The LEGO Group’s comment on the

Concept Note for a General Comment on

children’s rights in relation to the digital environment

* First and foremost, the LEGO Group welcomes the decision by the Committee on the Rights of the Child to develop a General Comment on children’s rights in relation to the digital environment.
* At the LEGO Group, the interests, rights and freedoms of the millions of children we engage with every day are of paramount importance.
* Within this, safety remains a non-negotiable component of the design and implementation of all our engagements with children. This is as true online as it is with our bricks in the physical environment and we have worked hard to make our digital experiences among of the safest in the world today.
* We take all our responsibilities towards children very seriously and consistently set high ambitions to support their broader wellbeing and to maintain and enhance trust among parents, wherever and however we engage.
* In a digital environment, this means the application of high safety-by-design standards across all our digital offerings, putting into practice our belief in the importance of quality and safe learning experiences for children.
* To support our ability to deliver this in a robust manner, we have a long-standing, global partnership with UNICEF to integrate the Convention on the Rights of the Child and the Children’s Rights and Business Principles across all our business operations globally.
* We are an active participant in the European Commission-convened Alliance to Better Protect Minors, which is committed to bringing partners together to make the online environment safer for minors. And in March of 2019 we became an ambassador for the #SaferInternet4EU Campaign to promote online safety, media literacy and cyber hygiene.
* It is also important to state that alongside the prioritising of safety, it is also our mission *to inspire and develop the builders of tomorrow*, enabling and empowering children through playful experiences to learn, develop and maximise their creative potential. And when we look to the future, we see the digital environment as being essential to achieving this.
* To increase the likelihood that the design and governance of the digital environment enables all actors to deliver products and services in the best interests of the child it is important that the application of children’s rights into a digital environment is framed in a manner that acknowledges and deepens understanding of the interdependence and interplay between rights pertaining to protection, participation and provision.
* If this balance can be struck, it has the potential to provide an enabling blueprint for innovation that can help to provide all children with products and services that deliver appropriate levels of safety as well as demonstrably supporting their development and wellbeing.

General Observations on the digital environment for children:

* The unprecedented ubiquity of digital and technology in children’s lives is having and will continue to have impacts, both positive and negative, on all children across all age categories.
* Due to the relative newness of this phenomena and the comparative lack of child-first spaces online, efforts to understand the impact of children’s immersion in the digital environment on their interests, rights and wellbeing have centred on protection, safety and privacy.
* Relative to this, our understanding of the potential of the digital environment to fulfil a number of other rights of the child, where they relate to participation and provision, remains less developed.
* As a consequence of this, we have observed an international drive from States on the protection (A2, A19, A32, A34, A36) and privacy (A16) of children as unique and vulnerable citizens online.
* We unequivocally support the prioritisation of these efforts to elevate the protection of children of all ages online and to better understand and address various forms of harm that children are faced with. This, we believe, is the right starting point in the re-design of the digital environment for children.
* Indeed there should continue to be a concerted effort by states, industry and civil society to improve our understanding of harm in the digital environment, as well as how best to address these through business action, guidelines, regulation and by proactively equipping children and parents with the right education and tools to promote agency and empowerment.
* However, if we are to leverage the potential of the digital environment to fully support the realisation of a broad range of children’s rights, states, industry and civil society should aspire to complement the existing efforts on protection from harm with a stronger understanding of the interdependence and interplay of so-called participation and provision rights and the role of innovation in achieving this.
* These so-called participation and provision rights include but are not limited to the right to development (A6); to having their views given due weight (A12); to education (A28); development of personality, talents and mental and physical abilities to their fullest potential (A29); to engage in play and recreational activities and equal opportunities for cultural, artistic, recreational and leisure activity (A31); to receive information and material of social and cultural benefit (17).
* This sentiment could be seen in the Council of Europe Recommendation CM/Rec(2018) of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment, where they state that:

*States should provide a range of incentives, investment opportunities, standards and technical guidance for the production and distribution of digital content and services of social, civic, artistic, cultural, educational and recreational benefit to all children. This includes interactive and play-based tools that stimulate skills such as creativity, teamwork and problem solving, appropriate to their evolving capacities and with particular attention to the needs of children in vulnerable situations.*

* The risk of continuing to develop policy and legislation without due consideration of this balance could see the creation of a digital environment where products and services, bound by legislation, underdeliver on supporting certain rights.
* To be clear, we are not suggesting that protection will always be incompatible with rights relating to provision and participation or that safety and innovation cannot go hand in hand, far from it. At the LEGO Group we consider it an absolutely priority to deliver just this.
* Nor are we advocating a relegation of the primary importance of protection. Again, quite the opposite. Our commitment to continue to deliver some of the safest experiences for children will remain a non-negotiable.
* Instead we are seeking the application of the rights of a child in the digital environment in a manner that rewards commitments on safety while enabling those who strive to innovate to deliver quality experiences that demonstrably support the development and wellbeing of all children.
* We look forward to working with the Committee on the Rights of the Child and all other stakeholders towards making this ambition a reality.

\_\_\_\_End.