



ACERWC
African Committee of Experts on
the Rights and Welfare of the Child

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MEDIA RELEASE:

STATEMENT OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC) WORKING GROUP ON CHILDREN'S RIGHTS AND BUSINESS ON THE 2024 WORLD SAFER INTERNET DAY

The African Committee of Experts on the Rights and Welfare of the Child's Working Group on Children's Rights and Business joins the world today in commemorating the 2024 World Safer Internet Day, under the theme, "*Inspiring change. Making a difference, managing influence and navigating change online*".

Internet access and usage has been increasing globally. As of May 2022, there were about 590 million users (43 percent internet penetration) in Africa. These figures include children, who represent a third of all internet users in the world and are increasingly exposed to the virtual environment. The ACERWC notes that the digital era has fundamentally changed how children exercise and realise their rights.

Great strides have been made in enunciating global, continental and regional normative and policy frameworks for the protection of children's rights online. At national level, beyond the formulation of constitutional protection for children's rights, some Member States have introduced specialised legislation for navigating the digital world. There are several recent reforms relating to data protection with more than half of African countries having enacted privacy and data protection laws. It is also noted that in most cases, national legislation includes legal stipulations relating to child sexual abuse material and some countries are in the process of reviewing existing legislation and drafting legislative instruments addressing Online Child Sexual Exploitation and Abuse (OCSEA).



Although the efforts made by some Member States are commendable, the Committee observes that some countries lack capacity-development incentives for cybersecurity – which aim to bridge the digital divide, build institutional knowledge, and address policy awareness limitations and skills shortages for cyber protection. Furthermore, there is a lack of child-specific legislation and policies about child protection in the digital environment. This protection gap also applies to children with disabilities, who may be more exposed to risks, including cyber aggression and sexual exploitation and abuse online. There is limited awareness and capacity amongst some governments and policymakers within Africa on the need and manner in which to prioritise child online safety, investigating and prosecuting online crimes. Furthermore, there is limited understanding amongst duty bearers on the need to protect children both as victims and offenders in the digital environment.

The emerging trends on Artificial Intelligence (AI) call upon States to adopt laws, policies, and other measures to promote affordable access to the internet for children that equip them with digital literacy skills for online education and safety; protect them from online harm; safeguards their privacy and identity; and provide for the duty of internet intermediaries to expeditiously remove online content that poses danger or may be harmful to children.

In joining the world in commemorating this momentous day, the ACERWC therefore urges:

STATES PARTIES TO:

- i. Ratify and domesticate relevant normative frameworks on the protection of children online and set aside sufficient resources for the provision of ICT services, particularly in schools;
- ii. Develop online child protection frameworks which tackle violation of children's rights online, including OCSEA, with a reporting and investigation mechanism and precise



conditions and rules for extradition, extraterritorial jurisdiction, mutual legal assistance, and the seizure and confiscation of goods;

iii. Address risks faced by children with disabilities through legislation and policies which ensure that the digital environment is safe for them. This includes countering the prejudices faced by children with disabilities that may lead to overprotection or exclusion;

iv. Provide safety information, protective strategies and public information, services and forums relating to the digital environment in accessible formats to children with disabilities (where applicable) as well as their parents and caregivers;

v. Create toll-free national emergency numbers that are always available for reporting online violations and for the provision of information on and referral to protection and support services for survivors;

vi. Establish by law the responsibility of ICT companies and financial institutions to protect children's rights online and hold businesses accountable for child rights violations online;

vii. Ensure the participation of children in decision-making processes through the use of digital technologies presented in a child and disability-friendly format;

viii. Ensure that parents, caregivers and teachers are sufficiently equipped to assist children in safely navigating the digital environment; and

ix. Initiate training for members of law enforcement and the judiciary to capacitate them to comprehensively address issues of child online protection.

PRIVATE SECTOR AND BUSINESSES TO:

x. Accelerate corporate responsibility actions to prevent, monitor, investigate and remediate child rights abuses by businesses in the digital sphere;



- xi. Endorse voluntary OCSEA protection frameworks that support industries to review existing safety processes; invest in innovative tools and solutions that respond to the evolving online risks for children;
- xii. Raise public awareness, strengthen digital literacy and skills by promoting the safe use of digital technology using age-appropriate child-friendly animations, safe e-education platforms for children, parents and caregivers, as well as other vulnerable groups;
- xiii. Collect and share data on children's online access, use and risks, particularly on offending patterns, to create a stronger and broader evidence base to inform action in African countries; and
- xiv. Undertake 'Safety-by-Design (SbD)' due diligence practices to put user safety, especially children's safety, at the forefront of the design, development and release of online products and services.

NON-GOVERNMENTAL ORGANISATIONS AND CIVIL SOCIETY PARTNERS TO:

- xv. Design educational, awareness-raising and parenting programmes that assist parents and caregivers to guide their children (including children with disabilities) about digital literacy, children's safety and responsible use of digital technology; and
- xvi. Cooperate and engage in dialogue with the Private Sector, National Human Rights Institutions (NHRIs), relevant governmental institutions and academia to devise joint strategies towards the implementation of a child-focused approach to digital safety.

CHILDREN TO:

- xvii. Report to parents, caregivers and law enforcement, any suspected or actual online or offline sexual exploitation, cyberbullying and abuse; and
- xviii. Learn about their responsibilities to interact respectfully with others online and to use the internet and digital technology safely.



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Inspiring and navigating change in our fast-paced digital environments and making a difference, for the safety of children around the world requires collaborated efforts. It is only by acting together and with one accord that the negative trends in usage of the internet can be urgently reversed. The ACERWC has a well-established framework for collaboration with the UN Committee on the Rights of the Child and will continue to develop strategic areas of collaboration to improve child rights in Africa and advocate for Time-Bound and adequately costed programmes in the protection of children in the digital sphere while making a lasting difference through engagement with African governments, the private sector and the civil society.

Done in Maseru, Kingdom of Lesotho

6 February, 2024.

Note to Editors:

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) is an African Union Organ mandated to monitor the implementation of the African Charter on the Rights and Welfare of the Child (ACRWC) as well as promote and protect children's rights in Africa. Following the entry into force of the Charter on November 29, 1999, the Committee was established in July 2001, in accordance with Article 32 of the Charter. To date, the Charter has been ratified by 50 of 55 Member States of the African Union. The mandate of the Committee is derived from Articles 32-45 of the Charter and provides among others to undertake research and studies on children's rights issues.