**General Comment on Children’s Rights in Relation to the Digital Environment**

**Comment on Draft General Comment (No. 25)**

**Submission from MediaSmarts**

**MediaSmarts** is a Canadian not-for-profit charitable organization for digital and media literacy. Our vision is that children and youth have the critical thinking skills to engage with media as active and informed digital citizens. To achieve this goal, we provide leadership in advancing digital literacy in Canadian schools, homes, and communities; develop and deliver high-quality Canadian-based digital literacy resources; and conduct and disseminate research that contributes to the development of informed public policy on issues related to digital media. MediaSmarts has been developing digital literacy programs and resources since 1996. We support adults with information and tools so that they can help children and youth develop the critical thinking and digital literacy skills they need to benefit from the digital economy and society, and derive new opportunities for employment, citizenship, innovation, creative expression, and social inclusion.

Our work falls into three main areas: research, education, and public awareness. We achieve these three objectives through partnership and collaboration with a wide range of Canadian organizations including various Federal Government departments, media industry partners, academics, provincial and territorial ministries of education, teacher associations, libraries, law enforcement agencies, and civil society organizations including other not-for-profit agencies.

 **Online Resilience:**The concept of resilience (paragraphs 16, 21, 113) as a corrective for online challenges, dominates much of the parenting, educational, and technological resources available for understanding digital technology in the lives of young people. Research in this area [1] presents a tension between risks and opportunities (paragraphs 4, 8, 15) associated with digital technology, and the responsibility for managing this tension is often placed on parents, teachers, and youth themselves. To effectively navigate the difficulties inherent in the online world, youth are expected to ‘bounce back’ from hardships encountered in online spaces. In other words, youth are expected to effectively self-regulate their use of digital technology, to avoid any potentially harmful or inappropriate content, and to build up their reservoirs of self-esteem and other individual traits to strengthen and protect themselves.

MediaSmarts’ research [2] indicates that this focus on individualism (paragraphs 1-4, 9, 21) ignores important systemic factors that might interfere with a young person’s ability to either build or deploy resilience. When it comes to children’s rights in relation to the digital environment, it is important to problematize a reliance on individual resilience as a protective factor since it downloads the work of digital literacyonto youth while looking past various social, environmental, and technological constraints that are often beyond their control.

**Digital Literacy:**

Access to technology (paragraphs 3-4,10,12,29), as well as access to reliable information and material from a diversity of sources, is the *precondition* for digital literacy. While there remains much work to be done in providing children and youth with meaningful access to digital technology, access is the first step or the *starting* point for developing the digital literacy skills needed for ethical digital citizenship and online agency. On its own, access does not guarantee that children and youth cultivate the skills (to use, understand, and create) fundamental to digital literacy [3]. Moreover, adults often refer to youth as ‘digital natives’ because of the seemingly effortless ways they engage with all things technological. Digital literacy is of course more than technological know-how (the hard skills): it includes a variety of ethical, social, and reflective practices (the soft skills) that are essential to developing online resilience and are embedded in work, learning, and daily life. Although young people do not need coaxing to take up digital technologies, without *guidance* they remain amateur users which raises concerns about generations of youth who are not fully digitally literate, yet are deeply immersed in life online [4].

Approaches to digital literacy (paragraphs 22,26,33,89,113) which overemphasize access, hard technological skills, and risk avoidance, constrain rather than bolster youth agency and frame children as almost entirely docile and passive. The danger is that children come to see themselves as victims to be protected or delinquents whose natural tendencies for rule aversion need to be curbed [5]. This view was reflected in MediaSmarts’ survey [6] of Canadian teachers, who identified ‘staying safe online’, ‘appropriate online behaviours’, and ‘dealing with cyberbullying’ as the top three most important digital literacy topics for students to learn. Most government efforts to address these issues are also framed in negative, punitive contexts, and rely heavily on scare tactics [7]. MediaSmartsbelieves that we must avoid approaches which attempt to scare children into following rules as a way to foster digital resilience and instead encourage youth to be creative, critically engaged, and responsible users of digital technology. Often this involves teaching youth that they have a right to engage in online spaces as informed digital citizens and reminding them of their efficacy—what they can and ought to do in these spaces [8].

At MediaSmarts, we have developed a definition of digital literacy (paragraphs 22,26,33,89,113) based on four key components: first, access to networks and devices (again, a precondition for digital literacy); followed by three key digital literacy skills—the competence in *using* digital tools, from search engines to social networks; the ability to *understand* the content that they access, not just on a surface level but in a critically engaged way that draws on digital literacy to recognize for example, how the commercial nature of the spaces they occupy and the technical architecture of the networked world, influences that content; and lastly, the ability to *create* content using those digital tools, both for creative expression and for advocacy purposes as consumers and citizens[9].

The evolving capacity of children and youth (paragraphs 20-22) to acquire the skills and achieve the sort of online resilience that allows them to enact their agency and citizenship in online spaces that are rapidly changing requires an ongoing, collaborative, and whole of society approach. Resilience is still an important part of the digital literacy puzzle, and young people benefit from having the skills to adapt to the stresses of online life, but to meet our jointresponsibility for the digital well-being of children and youth we need to foster a more *collective* form of resilience grounded in trust, information, and youth empowerment [10].

In what follows, we outline a number of observations, based on MediaSmarts original research regarding important digital issues we think the Committee might consider, in addition to what is already covered, in its final version of the general comment.

**Digital Issues**

**Privacy and Consent:**

MediaSmarts wholly supports the recognition of children’s right to be heard, particularly in the digital environment where children’s perspectives are often left out from meaningful discussions on the development of the digital technologies and services with which they engage [11]. However, of equal importance, and particularly relevant to the general comment (sect. VI. civil rights and freedoms, subsection E. right to privacy, paragraphs #43, #69-72), is an emphasis on providing children greater control over their privacy and consent—which we heard youth articulate loud and clear in our research [12]. In particular, youth expressed concern about the long-lasting nature of the things they share online, worried about how their data profiles may influence their future education and employment opportunities, among possible future consequences, and felt that this permanence was an unfair breach of their privacy[13].

The young Canadians we’ve spoken to [14] express, albeit often inadvertently, a keen sense of how technology works and how their personal uses of technology contributed to their data profile and would be used for corporate gain, all of which hindered more than supported their personal goals when it came to technology. Young Canadians express a desire to be online but to be unseen, motivated by the need to avoid corporate monitoring. This marks a shift from earlier studies that indicated young Canadians are most concerned about monitoring by parents and peers. However, it is consistent with findings in our 2013 survey [15] that 95% of respondents did not think social media companies should be allowed to see what they post on social media sites and that this corporate monitoring was “creepy”; our most recent participants (in 2019) are simply more aware of the extent to which corporate monitoring occurs. No matter how resilient they were, young Canadians could not opt out of systemic online surveillance, since networked technologies are the infrastructure upon which their daily lives are scaffolded. The consequence being that young people are weary of using technology for their own creative purposes and feel they are required to “have a positive digital footprint” [16].

Young Canadians want more control over what data is collected from them and how, beginning with youth-friendly terms of service and privacy policies written to match age and reading comprehension levels, in contexts that are familiar to youth (such as an Instagram poll or using the toggle switches on phone settings). Youth want just-in-time notifications to inform them about how data will be collected and used *before* making a specific choice; for example, when the user first posts a photo rather than when registering for an account. Young people want ‘unbundled’ consent, allowing them to consent to *some* forms and uses of data collection but not others. Part of control is having the opportunity to change their minds. Youth want to be able to revisit their data collection and privacy preferences *after* they have begun using an app and they feel strongly that platforms should make it easy to fully remove their data and other content; for example, removing photos the user has deleted from the platform’s servers. While they did not use the specific terms, young Canadians aspirations for greater control over their privacy and consent include a desire for a ‘right to be forgotten’ or ‘right to erasure’ [17].

**Misinformation:**

In regards to children’s rights to access information (VI. civil rights and freedoms, subsection A. paragraphs #52-55) the committee might also consider the immeasurable amount of information children have access to in the digital environment. More than ever, children and youth need to be able to find and rely on trusted sources, but that trust is hard to come by. For example, 80% of parent respondents in our 2018 study on the digital well-being of Canadian families [18] indicated that misinformation was their top online concern for children aged birth to 15 years old. This marks a significant shift in parental concern from our previous studies and the first time that misinformation was resoundingly top of mind for Canadian families. A concern that was echoed in our recent (2019) interviews [19] with parents regarding their children’s online resilience; parents expressed a frustration that their children’s online engagement was limited by the multitude of online “conspiracies” and “craziness” that they encounter as they navigate the abundance of information available to them in online spaces. An excess of unreliable content also made it difficult for youth to use technology to learn, because networked spaces are too often flooded with false information which they indicated they were not prepared to evaluate [20]. The internet is increasingly where politics happens, as such, youth must be supported in developing the hard skills associated with authenticating and verifying online information as well as the soft skills of recognizing bias, loaded language, and how a source may be compromised by who is funding it since these skills are directly related to their right to participate as digital citizens.

**Hate Online:**

Children and youth have a right to participate in the digital environment without fear of harassment, bullying, and hate. The committee might also consider (section VI, paragraphs #53, 55, 60, 85) how this often involves teaching children and youth how to recognize when something they see online is in fact prejudicial and reminding them of their right to intervene—that they can and ought to express their desire for safe online spaces. In our research on online hate [21], 80% of young Canadians said they *believed* it was important to do or say something when they witnessed online hate, yet the majority of youth do not respond because they ‘don’t know what to do to make a difference’. Our research [22] shows that young people are more likely to push back against online hate: if they know what happened hurt someone, if they felt confident in their skills to intervene, and if they saw more people doing it underscoring the need to teach youth how to use digital tools responsibly, and to remind youth of their right to use their voice to push back against hate online. Youth also indicated that if platforms have clear rules and reporting tools, they would be more likely to intervene. Technology companies have a responsibility to create and design clear rules for what is considered acceptable behaviour on the platform as well as transparent and easy to use reporting mechanisms for flagging unacceptable behaviour. When youth feel better prepared to recognize and respond to online hate, they are more likely to engage in healthy debate as well as contribute to the norms and value setting on the platforms they use, modelling empathy for others and ethical digital citizenship.

**Online Activism:**

In regards to children’s rights to freedom of assembly and peaceful association (VI. Civil rights and freedoms, paragraphs #66-68) the committee might also consider how child-led activism and advocacy is often hindered by adult fears about the online world, characterized by restrictive strategies of rule setting and enforcement. In our research [23], young Canadians expressed an interest in using technology to expand their view of the world by learning about and engaging in issues from raising money to support feral cat associations to engaging in climate activism. Although the young people we talked to understood their parents’ and teachers’ fears about the online world, the monitoring and controls they are placed under made it difficult for them to navigate digital spaces and in some cases, shut down their ability to use technology for more creative things, such as self-expression or community engagement. Resiliency as an enabling strategy was therefore limited by the unwillingness of the adults in their lives to remain in the background. This balance between control and support may be difficult to manage, but what we heard clearly from youth is that the key element to striking this balance is trust.

**In conclusion,** we recognize that much of the responsibility for guiding children and youth in navigating the digital environment is put on parents and educators. Given that things change very quickly in this space, we need to build up a community of support so that we can better share and disseminate important digital literacy information and resources in the home, school, and community. We need to draw on this digital literacy, which, with its emphasis on empowerment and critical thinking, is ultimately about helping youth understand their rights, not by leading them to a “right” answer but giving them the tools to critically engage with the media they consume [24]. We need to draw attention to a more communal or collective form of online resilience, requiring a whole of society implementation by States (paragraphs 20-22), that better acknowledges structural barriers (social, environmental, and technological) to young people’s digital well-being. Without a doubt, we need to listen to young people who are uniquely positioned to let adults know what the digital environment looks like and how we can help them to thrive in it.

**END NOTES:**

[1] Maclean, K. (2003). Resilience: What it is and how children and young people can be helped to develop it. Online Journal of the International Child and Youth Care Network. Retrieved from: https://www.cycnet.org/cyc-online/cycol-0803-resilience.html

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[2] Steeves, V., S.McAleese, K., Brisson-Boivin. (2020). “Young Canadians in a Wireless World, Phase IV: Talking to Youth and Parents about Online Resiliency.” MediaSmarts. Ottawa.

Brisson-Boivin, K. (2018). “The Digital Well-Being of Canadian Families.” MediaSmarts. Ottawa.

Steeves,V. (2014). Young Canadians in a Wired World, Phase III: Life Online. MediaSmarts. Ottawa.

[3] MediaSmarts (2020). “Use, Understand, Create” Fundamentals of Digital Literacy.<https://mediasmarts.ca/digital-media-literacy/general-information/digital-media-literacy-fundamentals/digital-literacy-fundamentals>

[4] Ibid.

[5] Johnson, M. (2017). “Towards a rights-based vision of digital literacy.” Journal of Media Literacy. 64 (1 &2). Pp. 46-49.

[6] Johnson, M., Riel, R. and Froese-Germain, B. (2016). “Connected to Learn: Teachers’ Experiences with Networked Technologies in the Classroom”. Ottawa: MediaSmarts/Canadian Teachers’ Federation.

[7] Johnson, M. (2017). “Towards a rights-based vision of digital literacy.” Journal of Media Literacy. 64 (1 &2). Pp. 46-49.

[8] Teaching youth about their efficacy in online spaces has been a primary theme in the last three major research studies (in 2018-2020) conducted by MediaSmarts on online hate, resilience, and privacy and consent as well as a primary objective of the tools and resources developed from this research.

[9] Johnson, M. (2017). “Towards a rights-based vision of digital literacy.” Journal of Media Literacy. 64 (1 &2). Pp. 46-49.
See: MediaSmarts (2020). “Use, Understand, Create” Fundamentals of Digital Literacy.<https://mediasmarts.ca/digital-media-literacy/general-information/digital-media-literacy-fundamentals/digital-literacy-fundamentals>

[10] Steeves, V., S.McAleese, K., Brisson-Boivin. (2020). “Young Canadians in a Wireless World, Phase IV: Talking to Youth and Parents about Online Resiliency.” MediaSmarts. Ottawa.

[11] Ibid.

[12] McAleese, S., M., Johnson, M., Ladouceur. (2020). “Young Canadians Speak Out: A Qualitative Research Project on Privacy and Consent.” MediaSmarts. Ottawa.

[13] Ibid.

[14] Steeves, V., S.McAleese, K., Brisson-Boivin. (2020). “Young Canadians in a Wireless World, Phase IV: Talking to Youth and Parents about Online Resiliency.” MediaSmarts. Ottawa.

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[16] Steeves, V., S.McAleese, K., Brisson-Boivin. (2020). “Young Canadians in a Wireless World, Phase IV: Talking to Youth and Parents about Online Resiliency.” MediaSmarts. Ottawa.

[17] McAleese, S., M., Johnson, M., Ladouceur. (2020). “Young Canadians Speak Out: A Qualitative Research Project on Privacy and Consent.” MediaSmarts. Ottawa.

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