

Online lives
Digital collectivist
& it best

"Protection of children & young people online"

I would like to thank ELSA for inviting me this evening. The topic is 'Freedom of Expression Online' and I was asked to talk about childrens' rights in this regard and the risks. In ten minutes. Where to start?

1. Childrens' rights (children being human beings below the age of 18). This year we are marking the 30th anniversary of the Convention on the Rights of the Child. The year was 1989 and just as an aside, the Human Rights Platform is dedicating its annual event on 10th December to this theme. So, the year was 1989, internet had been invented but had yet to go mainstream, so obviously the drafters of the convention did not cater for online dangers. The covered a lot, for that time, and includes what I consider to be the most powerful and effective of phrases: "in the interests of the child". Whatever we adults do, we must keep this firmly in mind and decide matters related to children, in this spirit. Children are not only a vulnerable group, but also they are the future. Upbringing is everything, experiences as a child go a long way in one's formation. If we want a bright future, we must look after our children. Also, for goodness sake, if we don't enjoy our childhood, what is there to enjoy?? I can say that I had a very happy childhood: life was simple, much more simple than today; I don't think we had the prospects and opportunities you have today, but we did not have the pressures either. Nobody pressured me to have a mobile phone for example, or to have the best and latest mobile phone, because they simply did not exist. Otherwise I would have had a real

problem because there is no way my parents would have bought me the kinds of phones my kids have.

2. Those darn mobile phones. I am old enough to have preceded both internet and mobile phones. I distinctly recall the introduction of both, their eventual proliferation, and even more recently their fusion so that we have reached a stage where one can be always on, always connected, always entertained, always informed. The benefits I do not need to elaborate on because I will be preaching to the converted! You can buy stuff from China by clicking a few buttons and it takes you longer to clear it through Malta Customs and Post than the trip from China; you can get in touch with a person on the other side of the world in a split second; you can find out whether your lecture is cancelled (for a change), you can research for your assignment, book a cab, etc., etc. Sending emails too; everybody is connected, everybody is expected to receive emails on his mobile phone, and whether positive or negative everything is just a click away. Everything from that tiny but extremely high powered gadget in your pocket. So now you don't need to even go to your office or your study or your bedroom or find an internet café (if they still exist) to report the Dean of the Faculty of Laws who excluded you from handing in an assignment, to the Rector, or to the Minister for Education for that matter. Not a bad thing, up to a point.
3. Increase in rights. Eleven years ago to the day I graduated PhD for a thesis in which I observed that we live in a 'rights based society'. I observed that so many laws were passed in recent years, giving new rights e.g. consumer rights, data protection, equality, etc., to name but a few. Yet I think what really did it for the world was the facility, the ability to know, the ability to

share information, to get to know anything happening, extremely rapidly. Including laws and reading about one's rights. This together with the ability to express oneself online via blogs, via social media, etc. has led to rapid changes. Wikileaks for example, releasing millions of documents and causing much grief and embarrassment for politicians; the Panama Papers as well (were it not for internet how would this information have been disseminated so quickly and so effectively? How would the journalists in so many countries collaborated so closely and so effectively?). With knowledge, people in shall we say a position of influence (whether politics, or administration, or business) remain on their toes; I consider this to be a good thing. Nobody is safe, anywhere. The more openness, the better, in my opinion. Even when it works against me as Dean, because I am sometimes victim even of malicious chatting between students, or complaints. It doesn't matter, it keeps me on my toes, and that is fine. Even the ECHR (as far back as 2012) declared the blocking of access to the internet to amount to a breach of right to freedom of expression and information (Yildirim v Turkey December 2012). And in Malta we are witnessing another saga as it unfolds: there was a person whose name I do not need to mention, who via her blogs caused a lot of embarrassment to people, more grief than a traditional newspaper column probably ever could, because word spreads so quickly online, and which led even to the institution of defamation cases which were even criticized by the Council of Europe's Human Rights Commission as verging on a breach of journalistic freedoms, and in due course to her murder, with all the ramifications this brought with it and all the issues that have yet to unravel.

The ability to communicate effectively has taken on a new meaning in today's world, with information transmitted so easily and so readily.

4. I think the young are the most empowered, ^{at the price of change} They are the ones who have the new ideas; Bill Gates dropped out from university to create Microsoft; Mark Zuckerberg created Facebook in a college lobby, Kevin Systrom was probably old at 27 when he co-founded Instagram! The young are probably the ones who are the movers too; take Greta Thurnberg for example age 16 with her outspoken manner, creating a following and definitely using social media to further her causes (apart from making appearances in person, and publishing books both paper and e-books) she was tolerated by world leaders as she lashed out at them for compromising her future and putting humankind on the verge of extinction. I am all for it, for empowering the young, and for giving them opportunity to express themselves.
5. Yet of course there are risks to the connected lives we live. Not just for the young of course. I myself had a close encounter recently when I should have known better. I saw an advert on facebook, in maltese, which got me curious so I followed it. It was yet another promise to earn quick buck but it was in maltese and mentioned prominent people so it attracted me. I was asked to fill in an online form and as soon as I gave in my mobile number (out of curiosity) I receive a call on my mobile. Within seconds I mean, and it was 23.00. The person was polite and offered to help me further fill in the online form and make my 'investment'. Basically I told him I was not making any 'investment', told him to piss off and hung up. But I kept on getting daily phonecalls for ages, I blocked the number every time and now I have a whole list of blocked numbers on my cell phone all commencing with +44 and all

sent at terribly weird hours of the night. How could I have been so stupid and even clicked an ad, ignoring my own maxim that when something appears too good to be true, is in fact too good to be true! But the young I read somewhere (I cannot recall where) are most at risk because they spend most time online. This means they make most use of the web but are most at risk. Let alone the young, like my daughter playing Roblox, using Instagram, Whatsapp etc and me all the time telling her not to communicate with strangers. Then there are the threats of paedophilia, cyber bullying too.... The threats are so real that we elder persons have come together to produce guidelines on Child Online Protection (UNICEF), the EU's Safe Internet Day, being just two; and of course we have systems which help make computers 'safe' for children etc. Like most things, it's a double edged sword. But then, so are many other things in life.. The issue is how to strike the balance between allowing your children to spread their wings and protecting them from the evils....

Addition
to internet
→
I think
it's
great

The UN Convention on the Rights of the Child (UNCRC) first defines a child to be any human being under the age of 18; the definition of the child's age is particularly important in the child's right to protection. A second key definition is the right for the child to grow up in a family, while a fundamental aspect of the whole philosophy of the Convention is the right to respect and decide always in the "interest" of the child. The Convention is ratified today by all states of the world (with the exception of the United States of America).

But, how do children perceive their rights in a digital age? That's the question!

To mark Universal Children Day, the Czech National Safer Internet Centre (SIC) organised two debates with children on children's rights as enshrined within the Convention and, especially, their place in today's digital world. The debates took place at Lupacova Primary School in Prague; a summary of the discussions follow.



The very first Articles of the Convention raised questions - Article 3 of the Convention states that "*the **interest** of the child must be a primary consideration in any activity relating to children ...*". It also speaks of the protection and care necessary for the child's wellbeing. Article 17 also mentions the function of mass media and the provision of information and resources aimed at developing the child's social, spiritual and moral **wellbeing**, as well as their physical and mental health.

Ask the children

Question: What is the **interest** and **wellbeing** of a child in the digital age?

The children agreed that although interest and wellbeing are very vague concepts, they are definitely related and can be characterised by the following terms: **safety, having their own opinions, privacy, equality online, be safe from harm, to behave well, and to have an opportunity to do what they enjoy.** **Feeling good and "blaze" online also means being popular – for example, having lots of likes.**

In Article 5 of the Convention, states undertake to respect the responsibilities, rights and obligations of parents aimed at securing the child's orientation and guidance in exercising the rights under the Convention in accordance with its evolving abilities. Article 18 states that **states provide parents with the necessary assistance** in fulfilling their childcare tasks.

Question: What are the **rights and responsibilities of parents in the digital age**? Are parents ready? Does the state provide them with sufficient help?

The children felt that **parents are not ready for the digital world** and cannot even reflect, let alone orient and direct their children's digital capabilities. Some parents control the activities of children on the internet and that can be good, but they also lack sufficient education and insight to "not take it so seriously". The state or other institutions do not provide parents with the necessary assistance to take into account the reality of the digital age; there is no systematic parenting or adequate state support.

Article 12 of the Convention talks about the right of the child to speak freely in all matters concerning him or her, whereas states shall **give appropriate attention to the children's opinion...**

Question: What is children's attention focused on online?

Children **do not know how nor with whom to talk about** their rights and opinions, or feel able to address state institutions in order to change things. They would welcome the existence of an **online platform** where they could express themselves and somebody really cares about what they are saying. They would also welcome the establishment of a **children's ombudsman** in the country.

Article 16 of the Convention deals with the protection of the child's privacy.

Children found that the **lack of education in privacy protection** in the digital age fundamentally jeopardises their ability, and the ability of their parents and society, to defend themselves and be protected from threats and attacks on their privacy. Privacy is constantly hampered by digital technologies and low knowledge of online threats, as well as the ways to effectively defend themselves - using mobile phones, unsecured online communications, publishing personal data on social networks, during online gaming, public camera systems, but also threats of the Internet of Things (IoT), to give just a few examples. In summary, the **children felt that privacy needs to take precedence over the internet!**

The children made various other suggestions as a result of the discussion:

- Agree to be forgotten?*
1. The Convention (nor any other standard) defines the **right to childhood**, that is the right not to be a "small adult" with adult responsibilities. Children shall be guaranteed the right to play freely according to their own wishes and dreams, without any mentoring of parents.
 2. The Convention (nor any other standard) does not guarantee the **right to free life without digital technology**. One must have the right to protect his or her privacy endangered by the internet, avoiding any online gadgets, **or to live without digital** technology without being financially or otherwise restricted or punished. Some people may prefer to live and communicate in the same way people lived and communicated for thousands of years before the internet appeared in 1994!
 3. Privacy and personal data protection in accordance with the requirements of the General Data Protection Regulation (GDPR) **is something that influences digital life but children were not consulted** (see www.facebook.com/GDPRhaveyoursay/).
 4. State representatives and **government** should prepare a Children's National Digital Society Strategy to help to define:
 - a) What is **a digital society for children**, how the digital society is regulated, and how it affects children's lives.
 - b) **What children expect from adults to feel good and safe** in the digital society.
 - c) How to make the **digital society child friendly**.
 - d) What is the digital future and consequences of the Internet of Things (IoT), artificial intelligence (AI) and digital surveillance on the society where children are growing up and where they will look for jobs and future wellbeing.

The question we must ask ourselves is, are we ready to help children react in a concrete way on their incentives?

Find out more about the work of the [Czech Safer Internet Centre](#), including its awareness raising, helpline, hotline and youth participation services.