**Comments provided by Romania**

**regarding the concept note of the General Comment on children’s rights in relation to the digital environment**

The National Authority for the Protection of Children Rights and Adoption (NAPCRA) is the Romanian central authority within the field of children rights.

As central authority NAPCRA ensures the following and application of the national legislation within the field of children rights, at national level and coordinates the activities developed by public or private bodies in the same field.

The Authority provides representation of Romania abroad, while taking necessary measure to provide the transposition of international legislation into the national one. NAPCRA monitors and control the way children rights are respected at national level and provides recommendations to central or local authorities in respect to the measures to be adopted in this respect.

***How can children’s views and experiences be expressed and taken into account when formulating policies and practices which affect their access to, and use of, digital technologies?***

Children’s right to express their own opinions and views in all matters that impact on their life is essential, and the state authorities have the obligation to support and strengthen this fundamental right.

States should introduce and strengthen legal frameworks and mechanism that facilitate child participation & consultation. Children should have access to information about law or policies in a manner which they understand and should be involved in child-friendly consultations done by professionals. The child’s right to be heard in matters which affect them should be promoted among public representatives.

While access to digital technologies is a natural way of children expressing their opinions, getting informed and exchanging views with other from their groups, these forms of communication should be used at their full potential in order to support their voices.

States should enable and encourage the involvement of children in decision-making after thirty years since the Convention on the Rights of the Child was adopted by all EU countries. Under Article 12, it stipulates the right of all children to be heard and have their views given due weight in accordance with their age and maturity.

In the same time, article 24 in the Charter of Fundamental Rights of the European Union[[1]](#footnote-1) recognizes the child's right to be heard and the European Commission’s Recommendation on Investing in Children [[2]](#footnote-2) asks for a mechanism that promotes children’s participation in decision-making that affects their lives to be put in place.

During the Romanian Presidency of the Council of the European Union , children from all over the European Union have gathered in Bucharest to present their commitment and to call on the leaders of EU Member States and of the European Union to make child participation a priority and a reality.

The Bucharest EU Children Declaration stands for the right of children to be heard and their voices to be listened by the decision making factors, parents, communities, etc.

Children should all have the right to participate, regardless of age, gender, origin, ethnicity, and ability. They should be learning how to be inclusive and support each other in an environment that is prepared to listen to all children. Opportunities should be created to support and encourage the participation of the most vulnerable children, whose voices are most often never heard.

Several good practices from different EU countries show, that participation is possible and sustainable, while the development of digital technologies and children’s increased access to them can be used to facilitate and stimulate participation.

In this respect, support for child participation platforms and forums should be established at national and international level to inform children on political decisions and measures implemented by various national and international programs and projects, but also as a mechanism of scrutinizing children’s opinions on various issues.

Increasing the scope and resources dedicated to various bodies and structure dedicated to children rights within the international organizations in this field might represent a way of supporting more comprehensive consultations with children on legislative proposals.

Information on the proposals will have to be produced in child-friendly formats and consultation methods should include the use of social media and digital platforms as well as face-to-face opportunities with the aim of being inclusive and reaching diverse groups of children not just the elite.

Consulting children on their priorities and legislative proposals at international level could be done through a variety of offline and online means including through local representatives in national structures and onwards to institutions through children’s platforms. Such platforms should enable children to debate and draft resolutions on issues of concern as well as provide comments on draft national or international legislation.

***How can discrimination (originating offline or online) be effectively addressed, to ensure all children have their rights realized in a digital world?***

Challenges that children face may be often transferred, extended or amplified in the online environment. In order to mitigate these risks, a number of aspects should be taken into consideration:

a) Access to the digital environment – Children should have affordable, where possible free, and secure access to the digital environment.

b) Digital literacy – Children should be given the digital literacy and competencies needed to thrive in the digital environment. States should consider the development of children’s digital literacy, social and civic competencies and critical thinking priorities in education.

c) Protection and Well-being – Child protection and online safety policies should be implemented in educational and other care settings and capacity building should be made for law enforcement and professionals.

***How should the General Comment treat the role of parents and other caregivers?***

Participation starts in the family from the earliest age. Parents and guardians should be able to help children building self-trust and independence along with helping them understand the consequences of their actions.

Parents and guardians should be able to encourage children to engage in their community and ask for their opinions to be listened to, valued, and used.

Since admitting that children are the future is a common truth, acknowledged by both parents, adults, decision makers and others, in order to be that future children must be involved in the present as early as possible and they must be looked upon as a resource, not only as an investment.

Digital environment might be a tool that could allow children to express their voice freely, with easy to use technologies which are in fact part of their everyday life, in a serious and adequate manner.

Parents and other caregivers should receive appropriate guidance and training in order to ensure their digital literacy and improve their digital skills. States should promote policies and programs directed to parents and caregivers, including teachers, to promote their digital literacy, development of digital skills and training on how to face risks and violence in the use of digital technology.

***How should the practices of businesses operating in the digital environment support the realisation of children's rights?***

There are several ways that industry could contribute to support the realization of children´s rights in the digital environment:

a) Promotion of child participation: It is important to highlight that children and adolescents should be consulted about new products or services related to digital technologies that are created by ICT companies.

b) Creation of safer online environments

c) Collaboration with law enforcement authorities

d) Develop programs to promote digital skills of children and adults

e) Participate in the efforts of Governments and civil society

f) Provide information and raise awareness about online security

***How can States better realize their obligations to children's rights in relation to the digital environment?***

1. Access to the digital environment: States should ensure access to the digital environment for children.

2. Education: States should implement strategies to include teaching digital literacy and critical thinking in school curricula. This should be done for children of all ages, while taking into account their evolving capacities and particular needs.

3. Protection: States should include in national strategic documents that address children’s rights, well-being and protection provisions for prevention and intervention in risk situations that children might encounter online (e.g. cyberbullying, child sexual abuse images, grooming, excessive use, data protection and online privacy, misleading advertising and marketing).

4. Awareness: States should develop awareness raising campaigns and support civil society and industry who develop such campaigns.

5. Building capacity of law enforcement: States should build the capacity of law enforcement and increase resources of law enforcement bodies that deal with child sexual abuse materials online.

6. Industry: States should encourage the adoption of self-regulatory measures by industry in order to fulfil and protect children’s rights in the digital environment and monitor the implementation. If industry fails to deliver, States should consider regulatory measures.

***Is the realization of children’s rights in the digital environment necessary to realize children’s rights in other environments?***

With the digitalization of both public and private services, lack of access to digital environment or lack of digital knowledge and competencies might limit or hamper the realization of children’s rights.

1. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012P/TXT&from=EN> [↑](#footnote-ref-1)
2. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013H0112&from=EN> [↑](#footnote-ref-2)