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COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

A Digital Decade for children and youth: the new European strategy for a better internet for kids (BIK+)

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1. Introduction

2012 marked the first European strategy for a better internet for kids (BIK). The updated strategy for a better internet for kids (BIK+), laid out in this communication, will ensure that children are protected, respected and empowered online in the new Digital Decade.

Respect for human rights, including the rights of the child, is intrinsic to the values on which the European Union is founded¹. They must be equally respected online and offline². In the Digital Decade, every child in Europe deserves to thrive in a safe and empowering digital environment and to be part of the global digital transition.

Children create, play and interact online from an ever younger age, using digital technologies for education, entertainment, social contact and participation in society. In doing so, they often encounter digital content and services that were not designed with children in mind.

Children and youth³ are not a single, homogeneous group, they differ by age, gender, evolving capacities and social and economic background. Children in vulnerable situations, such as children with disabilities, children from a minority racial or ethnic background, refugee children, children in care, LGBTQI+ children, as well as children with a disadvantaged socio-economic background may face additional challenges in the digital environment.

The COVID-19 pandemic highlighted the benefits of digital technology but also the crucial need for equal access to technology (devices and network), digital skills and competences including media literacy for all children⁴. Children who lack access to the internet are excluded from resources that can help them learn and grow. Inequalities can lead to higher risks of lower educational outcomes, poor mental health, and lack of long-term prospects⁵.

With this in mind, and to address the risks and harms of the increasingly digitalised society, including for children, the Commission proposed in December 2020 an ambitious reform of the existing rulebook aiming to create a safer digital space in which the fundamental rights of all users of digital services are protected. The recent political agreement on the Digital Services Act (DSA) shows that the protection of minors is one of the cornerstones of the new rules, obliging companies to put the interests of children at the forefront of their considerations⁶.

¹ Treaty on European Union, Art. 2 and the EU Charter of Fundamental Rights, notably its Article 24.

² <u>UN general comment No. 25</u> on the UN convention on the rights of the child (to which all EU Member States are parties) explicitly addresses children's rights in the digital environment.

³ Those under 18 years of age, in accordance with the <u>UN convention on the rights of the child.</u> Under the BIK+ strategy, 'youth' also refers to children below 18 years old. In legislation the term used is 'minors'

⁴ JRC, <u>How children (10-18) experienced online risks during the Covid-19 lockdown.</u>

JRC, Emergency remote schooling during COVID-19.

⁵ JRC, How families handled emergency remote schooling during the time of Covid lockdown in spring 2020.

T20-Italy, Digital learning for every child: closing the gaps for an inclusive and prosperous future.

⁶ The Digital Services Act package; DSA: Commission welcomes political agreement

Furthermore, as part of its vision for Europe's digital transformation by 2030⁷, the Commission has proposed a European Declaration on Digital rights and principles for the Digital Decade⁸ which reflects EU values such as children's protection and empowerment.

The 2012 European strategy for a better internet for children (BIK strategy)⁹ set a global benchmark, guiding and shaping national policies in the EU. All Members States have incorporated elements of the BIK strategy. In March 2021, the Commission adopted its firstever comprehensive EU strategy on the rights of the child where it announced an update of the BIK strategy¹⁰.

The updated BIK+ strategy is the digital arm of the rights of the child strategy and reflects the recently proposed digital principle that 'Children and young people should be protected and empowered online'11. It takes into account the European Parliament Resolution on children's rights¹², the Council Conclusions on media literacy¹³ and the Council Recommendation establishing a European Child Guarantee¹⁴.

This new strategy is based on an extensive consultation process with children, complemented by targeted consultations with parents, teachers, Member States, ICT and media industry, civil society, academics and international organisations¹⁵.

BIK+ therefore aims to complement and support the practical implementation of the existing measures to protect children online, develop children's skills and empower them to safely enjoy and shape their life online.

2. What the EU has done so far

Since 2012, the BIK strategy has played a pivotal role in influencing child online protection and empowerment at European, national and international level. The safer internet expert group¹⁶ allows exchange of good practice across Member States, and the Commission has encouraged industry cooperation with civil society and young people via the Alliance to better protect minors online¹⁷.

The 2012 BIK strategy established the EU co-funded network of Safer Internet Centres (SICs)¹⁸ and the EU-funded betterinternetforkids.eu portal, the hub for child online safety. SICs support 30 million people each year¹⁹. They run localised awareness-raising activities

⁷ Digital Compass: the European way for the Digital Decade, COM/2021/118 final.

European Declaration on Digital rights and principles for the Digital Decade, COM/2022/27 final

⁹ European strategy for a better internet for children, COM/2012/0196. In short, Better Internet for Kids "BIK"

¹⁰ EU strategy on the rights of the child, COM/2021/142 final

¹¹ Declaration on European Digital rights and principles.

¹² European Parliament Resolution 2019/2876 of 26 November 2019, point 19.

¹³ Council Conclusions on media literacy in an ever-changing world, 2020/C 193/06.

¹⁴ Council Recommendation establishing a European Child guarantee, ST 9106 2021 INIT.
15 How to make Europe's Digital Decade fit for children and young people?

Summary of stakeholder consultations. Over 60% of respondents to the open consultation on the rights of the child acknowledged the need for a new BIK strategy (BIK+). Nearly 80% of respondents agreed that IT companies should play a larger role in this domain.

¹⁶ Expert group webpage.

¹⁷ Alliance webpage.

¹⁸ Safer Internet Centres webpage.

¹⁹ BIK Review of the year 2021.

and provide materials on all aspects of child online safety in the Member States; offer help and identify emerging threats via the helplines; and support the removal of online child sexual abuse material via the INHOPE hotlines²⁰, present in 46 countries. SICs work with a network of BIK Youth Ambassadors and BIK Youth Panels²¹ who advise and inform policymakers and practitioners, for example the BIK Youth Pledge²² on child-friendly communication. The EU initiative Safer Internet Day²³ is now celebrated worldwide.

The Commission also cooperates with international organisations, NGOs, academics working on children's digital rights and the private sector.

Since 2012, the EU legal and policy framework to ensure even more effective child online safety has evolved considerably²⁴. For example, under the revised Audiovisual Media Services Directive (AVMSD)²⁵, obligations to protect minors from harmful content that may impair their physical, mental and moral development and illegal content²⁶ now extend to video-sharing platforms. The General Data Protection Regulation (GDPR) identifies children's personal data as requiring special protection, with parental consent needed up to a certain age (between 13 and 16 years depending on the Member State).^{27,28} The Unfair Commercial Practices Directive²⁹ protects children as vulnerable consumers and prohibits direct exhortations to purchase.

Last but not least, the DSA will oblige all online platforms to design their systems with consideration for the rights of child users. In particular, children must be able to easily understand terms and conditions of the service they use. However, this is just the beginning. Under the new rules, all online platforms offering services to children in the Union, such as social media or interactive games platforms, will be obliged to take appropriate and proportionate measures to ensure the privacy, safety and security of children on their services. In addition, online platforms will be prohibited from presenting advertisements to children based on profiling. Finally, very large online platforms and search engines will have to consider any systemic risks concerning their services, including any actual or foreseeable negative effects in relation to the protection of children.

The proposed Artificial Intelligence (AI) Act³⁰ sets uniform rules for AI in the EU, and seeks to create a single market for trustworthy AI applications that can be used in full respect of fundamental rights, including children's rights. The proposal for a European Digital Identity

²¹ BIK youth website.

²⁰ INHOPE website.

²² Youth pledge webpage.

²³ Safer Internet Day website.

²⁴ See <u>compendium</u> of EU formal texts concerning children in the digital world.

²⁵ <u>Audiovisual Media Services Directive</u>, (EU) 2018/1808.

²⁶ Illegal for all users: content that is xenophobic, terrorist, or child sexual abuse material.

²⁷ General Data Protection Regulation, (EU) 2016/679.

²⁸ The European Data Protection Board will publish guidelines on the processing of children's personal data and the rights of children as data subjects under the GDPR in 2022.

²⁹ Unfair Commercial Practices Directive, 2005/29/EC.

³⁰ Proposal for a regulation laying down harmonised rules on Artificial Intelligence (Artificial Intelligence Act) and amending certain Union legislative acts COM/2021/206 final.

framework (eID)³¹ will enable minors, on the basis of national laws, to use the Digital Identity Wallet, for example to prove their age without disclosing other personal data.

A new proposal for a regulation laying down rules to prevent and combat child sexual abuse³², presented at the same time as the BIK+ strategy, sets certain obligations for providers of hosting or interpersonal communication services to detect, report and remove child sexual abuse online. The proposal also provides for a new European Centre to prevent and counter child sexual abuse that would facilitate the detection, reporting and removal of child sexual abuse online, provide support to victims, and serve as a hub for knowledge, expertise and research on matters related to the prevention and combating of online child sexual abuse.

Children are recognised as being at particular risk of falling victim to traffickers online under the EU strategy on combatting trafficking in human beings³³. A special focus on child victims is part of the EU strategy on victims' rights³⁴.

The EU gender equality strategy³⁵ highlights that girls can become victims of gender-based violence, violence that is directed against a woman or girl because she is a woman or girl or that affects them disproportionately. The proposal for a directive on combating violence against women and domestic violence includes the criminalisation of gender-based cyber violence, and provides for measures to protect and support victims of such violence online and offline, regardless of their age³⁶.

The Communication on the protection of children in migration³⁷ addresses the protection of migrant children including on safe access to new technologies.

The digital education action plan (2021-2027)³⁸ addresses the challenges for education and training intensified by the COVID-19 pandemic, ensuring a sustainable digital transformation in education by creating a high-performing digital education ecosystem and enhancing digital skills and competences of children, teachers and educators.

The EU youth strategy 2019-2027³⁹ fosters youth participation in democratic life and supports social and civic engagement.

The BIK+ strategy will build on these achievements and ensure synergies with the relevant initiatives to address children's concerns and needs for the digital decade.

³¹ Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity, COM/2021/281 final.

³² Proposal for a Regulation laying down rules to prevent and combat child sexual abuse COM/2022/209.

³³ EU strategy on combatting trafficking in human beings 2021- 2025, COM/2021/171 final.

³⁴ EU trategy on victims' rights (2020-2025), COM/2020/258 final.

³⁵ A Union of Equality: Gender Equality Strategy 2020-2025, COM(2020) 152 final.

³⁶ Proposal for a Directive on combatting violence against women and domestic violence, COM/2022/105 final.

³⁷ Communication on the protection of children in migration, COM/2017/0211 final.

³⁸ Digital education action plan 2021-2027 Resetting education and training for the digital age, COM/2020/624 final.

³⁹ The European Union youth strategy 2019-2027, ST/14944/2018/INIT.

3. What has changed - why a new strategy is needed

Children as users of digital technologies

Since 2012, children's use of digital technologies has changed dramatically. Modern devices enable child users to interact, contact, play and share with others, often without parental supervision. The 2020 'EU Kids Online' findings⁴⁰ show that a majority of children report using their smartphones 'daily' or 'almost all the time', with the time spent online almost doubled compared to 2010 in many countries. The age at which children start to use digital devices is also decreasing.

Such heightened levels of internet use can lead to a more sedentary lifestyle with possible health implications. Many psychologists have raised concern about children developing attention disorders and a difficulty to disconnect.

While a healthy online/offline balance is encouraged, digital abstinence is not an option for today's children, as information, elements of formal education, social contact and entertainment are increasingly online.

Technology continues to develop rapidly, creating both new opportunities and risks. In the near future, AI, virtual, augmented and extended reality, the internet of things, cryptocurrency, and other technological changes impacting children will raise new social and ethical challenges (e.g. bias, lack of fairness, lack of transparency in AI use, interaction with deep fakes, avatars and robots).

These matters were also given prominence in the Conference on the Future of Europe, where the European Citizens Panel dealing with Values and Rights called for increased protection of minors online. This was endorsed up by the Conference Plenary and is included in a Proposal that has been presented to the Presidents of the European Parliament, the Council and the European Commission⁴¹.

Children and online harms

Harmful and **illegal content, conduct, contacts and consumer risks** are frequently present for children online. Digital services, from social media to interactive games, can expose children to risks such as unsuitable content, bullying, grooming⁴², child sexual abuse or radicalisation.

In response to the Commission's consultation, the list of concerns identified by children themselves included seeing harmful content, which can glorify and promote self-harm, suicide, violence, hate speech, sexual harassment, drug taking, risky online challenges, eating disorders and dangerous dieting practices. Such violent, frightening or otherwise age-inappropriate content is within easy reach. Children report seeing pornography at early ages⁴³, affecting their views of what constitutes a healthy relationship.

⁴⁰ EU Kids online 2020.

⁴¹ E.g. European Citizens' Panel 2: "European democracy / Values and rights, rule of law, security", December 2021

⁴² Solicitation of children for sexual purposes.

⁴³ EU Kids Online 2020, pages 89-99, figures 82, 83, 84.

Despite existing EU law (AVMSD and GDPR), **age verification** mechanisms and parental consent tools are still ineffective in many cases, with users often only required to enter their birth date upon registration⁴⁴.

However, as outlined in section 2 above, it is expected that the recently endorsed DSA will significantly improve the safety of all users, including children, and empower them to make informed choices when online.

In particular, as part of the DSA risk management framework, systemic risks relating to minors require specific attention. Very large online platforms will be obliged to consider how easy it is for children to understand the design and functioning of their service, as well as how children can be exposed to content that may impair their physical and mental health, and moral development. Such risks may arise, for example, in the design of online interfaces which intentionally or unintentionally exploit the inexperience of children or which may cause addictive behaviour. In this regard, very large online platforms will have to adopt targeted measures to protect the rights of the child, including use of age verification and parental control tools, or tools aimed at helping children signal abuse or obtain support. Cyberviolence, including non-consensual sharing of intimate content, is an example of content that requires rapid processing if flagged by users, including children, and appropriate adaptation of the content moderation practices.

The EU **network of hotlines**, INHOPE, indicated that the number of online images of suspected **child sexual abuse** processed worldwide almost doubled between 2017 and 2019. The problem increased further during the COVID-19 pandemic, especially for children who live with their abusers⁴⁵. Children may be groomed online⁴⁶ for the purpose of sexual abuse or trafficking, and are at risk of having explicit images and videos, whether created in a consensual relationship with peers or under coercion, shared further without their consent.

Globally, more than a third of young people have reported being a victim of **cyberbullying**⁴⁷. Children may be exposed to and participate in toxic, aggressive, disruptive or addictive behaviour⁴⁸ or be targeted by inappropriate, sexist or racist content. This can in turn discourage participation in online activities (e.g. by girls), and impact children's rights⁴⁹.

Online racism, xenophobia, antisemitism, disinformation and political extremism leading to radicalisation are increasing. The Commission has initiated a Code of conduct on countering illegal hate speech in 2016^{50} to step up the response against hate speech online. In cooperation with the Radicalisation Awareness Network, it is raising awareness of web

UNICEF, COVID-19 and its implications for protecting children online.

IWF, Annual report 2020.

⁴⁴Study on the implementation of the new provisions in the revised Audiovisual Media SMART 2018/0066.

⁴⁵ EUROPOL, Exploiting Isolation: Offenders and victims of online child sexual abuse during the COVID-19 pandemic JRC, How children (10-18) experienced online risks during the Covid-19 lockdown.

⁴⁶ NCMEC reports of grooming <u>doubled from 2019 to 2020.</u>

⁴⁷ UNICEF survey, 2019.

⁴⁸ COST action: European Network for Problematic Usage of the internet.

⁴⁹ UNICEF, Recommendations for The Online Gaming Industry on Assessing Impact on Children (page 15) (2020).

⁵⁰ Code of conduct on countering illegal hate speech online.

creators and game designers about online risks of radicalisation for children. The code of practice on disinformation⁵¹ is being reviewed to reinforce commitments in this field.

Children as active digital consumers

Children are now more active and independent digital consumers than they were 10 years ago, often using digital products and services designed for adults. They are exposed to or targeted by a range of online marketing techniques. Through social media recommendation systems, and other algorithms, targeted advertising, influencer marketing and gamification of marketing ⁵², harmful or inappropriate content is proposed to young users, exploiting their inexperience and lack of self-control⁵³. The marketing of products high in fat, sugar or salt among children⁵⁴ can exacerbate inappropriate dietary behaviour, for example. Similarly, the aggressive marketing to children of risky investments as safe bets can lead to severe financial consequences. To address the risks and harms associated with this for children, the DSA puts forward a number of obligations. These include a prohibition on online platforms to present minors with advertising based on profiling, and an obligation for online platforms to provide transparency about their recommender systems and options for users to modify or influence the main parameters used in the recommender systems.

Digital services now continuously collect and share data on children and 'datafication'⁵⁵ starts even before birth. While aggregated big data can allow ground-breaking insights e.g. into children's health and education, the datafication of childhood may also have a potentially lifelong adverse impact on children's well-being and development. Both **children and parents lack awareness of the extensive sharing of personal data** that may result from using digital services, notably those without monetary payments⁵⁶. While so many data are collected by industry on children's use of digital services and related risks, academics have no or a very **limited access to** these important **data-sets**.

Children are now systematically exposed to inappropriate content and **commercial practices**. Research on the **long-term neurologic impact on children** of methods used for commercial purposes such as persuasive design, for example games of chance mechanisms such as 'loot boxes⁵⁷', is still needed.

Online gaming is now a major online activity of children: 73% children in the EU aged 6-10, 84% aged 11-14 and 74% of youth aged 15-24 play video games. Age-appropriate online gaming can support constructive educational and participatory activities online, develop digital skills and competences, and bring other societal benefits (e.g. therapy and culture).

⁵¹ Code of practice on disinformation.

⁵² Gamification is the 'process of making activities more game-like', <u>Kevin Werbach (2014)</u>. Gamification is increasingly used in social marketing using techniques such as scoring, incentivizing, and competition and enable businesses to attract and engage customers in a fun way and to collect data.

⁵³ EP, Loot boxes in online games and their effect on consumers, in particular young consumers, pages 27-29.

⁵⁴ EP, Study on the exposure of children to linear, non-linear and online marketing of foods high in fat, salt or sugar. Country report 6, The Netherlands.

WHO, Spotlight on adolescent health and well-being.

⁵⁵ Datafication is a technological trend turning many aspects of our life into data which is subsequently transferred into information realised as a new form of value.

⁵⁶ For example, see fines in 2021 by the Italian Consumer and Market Authority (in Italian).

⁵⁷ Loot boxes are features in video games, usually accessed through gameplay or which may optionally be paid for with real-world money – EP, <u>Loot boxes in online games and their effect on consumers</u>, in particular young consumers page 14.

Industry-led efforts play an important role to ensure a safe gameplay environment to protect children while also promoting healthy gameplay habits. This should also include a safe-by-design approach to the development of digital products and services targeting minors.

Lack of skills

A common message heard in the Commission's consultations with children was the need for improved **media literacy** and **online safety education** for children in schools. Digital skills and competences, including digital literacy and an understanding of the use made of personal data, are essential for today's children, allowing them to learn, connect and be active and informed contributors in shaping the world around them.

Adults responsible for children (parents, carers, teachers, club and sports leaders, religious leaders, social care, healthcare, youth workers etc.) need skills to support, advise and guide children. Our consultations showed that these skills are often lacking.

Digital divide

Not all children have equal, effective, safe and inclusive access to digital technology.

Children in vulnerable situations, children at risk of poverty and social exclusion and children living in rural and remote areas with inadequate broadband infrastructure should enjoy equal access to both digital devices and skills, and equal chances to harness the opportunities of the digital decade

Recent studies⁵⁸ on digital deprivation show that in some European countries, around 20% of children live in families who cannot afford a computer or internet connection at home. 40% of rural households do not have access to fast broadband. In some areas, more than 15% of young people at the age of 15 feel digitally disengaged, and Europe-wide 8% of that age group lack digital confidence.

On a global level, the situation is even worse: 1.3 billion children aged 3 to 17 years old are estimated not to have an internet connection in their homes⁵⁹. Digital deprivation in childhood can result in a lack of digital skills and digital confidence in adult life and reinforce the digital divide.

Lack of active participation

Children are no longer passive consumers of technology, but can actively use technology to express themselves and influence the world around them. Children should be listened to more and included in the development and evaluation of digital products and services and digital policies.

⁵⁸ DigiGen website.

⁵⁹ UNICEF and ITU (2020) How Many Children and Youth Have internet Access at Home?

4. The vision for a digital decade for children and youth

Our vision: Age appropriate digital services, with no one left behind and with every child in Europe protected, empowered and respected online.

BIK+, a flagship initiative of the European Year of Youth 2022, proposes actions around **three pillars**:

- 1. **safe digital experiences to protect children** from harmful and illegal online content, conduct, contact and consumer risks and to **improve their well-being online** through a safe, age-appropriate digital environment, created in a way that respects children's best interests;
- 2. **digital empowerment** so children acquire the necessary skills and competences to make sound choices and express themselves in the online environment safely and responsibly;
- 3. **active participation, respecting children** by giving them a say in the digital environment, with more child-led activities to foster innovative and creative safe digital experiences.

The implementation of BIK+ requires evidence-based policy making and cooperation and coordination at European and international level. In recent years the UN, UNICEF, the OECD and the Council of Europe, and child rights NGOs have all addressed children's rights in the digital environment⁶⁰.

5. How to deliver: pillars and actions

The new actions listed below will build on and reinforce the Commission's existing BIK infrastructure as described above.

5.1. Safe digital experiences (How to better protect children online)

'We all know young people are on those platforms, many times without parent permission. If I know it, platforms and companies know it.' – a Spanish teacher⁶¹

The Commission will facilitate a **comprehensive EU code of conduct on age-appropriate design,** building on the new rules in the DSA and in line with the AVMSD and GDPR. The code aims to ensure the privacy, safety and security of children when using digital products and services. This process will involve industry, policymakers, civil society and children.

The added value of such a code would be its co-regulatory nature. Under the DSA, the Commission may invite providers of very large online platforms to participate in codes of

UN, Sustainable Development Goals.

UNICEF, manifesto on children's data governance.

OECD, Recommendation of the Council on Children in the Digital Environment.

Council of Europe, Recommendation on Guidelines to Respect, Protect and Fulfil the Rights of the Child in the Digital Environment, CM/Rec(2018)7.

⁶⁰ UN, General Comment No. 25.

⁶¹ Teacher consulted for the consultation: <u>How to make Europe's Digital Decade fit for children and young people?</u>.

conduct and ask them to commit themselves to take specific risk mitigation measures, to address specific risks or harms identified, via adherence to a particular code of conduct. Although participation in such codes of conduct remains voluntary, any commitments undertaken by the providers of very large online platform shall be subject to independent audits.

Industry carries a significant responsibility. They have the tools to create products that by default and by design are easy to use, safe and private. All digital products and services likely to be used by children should therefore respect fair and basic design features that embed European values, as enshrined in the DSA. For example, age-appropriate, easily understandable and accessible information, such as terms and conditions, instructions and warnings, and simple mechanisms to report harm should accompany all products and services likely to be used by children. All involved in digital design should understand the potentially harmful impact on children of design and development choices⁶² as well as possible risks and harms, such as grooming, arising from children's use of different digital services.

Building on ongoing work⁶³ and taking account of the new DSA rules for online platforms, the Commission will support methods to prove age in a privacy-preserving and secure manner, to be recognised EU-wide. The Commission will work with Member States⁶⁴ (who in line with national legislation can choose to issue electronic IDs to the under-18s under the recent proposal on a European Digital Identity), relevant stakeholders and European standardisation organisations to strengthen effective age verification methods, as a priority. This work will encourage market solutions through a robust framework of certification and interoperability.

Beyond age verification for accessing certain online content, the Commission will include in the code of conduct for online providers to be set up under the gender equality strategy 2020-2025, a section targeting adult-only content, aiming in particular **to combat the sharing of non-consensual intimate images**, whether authentic or manipulated, which might also involve children – although not only.

Despite current actions, **cyberbullying** remains the most reported topic to the SIC helplines in the last decade. The existing 116 111 number is specially reserved for child helplines in the EU. Cyberbullying and other online problems can be addressed via this number, or directly by the SIC helplines. The strategy will make the support offered by SICs more visible through enhanced cooperation around 116 111 and related online services (e.g. helpline apps) which should be also accessible for children in vulnerable situations. In addition, an ad hoc expert group will provide policy recommendations related to (cyber)bullying and well-being at school⁶⁵.

⁶² For example, the proposed <u>AI Act</u> obliges providers of high-risk AI applications to assess and mitiate risks before they place their systems on the market, taking specifically into consideration as to whether the system is likely to be accessed by or have an impact on children (Article 9(8) of the AI Act).

⁶³ <u>euCONSENT</u> is a EU funded pilot project aiming to design and test an interoperable solution for age verification and parental consent.

⁶⁴ Primarily through the safer internet for children expert group.

⁶⁵ Communication on achieving the European Education Area by 2025, COM(2020) 625 final

The EU co-funded safer internet helplines and hotlines⁶⁶ will continue to assist the public, in particular children, when confronted with harmful and illegal content. If granted the status of **'trusted flaggers'** under the conditions of the DSA, they will be able to contribute to a swifter assessment of and action upon notifications of illegal content online. Examples of such content are child sexual abuse material, and racist and xenophobic hate speech in line with the code of conduct on countering illegal hate speech online, including antisemitic hate speech as set out by the EU strategy on combating antisemitism and fostering Jewish life⁶⁷.

The Commission will coordinate and promote **exchanges of good practice** among EU authorities and the Member States about the enforcement of **consumer law in respect of children**. The Commission will also **map research into the impact of neuro-marketing** on children in order to assist national consumer authorities to better assess how commercial influencing techniques may be unfair on children. This knowledge will be used for the coordinated enforcement activities to be carried out under the Consumer Protection Cooperation Regulation⁶⁸.

The Commission will:

- encourage and facilitate the design of a comprehensive EU code of conduct on ageappropriate design building on the framework provided in the DSA, by 2024;
- issue a standardisation request for a European standard on online age assurance / age verification in the context of the eID proposal, from 2023;
- support the development of an EU-wide recognised digital proof of age based on date of birth within the framework of the eID proposal, from 2024;
- include a focus on adult-only content in the planned code of conduct under the gender equality strategy 2020-2025;
- ensure that the 116 111 harmonised number addresses cyberbullying, in cooperation with the EU co-funded SIC helplines, by 2023;
- co-fund the safer internet helplines and hotlines in the EU including those recognised in the future as 'trusted flaggers' under the DSA, to assist the public, in particular children, when confronted with harmful and illegal content, from 2022;
- share the recommendations related to (cyber)bullying from the expert group for supporting well-being at school, from 2023;
- map existing research on the impact of neuro-marketing on children by the end of 2022, to support coordinated enforcement activities carried out under the Consumer Protection Cooperation Regulation, from 2023.

The Commission invites Member States to:

⁶⁶ DIGITAL Europe Work Programme 2021-2022.

⁶⁷ EU strategy on combating antisemitism and fostering Jewish life (2021-2030), COM/2021/615 final.

⁶⁸ Consumer Protection Cooperation Regulation, (EU) 2017/2394.

- support effective age-verification methods, in line with the eID proposal;
- support, including with trained staff, the harmonised number 116 111 to address cyberbullying.

The Commission invites industry to:

- consistently assess and address specific risks to children emerging from the use of their products and services including safety risks, as well as relevant marketing practices;
- contribute and commit to a comprehensive EU code of conduct on age-appropriate design, as well as the section on adult-only content in the code of conduct to be set up under the gender equality strategy 2020-2025;
- effectively implement measures on access to age-restricted content, including adultcontent websites and 18+ games, in line with national and European rules;
- cooperate with trusted flaggers to swiftly assess and take down illegal content and act on notification of harmful content:
- allow academic researchers access to relevant data and information on opportunities and risks for children in full compliance with data protection rules.

5.2. Digital empowerment (How to better empower children to make sound choices online)

'Children have been handed a complex tool without an instruction manual'69 – a Portuguese child.

The Commission's Digital Decade sets ambitious targets of 80% of the adult population to have basic digital skills and 20 million employed ICT specialists by 2030⁷⁰. To that end, children should acquire digital skills from an early age onwards. For example the EU Code Week⁷¹ helps children understand how algorithms and the digital world work.

While most EU Member States have developed strategies for developing digital skills (either as a cross curricular topic or as a separate subject) few undertake regular monitoring and evaluation to assess the impact and review these strategies. The Commission is working on a proposal for a Council Recommendation on improving the provision of digital skills in education⁷² to promote a common understanding, mobilise cross-national political engagement, promote peer learning and mutual exchange and encourage investments.

Keeping an up-to-date knowledge base and monitoring the impact of the digital transformation on children's well-being is essential for this and future generations of children in the EU.

 ⁶⁹ Child consulted for the consultation: <u>How to make Europe's Digital Decade fit for children and young people?</u>
 ⁷⁰ 2030 Digital Compass: the European way for the Digital Decade, COM/2021/118 final; target based on <u>The European</u> Pillar of Social Rights Action Plan.

⁷¹ EU Code Week is a grassroot initiative that brings coding and digital literacy to everybody in a fun and engaging way.

⁷² Digital Education Action Plan – Action 10.

Digital literacy (or lack of it) starts early in life. Media literacy⁷³ skills are crucial for children to understand and navigate the information they access online, to identify online risks such as mis/disinformation, scams and fraud, and hidden advertising, and to participate actively and responsibly in the digital economy, society, and in democratic processes.

Teachers' feedback during the Commission's consultations highlighted difficulties in involving colleagues. Reasons cited included that there is **not sufficient awareness**, many **teachers lack the required knowledge**, skills and confidence, and it is difficult to keep up to date with continuous technological development. Teacher training, promotion of trustworthy resources and **more campaigns targetting parents and carers are needed**. Training on children's rights online should also be included in these initiatives to create a stronger awareness that children's rights online are the same as offline, as stipulated by UN General Comment No. 25.

BIK+, via the betterinternetforkids.eu platform ('BIK portal') and the SICs network, can support the development of **teacher modules** (e.g. Massive Open Online Course – 'MOOC') for different age groups with lessons on media literacy, online safety, consumer risks online, personal data, cyberbullying, mental well-being, harmful sterotypes, the misrepresentation of sex in pornography, digital consent and respect, and gamification⁷⁴ in teaching⁷⁵.

Exchange of good practices among the Member States will be coordinated and promoted under the Structured Dialogue on digital education and skills⁷⁶ and relevant Expert Groups.

BIK+ will support **large-scale media literacy campaigns**, to reach children, families and teachers, harnessing existing national and European multipliers such as schools, civil society organisations, and industry. Children, and where appropriate parents and teachers, should be involved to make the approaches more age-appropriate and allow cross-generational exchanges on the creative and responsible use of digital technologies, **increasing awareness risks** for children as young consumers, and regarding the use of personal data.

In addition, the Commission is working with the OECD on the development of a financial competence framework for children⁷⁷, to be released by end 2022 which will include the essential financial skills children need in the digital world.

The BIK+ strategy will complement and work in synergy with the digital education action plan, for example through promoting the national SICs as a one-stop-shop for reliable and age-appropriate information and support, tailored to national needs **in formal and informal education**. The Commission will continue to share and promote resources available to the general public through the BIK portal, and encourage the outreach work of the SICs and other

⁷³ AVMSD recital 59: 'Media literacy' refers to skills, knowledge and understanding that allow citizens to use media effectively and safely. ... Media literacy should not be limited to learning about tools and technologies, but should aim to equip citizens with the critical thinking skills required to exercise judgment, analyse complex realities and recognise the difference between opinion and fact.

⁷⁴ See example of <u>Happy Online game</u>.

⁷⁵ Relevant modules will be in line with the Common guidelines for teachers and educators on tackling disinformation and promoting digital literacy developed under the Digital education action plan.

⁷⁶ Commission press corner.

⁷⁷ Financial literacy

actors, so that children can learn, in a variety of settings from sports clubs to schools, to show digital respect.

Peer-to-peer learning, co-creation, and the example of **BIK Youth Ambassadors and BIK Youth Panels** will be promoted as good practice for educational approaches in the EU and beyond.

To support all children, the **digital environment must be diverse, inclusive, non-discriminatory and free of stereotypes.** Objective, age-appropriate online information on sex and gender should be available to children. Diversity and gender awareness should be supported for ICT professionals, to better understand the specific needs of girls, young users with disabilities and children in other vulnerable situations. Positive role models for girls – underrepresented in ICT – should be encouraged and equal opportunities for boys and girls ensured. Industry should provide an inclusive environment for all, and children with disabilities should be able to play, learn and interact online.

To benefit from digital opportunities, **children need a reliable and affordable internet connection, and suitable digital devices**. The connectivity targets of the Digital Decade and the digital principles, and significant EU investment and funding all address connectivity for homes and schools; the universal service provisions of the electronic communications code requires affordability of connectivity services⁷⁸. Member State actions under Pillar 20 of the European Pillar of Social Rights address affordability of 'essential services' including electronic communications. The Council Recommendation establishing a European Child Guarantee recommends that Member States 'provide ... adequate equipment necessary for distance learning' [and] 'make the necessary investment to tackle all forms of digital divide'.

To reach all children, the Commission will pay **careful attention to children with special or specific needs, or from disadvantaged and vulnerable backgrounds**. For example migrants and EU citizens with a migrant background often face obstacles in accessing digital courses and services, including because of a lack of the digital skills to use these services⁷⁹⁸⁰. Children at risk of poverty and social exclusion, children with a migrant or Roma background and other children particularly exposed to discrimination and segregation⁸¹, children whose parents do not have basic digital skills, children with disabilities, children in care settings, all have specific needs. Initiatives must focus on gender balance, so both girls and boys acquire digital skills from an early age. Effectiveness should be measured and best practice identified.

BIK+ will contribute by **expanding the scope of work of SICs to help address the digital divide**, particularly in **imparting digital skills to vulnerable groups**. SICs may support relevant programmes at national and EU level.

⁷⁸ Directive (EU) 2018/1972 establishing the European Electronic Communications Code

⁷⁹ Action plan on Integration and Inclusion 2021-2027, COM/2020/758 final.

⁸⁰ 8.1% of people born outside the EU report they cannot afford a computer, compared to 3.1% among those born in the reporting country, Eurostat, EU-SILC (2018 data). Parents from migrant households may have more difficulties in supporting their children in remote learning when they do not master the school language.

⁸¹A Union of Equality: EU Roma strategic framework for equality, inclusion and participation, COM/2020/620 final.

The Commission will:

- support the monitoring of the impact of the digital transformation on children's well-being by Member States, industry and academics via the BIK portal, from 2023;
- develop and distribute teaching modules (MOOCs) for teachers via the BIK portal and SICs, 2023/2024;
- promote the exchange of good practices for national curricula on media literacy between Member States and amongst schools and educators across the EU, under the Structured Dialogue on digital education and skills and through relevant expert groups, from 2022⁸²;
- organise media literacy campaigns targeting children, teachers, parents and carers, via multipliers, from 2022;
- develop awareness raising tools and activities on the risks facing children as young consumers, with the support of the BIK portal and the SICs, from 2022;
- strengthen the support of the SICs in Member States to provide children in vulnerable situations with non-formal education and training, to address the digital divide, from 2022.

The Commission invites the Member States to:

- monitor of the impact of the digital transformation on children's well-being;
- exchange good practices under the Structured dialogue on digital education and skills and relevant expert groups;
- promote SICs as a one-stop-shop for trustworthy resources on media literacy and online safety for children, their families and teachers;
- make the necessary investment to tackle all forms of digital divide, in line with European Child Guarantee, including with the support of European funds and in particular the European regional and development fund (ERDF).

The Commission invites industry to:

- monitor the impact of the digital transformation on children's well-being;
- invest in skills to increase awareness on children's diverse needs, fight stereotypes and to ensure digital accessibility in product development.

5.3. Active Participation (How to respect children's views)

'I'm in favour of young people having a greater say by 2030. It is our generation who has grown up with the online world' – an Austrian BIK Youth Ambassador.

Children are active citizens. As agents of change they increasingly use social media to mobilise and advocate for their goals, e.g. the School Strike for Climate movement. The BIK+ strategy welcomes this development, and recognises the importance of respecting and

⁸² Depending on Structural dialogue.

including children's opinions in shaping the Digital Decade. Children should be supported in developing and practising citizenship skills in public policy and political debates and enjoy their right to assembly and association via online social platforms. Nonetheless, research has shown that there is room for increasing online activities associated with creativity and digital citizenship⁸³. It concludes that today's children risk being underrepresented in policy decision-making processes, leading to unfulfilled needs and unmet expectations⁸⁴.

BIK+ therefore acknowledges it is important to **actively involve children in all their diversity in shaping the digital environment**, as the under-18s have a unique insight into a digital childhood.

Under the rights of the child strategy, the Commission committed to **strengthen child participation** through the establishment of a new **EU Children's Participation Platform**. 85 In synergy with this platform, BIK+ will encourage child-led activities so children engage positively and critically in the digital environment on topics relevant for the young generation such as cybersecurity, ethics, and sustainable development.

Under BIK+, children's input on digital topics will be strengthened, in particular towards industry. Building on existing initiatives such as BIK Youth Ambassadors, BIK Youth Panels and the BIK Youth Pledge for a better internet, the Commission will strengthen **child-led activities**.

BIK+ will further **encourage youth participation**, also within the Member States. For example, local schemes can recognise **peer-to-peer trainers**.

A child-friendly version of the BIK+ strategy will be provided in line with the guidelines developed under the rights of the child strategy⁸⁶.

The Commission will also involve children in **monitoring the implementation of BIK**+.

The Commission will:

- involve children in the creation of the EU Code of conduct on age-appropriate design mentioned in pillar 1, from 2023;
- launch a child-initiated and child-led action on a digitally relevant topic for the young generation, in synergy with the EU Children's Participation Platform, from 2023;
- expand the role of BIK Youth Ambassadors and BIK Youth Panels to support peer-topeer activities at national, regional and local level, from 2022;
- create a child-friendly version of BIK+ Strategy, 2022;
- organise a child-led evaluation of the BIK+ Strategy, every 2 years.

⁸³ Eukids Online 2020.

⁸⁴ Is there a ladder of children's online participation? Findings from three Global Kids Online countries, Innocenti Research Briefs No. 2019-02.

⁸⁵ EU strategy on the rights of the child, COM/2021/142 final

⁸⁶ Guide on creating child-friendly versions of written documents.

The Commission invites Member States to:

- support peer-to-peer training and child-to-adult teaching on digital;
- engage an inclusive range of youth ambassadors to contribute to digital policies at local, regional and national level.

The Commission invites industry to:

- consult and actively involve children systematically in the development and deployment of their digital products and services;
- co-create with children of different ages and backgrounds child-friendly communication, including terms and conditions, about their digital products and services;
- develop inclusive⁸⁷ products and services that promote children's right to express themselves and facilitate their participation in public life.

6. International outreach and cooperation

Online protection and digital empowerment are global challenges that transcend national borders and jurisdictions. In spring 2021, the United Nations Committee on the rights of the child issued guidance on how to effectively implement the UN Convention on the rights of the child and its Optional Protocols in its general comment No. 25 to explicitly address children's rights in the digital environment.

Through the Global Gateway⁸⁸, the EU will strengthen connections between Europe and the world and help partner countries address the digital divide and further integrate into the global digital ecosystem.

Joining forces allows us to address these global issues effectively and efficiently, and to promote European values by setting high safety standards and promoting children's empowerment and active participation in the digital decade across the world, while contributing to the achievement of the Sustainable Development Goals.

One case in point is the fight against child sexual abuse. In line with the EU Strategy on a more effective fight against child sexual abuse, the Commission has been working closely with technology companies under the umbrella of the EU Internet Forum⁸⁹ and cooperates with civil society organisations, and international and regional organisations via the WeProtect Global Alliance to End Child Sexual Exploitation Online. The Commission has also supported global efforts for years through funding for the INHOPE network of hotlines present in 46 countries. This work will continue and should accelerate under the legislation proposed with the present Strategy.

 $^{^{87}}$ For example: diverse role models, products and services accessible for children with disabilities.

⁸⁸ Joint Communication 'The Global Gateway', JOIN/2021/30 final

⁸⁹ Launched by the European Commission in 2015, The <u>EU Internet Forum</u> brings together representatives from technology companies, the EU Member States and the Commission to address the misuse of the internet for terrorist purposes and to enhance the fight against child sexual abuse.

The Commission will continue to share experiences, expertise and values with international organisations and partners, and to support a common approach towards digital rights for children worldwide, for example encouraging relevant technical standards, metrics, definitions and approaches.

The annual Safer Internet Forum⁹⁰ will take stock of international developments and exchange best practices. With the SICs, existing mentoring and exchange schemes outside the EU will be strengthened, and international celebrations on Safer Internet Day will continue.

The upcoming youth action plan in EU external action will strengthen the key role of young people in the digital transition, and will support safe digital environments that promote child and youth participation and empowerment.

The Comission will promote the BIK+ strategy in its relations with other international organisations and partner countries with the ambition of guiding international partners towards a digital transformation with a child rights-based approach.

7. Conclusions

'Our Union will be stronger if it is more like our next generation: reflective, determined and caring. Grounded in values and bold in action'91.

In announcing the European Year of Youth, President von der Leyen encouraged young people to become actors of change. The BIK+ strategy offers them a voice in the digital sphere as well as enhanced measures for their digital well-being, skills and safety.

A safe, secure and trusted digital environment is a cornerstone of the EU. The Commission is fully committed to supporting children's protection, empowerment and respect in the digital transformation.

Building on the foundation of the 2012 strategy, the BIK+ strategy pays particular attention to the opportunities and risks online for children in situations of vulnerability. All children will be better equipped to thrive online, and to enjoy more age-appropriate experiences.

This BIK+ strategy reflects the contributions of a wide range of views, primarily those of children. Children will be involved in its implementation and monitoring. Its success relies on cooperation between the Commission, Member States, and key partners such as industry, civil society and international organisations, to deliver concrete solutions for a better and healthy use of internet for children and young people.

The Commission will monitor the strategy every two years, also with children, and will publish a report online⁹².

⁹⁰ Safer Internet Forum webpage.

⁹¹ State of the Union speech 2021

⁹² The existing Better internet for Kids Policy Map 'BIK map tool' will be adapted to the BIK+ strategy.

The Commission invites the European Parliament and the Council to endorse the strategy and work together on its implementation. The Commission calls on the Committee of the Regions and the European Economic and Social Committee to promote dialogue with local and regional authorities, economic and social parties and civil society.

Everybody has the responsibility to listen to children and to act now. As Yevgeny, Lili and João for the #DigitalDecade4YOUth Youth Advisory Group stated: 'It is now up to policy makers and other stakeholders to take up the challenge.... [so] we, as children and young people, feel we are all working together to make the digital world a better and safer place.'