**Committee on the Rights of the Child**

**General Comment on Children’s rights in relation to the digital environment.**

Child Online Africa (COA) formally called J Initiative is a child and family focused research and advocacy based non-governmental organization that campaigns for/with children and young people and their families to influence policies and change practices that affect child welfare online in Ghana and Africa.

Children are the critical infrastructure of any society and from the experience gathered in our work over the years, we have come to believe that it is important laws and regulatory frameworks focus on the protection of children’s digital rights. In order not to violate the rights of the child, it is important we adopt the 3P approach when we talk safety of children online thus: Protection, Provision and participation.

• **Access to information and freedom of expression and thought.**

The proposal here is to take another look at the Articles 13, 14 and 17 to be clear and also reflect the needs of the digital age. For example: by law the use of “mass media” precludes the digital media, therefore it is important we rephrase the Article 17 and it clauses to read the present dispensation.

• **Right to education and digital literacy.**

This is no brainer at all; the child has the right to education and this education is expected to be relevant and fit for purpose therefore broadening the scope of the Article 28 to reflect children’s right to digital literacy and citizenship should be the forward looking approach to adopt if we wish to make these children relevant to the future.

• **Freedom of assembly**

Article 15 speaks to children’s freedom of assembly but this should be wired in such a manner that it does not hamper on the child’s growth and development. In the era of gambling and other forms of social gathering which implies a level of freedom which could be detrimental to the growth and social well-being of the child.

• **Right to culture, leisure and play.**

The right of the child to culture, leisure, and play cannot be undermined and order to have good digital citizens. All these three elements in the Article 31 cannot happen only offline but they happen online too. It is important children and young people are informed and equipped with relevant skills to make their play time enjoyable. Safer Internet Day celebrations sort to raise awareness on emerging issue which confronts children while they engage online and calls for self-regulation and international cooperation. It is important member States are impressed upon to acknowledge the relevance of these days and observe them in the interest of children.

• **Protection of privacy, identity and data processing.**

A number of Articles give credence to the topic starting from Article 7; it is important for provision to be made to provide some kind of distinction between a child and an adult as data subject. In cases where the data subject is a child, the child should be accorded the opportunity to have his/her data erased immediately unless consent is given for the data to be processed which will include the purpose. In all online transactions involving children, it is important terms and conditions are written in clear terms to prohibit unfair or deceptive practices as indicated [here.](https://www.gdpreu.org/the-regulation/key-concepts/consent/)

PS: It is important we have a standard interpretation to all these parameters because living the interpretation to member States could be suicidal.

• **Protection from violence, sexual exploitation and other harm**.

There has been numerous numbers put out daily on violence, sexual exploitation and other harm visited on children and Article 32 to 36 needs to be reworded to reflect the situation and to make application and little bit easy for State parties. Taking into consideration cryptocurrency, Internet of Things among other evolutions in the 4IR.

• **Health and wellbeing.**

Every child’s health and well-being as far as the digital space is concerned begins with their ability to cope and mange situations they come across. Building children’s resilience is key to winning the war against a holistic child health and well-being. This approach among other should be crafted into Articles 24, 29,26,38,29 and other other related Articles. Full complement of well-being can be attained when it is approach from the supply and demand side where perpetrators are made to know what it take to be and all that it entails to be considered a child abuse offender.

The practical way to have the Articles applied and integrated properly is to adopt the structure of the Suitable Development Goals or the monitoring approach of the Lanzarote Convention by spelling out the indicators and impress upon the members of the Committee’s periodic review. With this it will be easy to implement by both member states and other partners and it will make monitoring and evaluation easy to go about.