



Contribution to a General Comment on Children's Rights in Relation to the Digital Environment

## jugendschutz.net – Enable young users to explore the digital world free of troubles

jugendschutz.net thanks the Committee on the Rights of the Child and welcomes the opportunity to contribute to a General Comment on children’s rights in relation to the digital environment. The issues raised in this submission are based on own research in the field of the protection of minors on the Internet.

As joint center of the German Federal Government and the federal states, jugendschutz.net is a major player when it comes to the protection of minors on the internet. The organization combines monitoring, research and action taken in terms of violations of youth protection laws with raising awareness among providers, parents and young people and informing them about potential risks. Knowledge and findings, trends and developments are shared with civil society, internet industry, politics, educators and practitioners in the field of political education and youth social work. This multidimensional approach allows for a quick response to new phenomena on the internet.

jugendschutz.net looks closely at dangers and risks in internet services specifically targeting young people and urges providers to design their content in a way that allows children to use the internet free of troubles. jugendschutz.net also operates a hotline accepting reports about illegal and harmful content and takes appropriate action to have this content removed as quickly as possible. The focus of the work is on risky contacts, self-harm behavior, political extremism and child sexual exploitation. jugendschutz.net also aims at enabling young users to have safe and positive experiences online.

## Children and children’s rights at risk

The internet, particularly social media, has become young people's key media and has made a huge impact on their lives over the years. Smartphones permit 24/7 communication and allow kids to carry the internet with them and watch videos or search for information anytime and anywhere. They know how to navigate the digital world. However, the internet is not always a safe place for children. This is validated by jugendschutz.net’s continuous monitoring of social media and by research dealing with young people’s use of the internet[[1]](#footnote-2).

Children are at risk of stumbling across hate speech, violence and other harmful content. Pornographic or violent depictions can have a negative impact on their physical and emotional wellbeing. Sexual images combined with violence or bizarre sexual practices can cause shocking or disgusting emotions. This can endanger the sexual development of children. Young people also come across political or religious extremism on the internet. Right-wing extremists and Islamists explicitly target young users. Specifically on social media, they stage their messages in a way that is appealing to young people and easy to find. The confrontation with extremist content can incite hatred, promote discrimination and reinforce racist ideas. Children can be encouraged to copy self-harm behavior when they encounter such content on social media platforms (e.g. challenges, drugs, self-injury, suicide, eating disorders), where respective images and videos are disseminated.

There is a high risk for children to become a victim of cyberbullying or sexual harassment. Cyberbullying can lead to psychosomatic problems, isolation, [adaptive](https://dict.leo.org/englisch-deutsch/adaptive) [difficulty](https://dict.leo.org/englisch-deutsch/difficulty) and depression up to suicidal ideation and therefore lead to an existential crisis. Watching attacks as a bystander can lead to a decrease in empathy for the victims. Additionally, there is the risk to become an offender as well. Many children are being sexually harassed or become victims of grooming online. Here, there is a serious risk that these children are sexually abused in the real world. However, even sexual harassment only taking place online can massively disturb children and have a negative impact on a healthy sexual development. Getting used to such experiences can result in actual abuse in the real world. Recordings of child sexual abuse and the knowledge of the depictions being disseminated has a lifelong impact on those concerned. The internet is used to cross-link and exchange these depictions and even young users are confronted with them. The dissemination of child sexual abuse material, but also of the 'grey area' of child sexual exploitation (e.g. everyday depictions of children in a sexualized context) leads to a re-victimization of the victims and to insecurities of young users concerning their sexual development.

Manipulation in advertising and cost traps on the internet are another huge problem. Children find this irritating, specifically when interrupting games and tempting them to click on non-transparent links leading them away from the games and in the worst case into cost traps. Some children even can feel 'emotionally blackmailed' to buy something. Such content exploits the inexperience of children. Manipulation in advertising restricts their right to freedom of opinion and information. Additionally, children’s personal data is collected and shared with third parties without consent, violating their personal rights. Especially the youngest users are not aware of the risks when disclosing personal information or posting explicit photos of themselves on social media – many of their actions online are irreversible.

The risk for children to be confronted with inappropriate content, to be harassed or to be spied on while chatting, posting or streaming is high. Platform operators have a specific responsibility to protect their young users from dangers. An analysis conducted by jugendschutz.net in 2018 showed that the protection concepts of platforms proved insufficient to enable young people to use these social media services free of troubles.

## Risk monitoring conducted by jugendschutz.net

Risk monitoring is an important instrument of modern youth protection in the media. This makes it possible to recognize risks and dangers for children at an early stage, to identify needs for action in terms of regulation and youth policy, and to provide support for parents and teachers. The first step is to take into account young people's behavior online and to recognize actually resulting risks to their personal development. jugendschutz.net regularly monitors social media and checks if and how effectively platform operators reduce the risks involved in their services. The monitoring exercise includes platforms specifically popular among children i.e. YouTube, Instagram, Snapchat, TikTok, Facebook, Twitter and Tumblr. Here, structurally effective measures are indispensable. This is why jugendschutz.net checked these services for effective mechanisms to quickly remove reported content, for appropriate default settings to protect young people's personal data and protect them from risky contacts and for easily accessible assistance provided in emergency cases.

The monitoring results reveal that operators of social media services do too little to protect their young users. Keywords like safety by design and safety by default would mark the essential steps towards improving their precautions. They should also implement intelligent technical systems which are already common practice in other areas. These are the main points of jugendschutz.net's report 'How safe are children and young people on social media?': <https://www.jugendschutz.net/fileadmin/download/pdf/Report_How_safe_are_children_on_Social_Media.pdf>

### Effective complaint management systems for reporting illegal and harmful content and assaults are essential to protect young users from harm

Quick response to reports prevents further sharing of offensive content. This protects those concerned, but also other children and teenagers. All platforms have reporting options. However, these were very often hard to find, complicated to use or only available for logged in users. Testing the systems with 950 cases of extremist content, depictions of violence, content promoting self-harm behavior and cyberbullying only rarely led to removal or blocking of illegal content. When reporting the content as a 'normal' user the platform operators removed it in only 34 % of all cases.

### Community guidelines are an important social orientation framework that platform operators give their users

They shall protect children by prohibiting harmful content and imposing effective sanctions against users involved in violations of personal rights. Analysis of the community guidelines in this monitoring exercise revealed that they do not address all relevant risks that can occur when children use the services.

There are still gaps particularly in terms of subliminal messages promoting self-harm behavior or reinforcing inhuman attitudes. For example, so far none of the platforms checked considers harmful or frightening effects of violent content posted in the (actual or alleged) context of news coverage. Operators also have to improve the way they present their community guidelines in order to enable their young users to understand them.

### Platform operators must implement a reliable age verification

Checking the age is essential to protect and support children according to their developmental stages. All operators require pro forma a minimum age for their users. However, this information is as different as it is confusing. The platforms' apps were mostly rated '12+' while their terms of service prohibited the use by under 16-year-olds. None of the platforms monitored applied effective age verification and asked for permission of the parents.

### Safe default settings to create a child-friendly environment

For young users, it is paramount that platform operators take age-appropriate precautions to keep them safe. Children in particular need a safe environment to experience the internet free of troubles. Appropriate default settings are a crucial factor in terms of protecting their personal data and minimizing the risk of being contacted by bullies or people who groom or seek to abuse them.

None of the platforms monitored offer safe accounts for kids, although most services are also frequented by children. When it comes to teenagers, the platforms offer different default settings. All platforms allow their users to change their safety and privacy settings at any time. However, these are often too complicated to manage, not easily accessible and not very self-explanatory.

### Operators should set up help centers

The risk of facing harmful content and harassment can never be completely ruled out when using social media. In emergency cases, young users need direct support and have to be referred to counseling services in the offline world. Here, quick and easily accessible guidance and support systems are an important instrument for empowering young people.

None of the platforms monitored has a comprehensive approach in place that corresponds to all risks and needs for support. If the platforms do have support systems, they are not just a click away from where the confrontation with harmful content or assaults take place.

## Conclusion

Youth protection on the internet today poses a great challenge. Global players dominate the online world, risks and vulnerabilities are more diverse and users become younger and younger. We need instruments that respond quickly to the dynamics of the internet, anticipate future developments, think ahead and find answers. Young people have different needs for protection: Young children need a safe environment and safe content, older children need support when dealing with dangerous situations online.

The protection of minors in the media today needs a holistic approach considering the rights and needs of children, has to support parents and involve providers and call them to account. We need a culture of shared responsibility: In order to enable children to experience the internet free of troubles we have to join efforts and take children into consideration when creating content, harmonize laws at international level, and standardize protection measures and educational concepts. Risks online cannot be eliminated completely, but they can be reduced if all stakeholders work together and coordinate their actions: the legislator with laws concerning youth, consumer and data protection, law enforcement and supervisory authorities, providers and platform operators - and last but not least school and youth institutions.

More information:

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1. See KIM-Study (<https://www.mpfs.de/fileadmin/files/Studien/KIM/2016/KIM_2016_Web-PDF.pdf>; English summary p. 77 ff); JIM-Study (<https://www.mpfs.de/fileadmin/files/Studien/JIM/2018/Studie/JIM_2018_Gesamt.pdf>, English summary p. 83 ff); Jugendmedienschutzindex (<https://www.fsm.de/sites/default/files/FSM_Jugendmedienschutzindex.pdf>). [↑](#footnote-ref-2)