



Memorandum for the Belgian Safer Internet Day 2019

As technology continues to develop, it is the **responsibility** of all states, stakeholders and enterprises to make sure every child can enjoy the full range of human and **children's rights in the digital environment** too. Their right to grab the **opportunities** of digital media for educational, social economical and political participation must be **provided** and **protected**, while the **risks** they might run online are actively **countered** and **children** are guided and **supported** in their discovery and use of digital media respecting the rights and dignity of children and others.

On 4 July 2018 the Committee of Ministers at the **Council of Europe** published their **Recommendation** (CM/Rec(2018)7) to the member States on the Guidelines to respect, protect and fulfil the **Rights of the Child in the Digital Environment**. In it we find the **main topics** to make a better internet for kids.

1. The **best interests** of the child
2. Provide **access** to the digital environment
3. Ensure children's **right to freedom** of expression and information, participation, play and assembly and association
4. **Protect** the **privacy and data** of children
5. **Provide education** for digital and media literacy
6. Keep children **safe** online
7. **Cooperate** regionally, nationally and internationally

The partners of the Belgian Better Internet Consortium project chose these topics as the thread for their Memorandum 2019.

Because if we want a Better Internet for Kids, their Rights should be at the centre of it.

1. The best interests of the child

Authorities at every level, business enterprises, organisations, citizens ... in short all stakeholders should always **keep the best interests of the child at the centre** of every law, measure, strategy, service or product they develop or implement that affects children. This is something they should also **monitor and review** permanently.

Central to this are the following principles:

- **balance** a child's rights to **participation, provision and protection**;
- **adapt** what you do **to** the fact that children are still growing up, **their abilities** differ and evolve;
- take **targeted measures** for children in **vulnerable** situation and with **disabilities**;
- respect the right for children to be **heard** and help their carers in this;
- **engage** all **stakeholders**.

2. Provide access to the digital environment

Authorities and stakeholders should ensure that all children have **adequate, affordable and secure access** to

- devices,
- connectivity,
- services and
- content specifically intended for children.

How can you do this? Some examples ...

- *Provide a network of public spaces with free and safe access to devices and connectivity, e.g. in libraries, youth information centres ...*
- *Improve digital infrastructure and connectivity in education and care facilities to an adequate level.*
- *Enlarge the possibilities of the social tariffs for internet and data subscriptions.*
- *Require online services to be accessible to children with disabilities.*
- *Require terms and conditions of devices and services for children to be clear and available to them.*
- *Invest in high-quality social, cultural and educational digital content, youth information and services for children.*
- *Accompany this access with digital and media literacy training and guidance.*

3. Ensure children's right to freedom of expression and information, participation, play and assembly and association

Authorities and all stakeholders should cooperate to foster expression, access to information, social and political participation and recreation for children online. In this way they must ensure the rights of children to seek and express information and ideas even when they do not coincide with the views and policies of the authorities and other grown-ups and only restrict these in compliance with international and European human rights conventions.

How can you do this? Some examples ...

- *Support children as creators with educational and youth work programmes.*
- *Support and promote youth work and awareness initiatives on digital and media literacy for children.*
- *Involve youth councils at the local and regional level in digital policies.*
- *Make online policy participation schemes accessible for young people.*
- *Support organisations providing children's rights based youth information and the coordination and cooperation thereof at the regional level, especially for information on digital media.*
- *Teach children to respect the dignity, rights and intellectual property of others and to protect their own in theirs and other online creations.*
- *Actively combat online disrespect, hate and incitement to violence that can harm the freedom of children to express themselves.*
- *Stimulate the production and distribution of digital content and services of social, civic, artistic, cultural, educational and recreational benefit to all children, with particular attention to the needs of children in vulnerable situations.*

4. Protect the privacy and data of children

Authorities and stakeholders should ensure the right to children's private and family life in the digital environment, including their personal data and the confidentiality of their correspondence and private communications. In all processing of children's information data minimisation should be respected and free, explicit, informed and clear consent should be required and withdrawable.

How can you do this? Some examples ...

- *Apply and monitor the rights of minors under the GDPR and other international legislation.*
- *Teach children how to exercise their right to privacy and data protection and provide them with information about tools, settings and remedies they can understand.*
- *Require privacy-by-default settings and privacy-by-design measures.*
- *Prohibit the profiling of children by law, with exceptions for overriding public interest or the best interests of the child.*
- *Do not prohibit anonymity, pseudonymity or the usage of encryption technologies for children.*
- *Protect children from monitoring and surveillance.*
- *Apply strong legislation to online mentions, images or portrayal of children by third parties.*
- *Permanently review legislation and policies on privacy with a special regard to children's rights and developments like smart and connected toys, devices and cities.*

5. Provide education for digital and media literacy

States should actively **invest in and promote** the **opportunities** offered by the **digital environment** to realise children's right to education to **develop** their personality, talents and mental and physical abilities to their fullest potential **and prepare** them for a responsible life in a free society. Essential to this is a holistic **concept of digital and media literacy** containing access, technical skills and creational skills, as well as critical and life skills.

How can you do this? Some examples ...

- *Provide education on the technical, critical and creation competences, on digital, information and media literacy and on digital citizenship in the basic curricula and attainment goals in schools.*
- *Support the further development, promotion and implementation of the information instruments and training for teachers, carers, parents, youth workers, law-enforcement and judiciary personnel of the members and partners of the Belgian Better Internet consortium.*
- *Provide a framework and support for digital and media literacy education for young people with disabilities or in youth care facilities.*
- *Set up targeted measures for parents in vulnerable situations.*
- *Invest in adequate, safe and high-quality digital infrastructure and digital educational content in schools, informal educational and care facilities for children.*
- *Take measures to avoid exclusion of children who lack digital access, means, skills or lack carers with access or skills, due to the digital policies applied in schools.*

6. Keep children safe online

Authorities, carers and stakeholders should **protect** children from all forms of **violence**, **exploitation** and **abuse** in the digital environment **considering the best interests and evolving capacities** of the child and **not unduly restricting** the exercise of other **rights**.

This protection can concern **issues** like sexual exploitation and abuse, online recruitment for illicit sexual, criminal or extremist purposes, degrading portrayal of target groups and online discrimination, hate speech harassment and cyberbullying, non-consensual dissemination of (sexual) images, hacking and extortion, glorifying violence, gambling and unhealthy behaviour, illegal downloading or other intellectual property infringements and unlawful processing of personal data.

How can you do this? Some examples ...

- *Regularly assess any risks of harm by digital devices and services to children's health.*
- *Promote and provide incentives to business enterprises to implement safety by design, privacy by design and privacy by default and require the use of effective systems of age-verification with data minimisation.*
- *Support parents and carers to provide guided and age appropriate exposure to the digital environment, taking into account their physical, psychological, social and stimulation needs.*
- *Control that digital advertisements children are exposed to, are age appropriate, clearly distinguishable as adverts and limit the processing of children's personal data for commercial purposes.*
- *Support schools and educational and care facilities to address cyberbullying and online harassment, incitement to hatred and violence and the sharing of sexual photographs without consent.*
- *Provide clear information on where you can get counselling and help.*
- *Make clear legal requirements for internet service providers and platforms on the way they should collect data and cooperate with authorities and stakeholders to tackle online sexual abuse and material, cyberbullying and cyberhate.*
- *Enhance the capacity of the police to tackle online abuse and invest in the identification of victims of sexual exploitation, in particular in relation to children's sexual abuse material.*
- *Invest in the development and coordination of help and hotline services that can provide help and counseling for online abuse.*
- *Examine the possibility of making consensual sexting between minors lawful within the framework of the exceptions of the relevant treaty of the Council of Europe and clarify the way youth magistrates should interpret the severity of sexting incidents.*
- *Use Arachnid to report illegal online child sexual abuse material and provide a helpline for sex offenders and a reporting mechanism for victims of Teen pimps.*

7. Cooperate regionally, nationally and internationally

To create a better internet for kids and guarantee their digital rights, we need a **comprehensive inter-federal strategy and regional, national and international cooperation**. Authorities should **engage** all relevant **stakeholders**, **consult children** and **allocate adequate resources**. This strategy and all connected policies and legislation should be **assessed, reviewed and updated** regularly with regard to children's rights and freedoms.

How can you do this? Some examples ...

- *Provide a coordinating mechanism, organisation or authority to assess developments, and ensure that national and regional policies adequately address them.*
- *Create an inter-federal strategy on digital and media literacy for children and adults and the sectors that work with them, across the domains of Media, ICT/Telecom, Wellbeing, Education, Poverty, Equal opportunities, Culture, Youth, Integration and Justice and in cooperation with the stakeholders and members of the Belgian Better Internet consortium.*
- *Facilitate civil society stakeholders to actively monitor, evaluate and promote children's skills, well-being and related information literacy and training initiatives, including actions undertaken by other stakeholders, and to disseminate their findings and results.*
- *Encourage all professional media outlets to be their public responsibility and require public broadcasters to invest in education and digital and media literacy.*
- *Let telecommunications companies waive costs for incoming calls to child helplines by means of toll-free telephone numbers and promote them.*

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