**

Access to appropriate information

104. **States should encourage the mass media, including private media, to disseminate information and materials of social and cultural benefit to the child, for example regarding healthy lifestyles.**

Protection against harm, including violence, exploitation and abuse of children

105. **States should address the risks posed by digital media and ICTs to the safety of children, including online harassment, sexual exploitation of children, access to violent and sexual content, grooming and self-generated sexual content, through holistic strategies that ensure the full enjoyment of their rights laid down under the Convention and its Optional Protocols. States should thereby always ensure a balance between**

promoting the opportunities provided by digital media and ICTs, and protecting children from harm. In particular, States should:

(a) Develop and strengthen programmes aimed at preventing harm and tackling risks posed by digital media and ICTs, including by involving children, former victims, relevant NGOs and ICT and other relevant industries;
(b) Provide children with age-appropriate information regarding safety when using digital media and ICTs, so they can manage the risks and know where to go for help;
(c) Coordinate with the ICT industry so that it develops and puts in place adequate measures to protect children from violent and inappropriate material and other risks posed by digital media and ICTs to children;
(d) Further strengthen awareness-raising and education programmes for children on preventing and responding to risks when they use digital media and ICTs, with the involvement of children, including through the development of child-friendly information material;
(e) Provide adequate and continuous training for law enforcement personnel, members of the judiciary and professionals working with and for children with the aim to enhance their technical skills;
(f) Ensure accessible, safe, confidential, age-appropriate, child-friendly and effective reporting channels, such as child hotlines, for reporting violations of children's rights in relation to digital media and ICTs;
(g) Provide safe, child-friendly and confidential points of contact for children to report self-generated sexual content to a relevant authority;
(h) Provide fast and effective procedures for removal of prejudicial or harmful material involving children;
(i) Strengthen identification of victims as well as detection, investigation, prosecution and punishment of those responsible for any of the offences covered under the Convention and its Optional Protocols;
(j) Strengthen coordination between all actors and sectors in the protection system ensuring referral of cases and effective support to children victims; and
(k) Promote and facilitate international and regional coordination and collaboration to ensure effective enforcement of the applicable legal framework.

Effective remedies and reparation, and assistance to victims

106. **States should ensure access to effective remedies for child victims, including assistance to seek prompt and appropriate reparation for the harm suffered, through State compensation where appropriate. States should also provide adequate support and assistance for child victims of violations related to digital media and ICTs, including comprehensive services to ensure the child's full recovery and reintegration, and prevent re-victimization of child victims.**

Family environment

107. **States should provide training, assistance and support services to parents, other caretakers and legal guardians to be able to guide their children to a responsible and safe use of digital media and ICT, with respect for their evolving capacities. Training and support should not be limited to technical competence but should also include support in the performance of their general child-rearing responsibilities.**

Children with disabilities

108. **The Committee recommends that States develop, implement and monitor legislation and policies to ensure the accessibility of digital media and ICTs for children with disabilities including by incorporating accessibility requirements in policies related to private sector, international cooperation and public procurement. In this context, States should ensure that public funds are used solely to promote the enjoyment and use of digital media and ICTs and explicitly avoid creating or perpetuating discrimination resulting from inaccessible services and products. Moreover, States should promote the use of digital media and ICTs to reinforce the creation of inclusive communities and education systems and to combat the dissemination of negative stereotypes, including by actively consulting with children with disabilities. The Committee also recommends that States ratify the Convention on the Rights of Persons with Disabilities and the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or otherwise Print Disabled.**

Education

109. **The Committee recommends that States promote the development of digital literacy as part of the basic education curricula in accordance with children's evolving capacities. Training and education should not be limited to technical competence but should also include awareness of ethical principles and values and teach children skills to behave responsibly when they engage and relate to each other online, and to respond to risks appropriately and safely (social literacy). In addition, the Committee recommends that States ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys.**

Periodic reporting under CRC and OPs

110. **The Committee recommends that States parties systematically include information on children's rights and digital media and ICTs in their periodic reports under the Convention and its Optional Protocols.**

VII. CONCLUSION

111. The Committee appreciates the valuable inputs provided by all participants either during the discussions or as written submissions for the DGD. The Committee urges all stakeholders to take account of the recommendations above. All children should be able to safely access ICTs and digital media, and be empowered to fully participate, express themselves, seek information and enjoy all the rights enshrined in the Convention on the Rights of the Child and its Optional Protocols without discrimination of any kind.