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|  | Oslo, 15. mai 2019  Deres ref.:  Vår ref.: Klikk her for å skrive inn tekst.  Saksbehandler: Klikk her for å skrive inn tekst. |
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**General Comment submission: Children’s rights in relation to the digital environment**

Dear Members of the Committee on the Rights of the Child,

The Norwegian Cancer Society would like to submit comments to the Committee’s consultation on children’s rights in relation to the digital environment. As a cancer society, we’re concerned with the harmful effects on health from tobacco, alcohol and unhealthy food and beverages being marketed towards our children and adolescents. They need to be better protected.

Our concerns relate mostly to these points:

* Health and wellbeing
* Protection from violence, sexual exploitation and other harm
* Protection of privacy, identity and data processing

In the rapidly developing area of information technology, this is an important consultation.

Marketing is everywhere in the digital environment and in Norway, 90 percent of children and youth aged between 9 – 18 years often use social media without the supervision of parents or any other adult.

Marketing of unhealthy products and services on new digital platforms is present everywhere, entertaining and highly engaging. Well-known brands are using sophisticated tactics to appeal to children and adolescents and they know how to create interaction. We ask for better regulatory frameworks that address issues related to advertising techniques, such as advergames or influencers. The use of influencers such as celebrities and idols pretending to show their personal preferences while in reality, they are conducting hidden commercial practice which is often hard to recognize as such. Also in a well regulated country like Norway this is a major challenge in a public health perspective: Millions of young followers end up both being ambassadors of these marketing efforts by sharings and likes, and they copy the behaviour of their idols.

The issue of child exposure to digital marketing and the negative impact such marketing has on children’s rights should be given the greatest attention in the work of the international human rights community, and we hope that it can feature explicitly and prominently in the Committee’s General Comment on children’s rights and digital environments. This is all the more warranted as all children are negatively affected by such marketing (though potentially to different degrees).

***Our recommendations:***

* **States** should regulate the digital marketing of goods, services and brands that harm children and protect them effectively from exposure to such marketing. In particular:
  + States, not business actors, should define the scope of the regulations restricting harmful digital marketing in their countries, and ensure that these regulations are effectively implemented (including enforcement mechanisms and appropriate sanctions).
  + States should ensure that all children, and not only younger children, are protected from harmful digital marketing.
  + States should aim to develop comprehensive policies on harmful digital marketing to children, so that the opportunities to divert marketing investment from regulated to unregulated media and/or marketing techniques are limited.
  + States should – at the very least – ban the collection, processing and use of children’s personal data for direct marketing purposes.
* **Social media owners** also bear a huge responsibility with ensuring that open or disguised marketing (through influencers for example) targeting children and adolescents on their platforms are systematically removed in the current unregulated social media market.

To uphold their responsibility according to the UN Guiding Principles for Business and Human Rights with regards to respect all the rights of the child, business actors should refrain from marketing practices that harm children, including adolescents.

In addition, voluntary industry pledges may complement, never replace, the implementation of State-led legally binding rules. Business actors should also adopt more transparent business practices and share the data required to effectively monitor digital marketing when such requests originate from public health advocates and authorities.

The experience from our national work is that the wording in the General Comment is very important for the interpretation of the Committee on the Rights of the Child nationally. For instance, using “shall” or “should” may determine whether the recommendations are followed and implemented nationally or not. We therefore urge the Committee to use the word “shall” when appropriate.

Links:

<https://theconversation.com/how-social-media-is-helping-big-tobacco-hook-a-new-generation-of-smokers-112911>

<https://www.reuters.com/article/us-philipmorris-ecigs-instagram-exclusiv/exclusive-philip-morris-suspends-social-media-campaign-after-reuters-exposes-young-influencers-idUSKCN1SH02K>

<https://alcoholchange.org.uk/publication/all-night-long-social-media-marketing-to-young-people-by-alcohol-brands-and-venues>