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JOINT DECLARATION ON THE RIGHT TO FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION OF CHILDREN IN THE DIGITAL AGE

The United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information,

Recalling and reaffirming our Joint Declarations of 26 November 1999, 30 November 2000, 20 November 2001, 10 December 2002, 18 December 2003, 6 December 2004, 21 December 2005, 19 December 2006, 12 December 2007, 10 December 2008, 15 May 2009, 3 February 2010, 1 June 2011, 25 June 2012, 4 May 2013, 6 May 2014, 4 May 2015, 4 May 2016, 3 March 2017, 2 May 2018, 10 July 2019, 30 April 2020, 20 October 2021, 3 May 2022, 2 May 2023, 3 May 2024; and 24 October 2025;

Emphasising the fundamental importance of freedom of expression both in its own right and as an essential tool for the fulfilment and protection of all other rights;

Recognising the rights of children under the UN Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, and other international and regional human rights instruments and standards;

Aware that children constitute a group of distinct rights holders under international law who have rights from birth, and whose evolving capacities mean that they are gradually gaining the necessary maturity and capacity to exercise their rights independently from adults;

Cognisant of the power of the digital environment to promote the realization of the rights of children to freedom of expression, information, privacy, health, non-discrimination, association, education, development, protection from violence, and all other rights, and its particular importance for equality for disadvantaged groups, for children vulnerable or subject to discrimination based on gender or sex, race, religion, ethnicity, sexual orientation, disability, socioeconomic status, or other factors;

Understanding that one in three users of the digital environment are children; that children wish to and should be included in the digital environment in line with their age and maturity; and that they want the digital environment to be fair, safe, privacy-compliant, affordable and equitable;

Conscious that human rights and children's best interests should be paramount when designing the digital environment, and concerned that the digital environment can expose children to harms such as compulsive use, harmful content, cyberbullying, sexual violence, and data privacy violations;



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Mindful of the vast range of actors who act as intermediaries and/or digital technology companies for the digital environment, and of the responsibilities of these entities and States to ensure that the digital environment is safe for and accessible to children, as well as the crucial position of parents/guardians in guiding and supporting children;

Also concerned that, even when done in good faith, some efforts by governments and others to ban or restrict the access of children to the current digital environment may disproportionately restrict children's rights and in particular the ability to express themselves and access information, and may pose risks for their well-being;

Noting that the exercise of freedom of expression of children in the digital environment may be subject to certain restrictions which must respect the standards set out in international human rights law, including the UN Convention on the Rights of the Child;

Adopt, on 4 May 2026, the following Joint Declaration on the right to freedom of expression and access to information of children in the digital age.

Scope

This Joint Declaration outlines the right to freedom of expression and access to information of children in the digital environment. It highlights how risks to children in the digital environment need to be mitigated in a way that is in conformity with international human rights law. It also provides recommendations on the duties of States and responsibilities of digital technology companies to protect, secure and facilitate the rights of children in the digital environment.

The term “children” in this Joint Declaration refers to all those under the age of 18 years, in line with art. 1 of the UN Convention on the Rights of the Child (UNCRC). The term “digital environment” refers to information and communications technologies. The term “digital technology companies” refers to a vast range of actors in the online environment, including companies designing, developing, and/or deploying AI and generative AI tools. The term “platforms and services” refers to the content and systems of the digital environment provided by digital technology companies.

1. General Principles on children’s freedom of expression and access to information

- a) Human rights are indivisible, inalienable and interdependent, and the full range of children’s rights must be upheld in relation to the digital environment.
- b) The right to freedom of expression and access to information applies to children, as it does to all other persons, both inside and outside of the digital environment. Engagement with the digital environment is important for the development of children in the modern age. The right includes the right of children to seek, receive and impart information and



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ideas of all kinds across borders, and is closely linked to the right to privacy, the right to freedom of opinion or thought, and the rights to association and to peaceful assembly.

- c) The best interests of children as a primary consideration are crucial in the design, development, deployment and governance of all relevant platforms and services in the digital environment, in line with art. 3(1) of the UNCRC. Parents/guardians, States, digital technology companies and civil society together have responsibilities for upholding children's rights in the digital environment; and children themselves must be heard on all matters concerning them, and due weight given to their views in line with their age and maturity, in accordance with art. 12 of the UNCRC.
- d) Restrictions to children's freedom of expression and access to information in the digital environment are only acceptable if they meet the requirements of the tripartite test on legality, legitimacy of aim, and necessity and proportionality set out in the International Covenant on Civil and Political Rights and comply with the provisions of the UNCRC.
- e) It is the responsibility of the State to regulate the digital environment in line with international human rights standards relating to children's rights; to protect children's rights and ensure that the digital environment is safe and accessible to all children; and to engage in awareness raising, digital literacy and other educational efforts to empower children to use the digital environment.
- f) Digital technology companies have the responsibility to ensure that relevant platforms and services, including content, advertising and companion services in the digital environment, as well as data mining and processing operations, are in line with international human rights standards relating to children's rights, including safety by design and privacy by design.

2. Upholding the full spectrum of children's rights in the digital environment

- a) Children's rights issues must be determined by reference to four cross-cutting general principles: the right to life, survival and development, the best interests of the child, non-discrimination, and respect for the views of the child.
- b) Parents/guardians are the primary source of guidance and support for children navigating the digital environment. In line with the principle of the evolving capacities of the child under art. 5 of the UNCRC, it is recognised that children will assume greater levels of autonomy in their use of the digital environment as they grow and develop. They will in turn require different kinds of support to understand the digital environment and to address the risks of harm they encounter.
- c) Nonetheless, a significant number of children worldwide are themselves victims of controlling, abusive, or violent behaviour by those in parental/guardian roles. In such contexts, careful consideration must be given to the human rights of children, so that parental authority operates as a protective, rather than an unduly limiting, force in



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their lives. The primacy afforded to the role of parents/guardians should not unduly prevent children's access to independent sources of help, information, and protection.

- d) Children's access to online platforms and services is relevant not only to the right to freedom of opinion and expression but all of their rights under the UNCRC and other instruments, for example the rights to education, health, association, peaceful assembly and privacy. A crucial part of the exercise of their rights happens online, and is affected by online developments even for the millions of children without access or with erratic access to the digital environment. The ability of children to organise themselves in the digital environment and in the public space is particularly important, because it enables and empowers children to discuss and debate matters of public interest, and to influence public policies.
- e) The fact that children can, do, and should influence matters of public interest in the digital environment is demonstrated by the leadership which they have taken online with regard to a number of human rights issues, such as the climate crisis and the rights of human rights defenders.

3. Accessibility of the digital environment for children

- a) All children must be enabled to participate meaningfully and safely in the digital environment with full knowledge of their rights in line with their evolving capacities.
- b) The right to non-discrimination requires that all children have equal access to the digital environment, and should not be excluded on the basis of sex, disability, socioeconomic background, ethnic or national origin, sexual orientation, or any other ground. Discriminatory treatment can also involve hateful communications in the digital environment. Gendered disinformation is a particular problem online, including misogyny, sexism, and gender stereotypes used to attack children, particularly girls, based on their gender.
- c) Digital inclusion is vital for all children. Access to the digital environment is particularly challenging for children belonging to the Global Majority. They may be excluded from digital participation entirely where internet infrastructure is unavailable or underdeveloped in their region, or where they lack access to the necessary technological devices to connect. Even where access exists in principle, barriers such as the cost and quality of connectivity, unreliable or intermittent service, and the need to share devices with other household members or school peers may significantly constrain children's ability to engage with the digital environment in a meaningful and consistent way. Any framework for the protection of children's digital rights must therefore be attentive to these structural inequalities, recognising that the risks of exclusion, under-protection, and human rights violations are greatest for children belonging to the Global Majority.



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- d) Children have a right to access a diversity of views and perspectives, as well as quality, age-appropriate digital content. Media freedom and children's access to independent, pluralistic journalistic content, offline and online, is essential for democratic discourse and for children's rights. It includes the availability of a range of public, private, and community media.
- e) The widespread existence of bullying, hate speech, sexual violence, racism, unhealthy beauty stereotypes, anti-environmental and pro-consumerist values and other negative phenomena in the digital environment, such as privacy violations, are factors that can cause harm to children. They can also lead to children avoiding the use of digital platforms and services, directly impacting their exercise of freedom of expression.
- f) Blanket bans of children from accessing and having accounts on social media platforms may have a disproportionate impact on the freedom of expression of children and especially of those without access to offline alternatives.

4. Making the digital environment safe by design

a. Rights respecting approaches by digital technology companies will involve ensuring safety by design, which means that digital technology companies embed safety measures into the earliest design stages of products, platforms and services, and ensure them throughout their life cycle. Child Rights Impact Assessments (CRIAs) and Data Protection Impact Assessments (DPIAs) are important tools in this process for digital technology companies, States, and others such as civil society.

b. Digital technologies are rapidly evolving, and safe platform design must take into account the changing nature of risks. Safer platform design involves a number of features that may include but are not limited to the ones noted here:

- i. Platforms and services refraining from using features which encourage addictive behaviours, such as infinite scrolling.
- ii. Effective measures by digital technology companies against those who seek to harm children on their platforms. These measures will include having effective systems in place to remove such users from platforms and services.
- iii. Effective content moderation, and the avoidance of over-reliance on automated means for this task.
- iv. Algorithms and content recommender systems that are based on human rights.
- v. Embedding privacy by design, for example collecting the minimum necessary data, setting accounts to private by default, refraining from using data to profile children for targeted advertisements, and providing information about data practices in a way that is clear, accessible, and understandable to children.



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- vi. Using age-appropriate default settings on online platforms to provide age-appropriate safeguards such as parental supervision tools. Certain age assurance measures can create serious problems relating to data protection, the right to privacy and other rights. Where such measures are used, they must be strictly in line with international human rights law as well as the best interests of the child.
- vii. Transparent and proactive elements to inform and educate children and parents/guardians about their rights and about redress opportunities.

5. Artificial intelligence and children's rights

- a) Obligations relating to safety by design, privacy by design, data governance, risk assessment, CRIAs, DPIAs, capacity building and other obligations identified in this Joint Declaration apply to AI as they do to the digital environment more broadly.
- b) Generative AI, especially commercially driven without strong safeguards, poses serious risks to human rights. Some of these risks are exacerbated for children, who may have yet to fully develop the ability to engage in independent judgment and critical thinking. Over-reliance on chatbots for advice and companionship may create distorted views of relationships and reality, and this will pose a greater risk for children.
- c) AI tools can create sexualised images of children more easily than earlier digital tools, which is a grave and unacceptable violation of children's rights. Safety by design measures are necessary but not sufficient to prevent AI from doing this, and other measures must also be taken.
- d) AI poses particular challenges for environmental sustainability, which implicates numerous children's rights issues including the right of children to a healthy environment.

6. Recommendations

States

- a) States should take measures to ensure a rights-based approach in the digital environment, including through the designing of policies with the best interest of the child in mind and through an inclusive, multi-stakeholder process in which children are recognised as rights-holders with a right to be heard. States should ensure that digital technology companies and other relevant actors build safety by design and privacy by design features into their systems and platforms and services, and should diligently enforce this requirement.
- b) All rules and limitations on rights of children in the digital environment should be in compliance with international human rights standards.



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- c) States should ensure that relevant AI systems and content distribution platforms are designed, developed, deployed and governed with human rights and children's rights at their core, throughout the lifecycle of AI.
- d) States must prohibit AI tools from creating and distributing sexualised images of children and pursue non-compliance as a criminal offence where appropriate. Such imagery should be treated with the same seriousness as non-AI child sexual abuse imagery.
- e) Legislation on definitions, agreed standards and independent regulatory oversight of technical safety measures are necessary to ensure that children, parents/guardians and digital technology companies have confidence in their use.
- f) Where age assurance is used it should be in strict compliance with international human rights standards, including privacy rights and non-discrimination, with particular attention to its impact on vulnerable groups, especially in Global Majority countries.
- g) States should take measures to fulfil their positive obligation to ensure access to the digital environment for children in line with their evolving capacities, considering the central role that the digital environment plays in promoting all children's rights, especially the rights to freedom of expression, access to information and the right to education.
- h) States should address socioeconomic and infrastructural barriers that impede equal access to the digital environment, such as discrimination against girls, and ensure that solutions reflect the diverse ways children access devices and connectivity (e.g. sharing devices with adults), and the diverse circumstances of children in Global Majority countries, through for example targeted funding and subsidised packages for low-income households who do not have internet access.
- i) States should provide an enabling environment for the creation of quality, age-appropriate digital content for children of different ages and backgrounds, including content on their rights in the digital environment and more broadly. Civil society and professional independent media will have an important role to play in this.
- j) States should have monitoring and evaluation mechanisms to identify, assess, prevent and mitigate risks in the digital environment, including CRIAs and DPIAs. States should ensure a multistakeholder approach in relation to such mechanisms, for example CRIAs and DPIAs should be carried out by independent bodies such as Ombudspersons for children and digital safety Ombudspersons where appropriate; and children's representative groups should be consulted where appropriate. CRIAs and DPIAs should include mitigation measures and red lines.
- k) CRIAs and DPIAs in relation to online platforms and services should be accessible to the wider public, including children, in an age-appropriate manner, in a language they understand.



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- l) Sufficient budget should be made available for activities relevant to the realization of the children's rights in relation to online platforms and services.
- m) States should ensure that the views of children and parents/guardians must influence decisions on policy, design and implementation of the digital environment.
- n) States should ensure availability and accessibility of training for children of different ages and backgrounds on their human rights in the digital environment, and on how to use the digital environment as a positive resource. Such training should be part of the education curriculum. States should also ensure availability and accessibility of training for parents/guardians and children, as well as other relevant persons such as teachers and policymakers, on how to protect children and their privacy in the digital environment.
- o) Effective independent bodies are needed to enforce regulations relating to protecting the rights of children online. States should establish bodies independent of political and economic interference for that purpose.
- p) States should periodically assess and review their policies for facilitating freedom of expression for children online to ensure responsiveness to the continuously changing technological realities.

Private sector

- a) Digital technology companies should implement the UN Guiding Principles on Business and Human Rights and should ensure safety and privacy by design for children on their platforms and services.
- b) Digital technology companies should engage in safety by design and privacy by design measures for AI. This should include refraining from use of addictive algorithms, preventing the generation of, or targeting with, harmful content, and building tools that do not harm, but rather encourage, critical thinking.
- c) Digital technology companies should make a reasonable effort to adopt measures that make it possible for children to access a diversity of views and perspectives. They should make sure that automated tools, such as algorithmic ranking, do not, whether intentionally or unintentionally, unduly hinder access to a diversity of viewpoints for children. Platforms should provide clear, transparent, understandable information on how their recommender systems work, and offer choices to users such as providing options to disable profiling-based recommendations.
- d) Digital technology companies should train relevant staff on international human rights standards, and particularly those related to children's rights.
- e) Digital technology companies should be transparent about how their systems function including content governance, and should provide clear information about users' rights and ensure accessible redress on their systems.



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- f) Digital technology companies should conduct regular audits to prevent, identify and mitigate any actual and potential negative impacts on children's rights.
- g) Digital technology companies should have monitoring and evaluation mechanisms to identify, assess, prevent and mitigate risks in the digital environment, including CRIAs and DPIAs, to be made accessible to all, including children.
- h) Digital technology companies should make adequate budget available for CRIAs, DPIAs and other actions relevant to the realization of children's rights in relation to online platforms and services.
- i) Digital technology companies should ensure environmental sustainability across the lifecycle of their services and platforms, in order to uphold the right of children to a healthy environment.
- j) Digital technology companies should design, develop and market electronic devices specifically intended for a child audience, incorporating features and functionalities that address child protection concerns while ensuring a gradual, age-appropriate introduction to and engagement with the digital environment. Devices designed primarily for adult users, even where adapted or modified for children, may not provide sufficient safeguards to prevent violations of children's rights, underscoring the need for purpose-built solutions that place child protection at the core of their design.

Media sector

- a) Media actors should ensure age-appropriate access to quality and diverse media content for children in the digital environment and offline.
- b) Media actors should consider producing quality content specifically developed for children and promoting realization of children's rights in the digital environment and offline. They should aim to support children to participate in the production of this content.
- c) Media and journalists should strictly refrain from producing or disseminating content online or offline which violate children's rights.