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## Comments on the Draft General Comments:

### Children's rights in relation to the digital environment

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**Provided by ECPAT Korea**

- It contains ECPAT Korea's comments on UN CRC's General Comments on the Children's rights in relation to the digital environment. These comments do not represent the Republic of Korea's perspectives, but only represent ECPAT Korea's opinion on General Comments.

7. It is recommended to use more child-friendly terminologies regarding 'child prostitution and child pornography.' For example, use child sexual abuse material(CSAM) rather than child pornography.

15. Access to the digital environment may indeed be vital for children's life and survival; however, in many cases, children at risk or in vulnerable situations hardly have access to the internet.

16. It is good to receive children's consultation, but there are risks that children do not recognize or do not consider as risks.

17. Digital environment has already been substituting the direct contact. Smart TV is reading books for children and engaging, communicating, and playing with children. Also, using the internet, children are establishing relationships and interacting with others. Therefore, General Comments' recommendation for digital technologies not to substitute direct activities may sound misleading. It would be better to recommend providing a digital environment that can blend the actual relationship with digital activities, keeping the true meaning of socialization and relation.

20. Independent engagement of children should be guaranteed when accompanied by a minimum supervision.

21. Along with providing an appropriate digital environment for children's evolving capacities, policies must also include the minimum user age.

25. When ensuring the national policies and/or strategies for children's rights, States should also ensure policies regarding punishments for violating children's rights in detail. Recently, Korea suffered from online crimes, severely violating children's rights and safety but had difficulties punishing offenders due to a lack of precise standards for penalties.

33. It only includes disseminating information about children's rights, knowledge, and skills; however, providing information on penalties in violating children's rights and safety may prevent misuse or abuse of digital technologies against children.

38. Additional to the investigation, States should require business enterprises to take action about child rights violations, such as reporting to police, removing the unwilling contents(CSAMs, private pictures, etc.), etc.

41. In most cases, advertisements that contain age-inappropriate contents are presented in public websites such as news media websites and blogs accessible for all age groups. These must be regulated to protect children from harmful materials.

44. Children also hesitate to report victimization due to fear of being labeled or blamed for their actions. Even though children do not hold any responsibility for such actions, they often wrongfully become a target of blame.

47. Removal of unlawful content or other measures should be provided with or without children or caregiver's agreement. When victimization occurs, receiving approval from the child or the caregiver

may take a while when removal must be done quickly before any further distribution. Thus, allowing removal or deleting unwanted materials or data is critical for protecting children and their rights.

55. Access to information is essential, but protection and prevention are also quite critical. Children do receive useful information from the digital environment, but they also meet inappropriate information such as obscene or violent materials. Therefore, strict regulation must be guaranteed before ensuring children's rights to access various digital environments.

61. Children may express healthy opinions and identities, but they also can express themselves in an unhealthy way without fully understanding the risks and consequences. For example, they may upload obscene photos or videos or unintentionally post inappropriate materials mimicking celebrities. In order to prevent misuse, a certain level of censorship and surveillance is required.

67. Minimum level of monitoring should be required to ensure children's safe engagement.

77. This is a very complicated issue. It is important to protect children's privacy, but it is also true that children can access to inappropriate and harmful content. Therefore, finding a mid-point is needed. As mentioned in '102', if child-friendly and child-safe digital environments in which children can access and receive sensitive information are provided, it would be easier to find the mid-point to ensure both children's privacy and their safety.

83. Sexual offenders participate in online child sexual abuse via live video streaming *and* other materials such as random chattings and social media. Also, perpetrators use the darknet to share unlawful information with other perpetrators and participate in other crimes against children, such as the sale and trafficking of children.

85. Not just sexting, children also fall into sexual exploitation risks such as grooming via various digital technologies. Usually, sexual offenders approach children using social media or random chatting, slowly build a trusting relationship, and eventually sexually exploit children. In such cases, like grooming, children often receive blame for their active engagement, and it is difficult to punish the perpetrator.

116. A certain level of supervision should be required to prevent misuse and ensure a healthy environment.

119. Children can also be exposed to violence during their leisure time spent in the digital environment, such as offline/online game and social media. Two years ago, in Korea, an elementary school student was brutally murdered by two high schoolers. They met on twitter, and they spent time role-playing(creating a new identity online and talking according to it) and talked about killing and torturing. This crime brought issues in Korea about censorship and regulation of social media used by children. Also, in games and social media contents, there are twisted representations of children, especially sexually. These representations can bring the wrong images of themselves to children and cause harm to them. Therefore, such risks must be considered, and proper legal regulation and surveillance should be required.

122. Harmful goods and services should include sexual crime contents and materials as well. Children can be economic actors in the sexual crime market in the digital environment(ex. Abusive materials and CSAM market, etc.). Children can participate in the financial flow as providers, sellers, distributors, and sellers of such materials. Thus, States must require strict regulation, constant monitoring, and education for children and caregivers regarding such risks.