**Unofficial translation:**

**The Kingdom’s comments and opinions on the updated version of the Draft General Comment No. 25 (202x) regarding children’s rights in relation to the digital environment**

**Introduction**

1. The Kingdom of Saudi Arabia, "the Kingdom", submits this document for the purposes of contributing to the process of preparing the General Comment on children's rights in relation to the digital environment "the General Comment" in response to the request of the Committee on the Rights of the Child. This document contains the comments and opinions on the guidance provided in the General Comment regarding legislative and political measures as well as other measures that should be taken to ensure full compliance with the obligations imposed by the Convention on the Rights of the Child, "the Convention".
2. The use of the digital environment has become an integral part of our reality and a practice that occupies the largest part of our children's daily life, as they spend most of their time in this open and accessible environment, which makes them vulnerable to exploitation, abuse and the various forms of human rights violations that the provisions of the Convention combine to prevent and protect children, which requires redoubling efforts at the national level, including taking the necessary legislative, institutional and judicial measures, as well as international cooperation and collaboration to make the digital environment a safe and child-friendly environment. On this basis, the Kingdom sees the importance of this General Comment, as it comes in the context of doubling attention and focus on the protection and respect of children's rights in the digital environment.

**Comments and opinions on the Draft General Comment**

1. **Regarding the paragraph 19**, we think it would be appropriate to further focus on the involvement of children's families, civil society institutions and experts in the field of childhood when developing laws, policies, programs, services and training on children's rights in relation to the digital environment, with due consideration being given to the involvement of children in this.
2. **Regarding the paragraph 20**, we think it would be appropriate to reformulate this paragraph in a balanced way between children's freedom of participation in the digital environment in a manner that enhances their advanced capacities and the supervision of parents and caregivers that is in the best interest of the child, particularly since paragraph 21 has expressed this in the context of the diversity of policies. Also, paragraph 22 has emphasized the enhancement of the awareness of parents and caregivers to respect children's independence and their advanced capacities.
3. **Regarding the paragraph 28**, we think it would be appropriate to refer, in the context of corporate responsibility, that State parties are responsible for taking the necessary legislative, judicial and procedural measures to ensure the commitment of companies to cooperate with the governmental body with regard to programs related to children's rights in the digital environment.
4. **Regarding the paragraph 31**, we think it would be appropriate to indicate that dissemination of data and research should be done with due regard to the best interest of the child.
5. **Regarding the paragraph 33,** **entitled "*Dissemination of information, awareness-raising and training*"**, we think it is important to refer to international bodies and mechanisms working in the field of human rights that include children's rights, as the High Commissioner for Human Rights, to integrate training on child protection in the context of the digital environment into National Capacity-Building Programs. We also think it is important to devote a paragraph dealing with the training of children to protect them when using digital services, in a special paragraph to give this issue the amount of importance needed.
6. **Regarding the paragraph 37,** we think it is important to note that States should take the necessary legislative, judicial and procedural measures to ensure compliance by companies to prevent the misuse of their networks or services via the Internet for purposes that threaten the safety of children and to intensify efforts to make the contents of the digital environment platforms for inculcating good values and behaviors in Children and providing them with skills and sciences that contribute to their growth and to the development of their capacities.
7. **Regarding the paragraph** J **of item 5, entitled "*Commercial advertising and marketing*"**, we think it would be appropriate to include a paragraph dealing with the responsibility of companies that infringe upon any of the rights of the child in the context of advertising and marketing. This this responsibility requires that those companies contribute to addressing the damages resulting from these infringements through fines or compensation, and it is possible to activate the social responsibility of companies in this regard. We also think it would be appropriate to include a paragraph dealing with the issue of "*the use of children in advertising and marketing*" and the criteria that must be observed in this context, according to the Convention.
8. **Regarding the paragraph 55**, we note that the following formulation: “*Any restrictions on the operation of any of the Internet-based, electronic or other information dissemination systems, are only permissible to the extent that they are compatible with Article 13*”, gives the impression that the focus is on freedom and access to information should outweigh the principle of the best interest of the child, particularly since it has limited the criteria for imposing the restrictions referred to in the restrictions mentioned in Article 13 of the Convention, i.e. respect for the rights of others or their reputation, protection of national security, public order, public health or public morals, while no reference was made to Article 3 related to the best interest of the child. Therefore, we think it is important to reformulate the said paragraph in a way that clearly highlights that the best interest of the child is one of the criteria that should be respected in the context of realizing freedom to get information.
9. **Regarding the paragraph C** **of item 6, entitled “*Freedom of thought, conscience and religion*”**, we think it is important to refer to respecting the rights and duties of parents and legal guardians in guiding the child in the exercise of this right in a way that consists with the child's advanced capacities, according to Article 5 of the Child Rights Conventions.
10. **Regarding the paragraph 67**, we think it is necessary to indicate that the participation of children in associations should not affect their best interests, nor expose them to exploitation in its broad sense (political or ideological exploitation, etc.), and that the focus must be on preventing children from joining associations that promote racial discrimination and extremist ideas.
11. **Regarding the paragraph 71**, it is not clear whether the interference with the child’s privacy, means the official interference by the relevant authorities in the State Parties or does it include all forms of interference, including that of parents and legal guardians; and we think it would be appropriate to limit the legislation or legal texts allowing interference with the child’s privacy within the framework of official interference, for the reason that the inclusion of such legislation or legal texts in the relationship between the child and his family or his legal guardian, specifically in this context, could jeopardize the child, his stability and his family relationship.
12. **Regarding the paragraph 81**, that includes the right of every child to preserve his identity, especially refugee and migrant children and to prevent statelessness, we believe that it falls outside the context of the General Comment and, in any case, it is covered by the principles and provisions of the Convention.
13. **Regarding the paragraph 85**, it should be noted that the Restorative Justice approach requires the offender must be integrated into the restorative justice process, which may have negative effects, among which is the recurrence of crimes referred to in the beginning of this paragraph (violence and sexual exploitation) against children. Thereupon, it would be appropriate to refer to the necessity of excluding such crimes from restorative justice processes if they were committed by adults against children, and considering them as an aggravating circumstance. We also think it is important to add the term “illegal commercial exploitation” to the forms of exploitation.
14. **Regarding the paragraph entitled “*Children with Disabilities, Article 23*”**, we think it would be appropriate to refer to the necessity of the availability of audio-visual aids and other auxiliary and alternative means of communication in the digital environment, and it may be appropriate to review paragraphs from 96 to100, in light of the Convention on the Rights of Persons with Disabilities. Disability, and the general comments of the Committee on the Rights of Persons with Disabilities.
15. **Regarding the paragraph entitled “*the right to education, articles 28 and 29*”,** we think it would be appropriate to include one or more paragraphs that include guidance on creating a digital environment to ensure that children would continue to have access to education without being interrupted it cases of emergencies, natural disasters and epidemics (such as what the world is currently witnessing in light of the pandemic Covid-19); and to respect the needs of children and their families in this context, as well as supporting civil society organizations and institutions that work in this field to advance them and achieve the best interests of the child.
16. **Regarding the paragraph entitled “*Protection from economic, sexual and other forms of exploitation, Articles 32, 34, 35 and 36*”**, we think it is important to ensure that children, in particular, are aware about the methods of reporting and resorting to remedies if they were exposed to economic exploitation or other forms of exploitation.

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