



7 March 2023

Subject: Children’s rights in the Artificial Intelligence Act

Dear Members of the European Parliament’s IMCO and LIBE Committees,

Further to our letter of May 2022, we – representing over 2000 children’s rights organisations as well as parents’ and mental health stakeholder associations, and speaking on behalf of some 200 million EU citizens and experts – write now to urge you to stand firm in your commitment to children and ensure their rights and needs are not forgotten in the final compromise amendments to your report on the Artificial Intelligence Act.

One in three users of digital products and services is under 18 and children are currently exposed to high levels of unacceptable risk in their interaction with common AI systems, that fail to take account of their rights, needs and developmental capacities.

It is critical that the European Parliament stand up for children in the digital environment which mediates almost every aspect of their lives and development. Your final position must in no measure reduce any of the protections afforded to children in the European Commission draft.¹

Children’s specific rights as set out in the UN Convention and its General comment No. 25 relating to the digital environment must be recognised, and AI systems that exploit or may be reasonably foreseen to exploit the vulnerabilities of children must be banned.² For this ban to be enforceable, the precautionary principle must apply,³ and the burden of proof for compliance must be on AI system operator or operators, not on child victims.⁴

Furthermore, AI systems likely to impact on children’s safety or personal development should be categorised as high-risk.⁵

Standards should be developed by the AI Board to provide adequate guidance for companies in the application of these provisions.⁶

AI systems are already shaping the future generation. Ensuring they do so for the better is in your hands.

¹ Notably: the aim to forbid AI systems that exploit the vulnerabilities of children, Recital (16); special consideration of the United Nations Convention on the Rights of the Child (further elaborated in the UNCRC General Comment No. 25 as regards the digital environment), Recital (28); and the specific consideration to whether high-risk AI systems are likely to be accessed by or have an impact on children in the implementation of the risk management system, Article 9.8.

² As per amendment 1176 to Article 5.1(b)

³ As per amendments 2710 and 2711 to Article 65.1(a).

⁴ As per amendments 2712 and 2713 to Article 65.2.

⁵ As per amendment 1454 to Article 6.2.

⁶ As per amendments 208 and 2548 to Article 58.1.

Sincerely yours,



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