

## Speaking Points - Lanzarote Conference

Ina Verzivoli

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- Delighted to be here at the Conference for the 10<sup>th</sup> anniversary of the Lanzarote Convention, to present the state of play in the preparation of the CAHENF draft Guidelines on children and the digital environment. Glad to have an exchange on how the Lanzarote Committee can contribute to promotion and implementation. Before going into the details of the draft Guidelines, allow me to make a few preliminary remarks.
- The digital environment is a powerful tool that can provide new opportunities for children in terms of learning, socialisation, expression, inclusion and fulfilment of the rights of the child. But it also has a dark side and can pose risks for the well-being of children, such as abuse and sexual exploitation, violence, cyber-bullying, as the Lanzarote Committee has highlighted itself in several occasions, in particular the Opinion on 'Online Grooming' and the current round of monitoring around the issues of The protection of children against sexual exploitation and sexual abuse facilitated by information and communications technologies. Thus, appropriate safeguards must be put in place to ensure that children's rights are upheld in the digital environment.
- In essence, the draft Guidelines aim at striking the right balance between maximising the opportunities offered by the digital environment, while managing and minimising risks. They aim at providing guidance to public authorities and private stakeholders alike as to how best to promote the realization of children's rights in the digital environment and, at the same time, address the full range of ways in which this environment may affect children's rights and well-being.
- This exercise is in line not only the Council of Europe Strategy on Internet Governance (2016-2019) and the Council of Europe Strategy for the Rights of the Child (2016-2021) which identified the rights of the child in the digital environment as one of its priority areas. More broadly, this work builds upon the findings of the UN Committee on the Rights of the Child in relation to children's safe access to ICTs and digital media, as well as the UN and Council of Europe standards related to business, Human Rights and children's rights.
- I would like now to focus briefly on the content of the draft Guidelines, which are organised around four inter-related components.
- First, fundamental principles and rights: when addressing the rights of children in the digital environment our work is guided by the best interest of the child and by

the principle that there is no difference between the rights that children enjoy online and offline. The CAHENF also reiterates that children also have the right not to be discriminated on any ground and to be heard according to their age and maturity.

- Second, operational principles and measures: these principles and measures aim at striking the right balance between empowering children in the digital environment, while protecting them from harm. Empowerment of children means, for instance, guaranteeing them opportunities to express, create and exchange content and ideas online, engage and maintain social relationship online, and learn, including to become digitally literate. At the same time, States should develop effective safeguards against abuse online while avoiding to unduly restricting the full enjoyment of children rights. States also need to encourage business to raise awareness and take measures in order to ensure that the services they offer are safe, risks are mitigated and remedies exist to report suspected illegal content and delete it swiftly.
- Specific issues with regard to the implementation of the Lanzarote Convention and the protection of children from sexual abuse and exploitation addressed in the Guidelines:
  - Children must be afforded protection from the risk of harm to their physical and mental welfare, in particular regarding sexual exploitation and abuse,
  - Risk of harm from online pornography.... Solicitation for sexual abuse purposes,
  - Calls for an integrated child protection approach,
  - strengthen education and awareness-raising programmes for children, parents or caregivers ... on the impact of self-generated content, as well as potential consequences of the way in which information about children might be shared in different settings and by others, how to prevent, identify, report violations of their rights and seek redress,
  - use of effective age-verification systems,
  - require business enterprises to take measures so that their services are not misused for example to distribute or store child sexual abuse materials,
  - requirements for the Registry top country domains: to prohibit the registration or use of any domain name which advertises or suggests that child sexual abuse material may be available,
  - cyber-grooming (to be completed),
  - States should ensure there is an effective mechanism to allow any person to report suspected illegal or harmful material found online, in particular material which depicts child sexual abuse, such as for example hotlines,
  - Policing with respect to child abuse material should be victim-focused with the highest priority being attached to identifying and locating child victims depicted in images.
- Third, the legal and policy framework: States are encouraged to review and update their legal framework and strategies concerning child protection to include the full realisation of the rights of the child in the digital environment. A comprehensive

legal framework is one that addresses preventive measures; prohibition of all forms of violence against children in the digital environment; provision of effective remedies, reporting and complaint mechanisms and accountability mechanisms to fight impunity. States have to develop strategies in which all relevant national, regional, local, public and private stakeholders are engaged, including children.

- Fourth and last international co-operation: the digital environment is by definition transnational. International cooperation is a condition sine qua non for any effective action in this area. Ratification of international instruments, such as the Cybercrime and the Lanzarote Conventions, and cooperation within international bodies can only but strengthen the protection of children in the digital environment.
- The guidelines will be the result of a broad consultation process, including parliamentarians, civil society organisations, industry, international organizations and children themselves. Through such a wide consultative process the CAHENF aims at achieving an outcome that is shared among the relevant actors, that can be implemented by States and that will become a reality for children.
- This is also true for children themselves. The CAHENF has ensured successfully children participation in the elaboration of the guidelines. I was favourably surprised by the children's knowledge and inputs, which will be most probably published in some form later in the year, and we will strive to repeat the exercise in other standard setting processes.
- Partnership and cooperation with the Lanzarote Committee and the Lanzarote Convention in general is very important, as the guidelines provide a framework for actions of states and other actors to implement related aspects of the Lanzarote Convention that concern the protection of children in the digital environment from the threat of sexual abuse or sexual exploitation.
- The digital environment is challenging in general and even more to protect children rights. However, we in the CAHENF believe that a multi-disciplinary, internationally coordinated and child-rights based approach, is the only one that can contribute to make the digital environment a better and safer place for children.