

CONSENSUS MEASURES FOR A STATE PACT IN THE FACE OF THE NEW
LEGISLATURE AND SPAIN'S PRESIDENCY OF THE EUROPEAN UNION

PROTECTING CHILDREN AND ADOLESCENTS IN THE DIGITAL ENVIRONMENT



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APOYO INSTITUCIONAL



PROTECTING CHILDREN AND ADOLESCENTS IN THE DIGITAL ENVIRONMENT

Consensus measures for a State Pact in view of the new legislature and Spain's presidency of the European Union

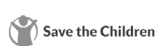
More than 45 million Spaniards use the internet daily, and of those, 40.7 million have at least one social media account. These figures, from the Digital Report Spain 2023, confirm the omnipresence of digital services and applications in our lives, a phenomenon that also involves children and adolescents, even more intensely than adults. The arrival of the first mobile phone for personal use in Spain is around 10.96 years of age, 90.8% of adolescents connect every day or almost every day, and 98% are registered on a social network¹.

These media offer great possibilities, but their abuse also generates risks and problems. More particularly, their use by children and adolescents is especially sensitive² -not only because they are at a stage of evolution and neurodevelopment, but also because these products are designed for adults, which can affect their socialisation and potentially exacerbate mental health problems³, such as anxiety and depression, as well as facilitating situations of violence such as bullying⁴ and sexual harassment⁵ or other forms of violence against children and adolescents that are transferred from the physical world to the digital environment, even generating specific forms of violence in the digital environment⁶. Furthermore, access to technology has often become a gateway to content that is inappropriate for the comprehensive development of children and adolescents, such as pornography, which trivialises sexual relations, leads to early sexualisation, gender bias and exposure to inappropriate content for which children and adolescents are not prepared.

On the other hand, there are business models for large platforms and social networks that are based on capturing the attention of these children and adolescents through persuasive designs, almost always hidden even from parents, resulting in the commodification of their data through its collection, the application of opaque algorithms and profiling - which can generate risky situations and encourage problematic use - for sale to third parties for advertising purposes.

The protection of the rights of children and adolescents is an important political objective in the European Union, as highlighted in the European Commission's May 2022 Communication "A Digital Decade for Children and Young People: The New European Strategy for a Better Internet for Children". Concerned about these issues, and given the special protection that the Spanish legal system recognises for children and adolescents, the organisations that have developed this manifesto call on political representatives **to commit to a set of consensus principles**, in the context of Spain's imminent assumption of the European Presidency (1 July) and the start of a new legislative term following the general elections.

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Protecting children and adolescents in the digital world: consensus measures for a State Pact ahead of the new legislative term

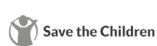
Recognise the problem: the problematic use of the internet, social media and pornography by children and adolescents.

- M.1** Recognise that compulsive use of technology is a public health problem, and provide advice, information and prevention. Adjust public policies accordingly and launch campaigns explaining the dangers of strategies that encourage compulsive use.
- Problematic use of the internet and social media.
 - Consumption of content inappropriate for their age, particularly pornography.
- M.2** Providing preventive measures, care and guidance related to the use of technology for children, adolescents and families, including the most vulnerable groups.
- M.3** Strengthening existing helplines, establishing new channels of support and specialised treatment centres for behavioural addictions.
- M.4** Investment in research and knowledge transfer to citizens.
- M.5** Implement resources in primary care to detect, prevent and take into account problematic use of the internet, social networks and pornography.

Educate in responsible digital citizenship and affective-sexual education.

- M.6** Raising awareness about what is happening on the Internet (bullying, violence, abuse, cybercrime, non-substance addictions, pornography, commercialisation of minors' data, lack of critical thinking, etc.) and its impact on the lives and development of minors. With special emphasis on children, adolescents, parents and teachers.
- M.7** Promoting Parent Schools to train parents in responsible digital citizenship and provide them with tools to educate their children in conscious and responsible consumption, and to be able to generate agreed rules of use within families.
- M.8** Provide enabling skills through formal training to students, teachers, social workers, health and legal professionals with adequate, accredited and ongoing training, including:

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- Device protection: understanding the risks and threats in digital environments; knowing the security and protection measures and taking reliability and privacy into account.
- Data protection and privacy: protecting personal data and personal and third-party privacy in digital environments, understanding how to use and share personally identifiable information, protecting oneself and others from potential harm.
- Protecting health and well-being: being able to avoid health risks and threats to physical and psychological well-being when using digital technologies, being able to protect oneself and others from potential dangers in digital environments (addictive behaviours, health-risk behaviours encouraged through the internet such as self-harm, eating disorders, gambling, lack of sleep). Establish digital health and affective-sexual health education programmes based on scientific evidence, taking into account the age of the child.
- Protection against violence: guidelines for recognising, preventing and reporting different forms of violence in the digital environment (cyberbullying, sexting, grooming, etc.).
- Training teachers in media education from a reflective and critical perspective, providing them with teaching approaches aimed at students to encourage critical thinking.
- Facilitate the development of skills and safe spaces on the internet to promote the social and civic participation of children and adolescents.

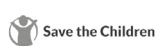
Responsibility of all stakeholders, including industry:

M.9 Translate into concrete measures the principles, measures and mechanisms necessary in accordance with the Convention on the Rights of the Child and General Comment No. 25 on children's rights in relation to the digital environment.

M.10 Design digital products and services with age in mind.

- Conduct mandatory and accessible impact assessments on the effect of digital services and products (existing or to be developed prior to deployment) on children; Ensure that persuasion strategies and dark patterns in online services are disabled by default, with clear and concise information provided when persuasion elements are used, understandable labelling of consequences and effects, and adaptation of service design and online interface to minors.
- Enable access on terminals and devices to applications that offer the underage attribute.
- Pop-up warnings about the risks to which minors are exposed..

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M.11 Collection and dissemination of personal information that minors enter online.

- In addition to adapting content to children and adolescents based on their cognitive abilities according to their age, the industry must inform them clearly and comprehensively of the purpose of data collection and include free procedures adapted to their age and maturity and within the reach of their representatives, so that they can find out what type of data is being collected, delete it and/or update it.

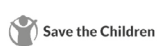
M.12 Prevention for safe and responsible use.

- Include information and warnings about responsible use and risks on the packaging of digital devices to prevent addictive and inappropriate behaviour.
- Promote evidence-based tools for protecting the health of minors by age group.
- Promote regulation in the Autonomous Communities to limit the use of mobile phones in educational centres and to adapt the use of technological devices in the classroom by centres to the age guidelines recommended by Spanish scientific societies linked to paediatrics, psychology and child psychiatry.

M.13 Measures to limit access to inappropriate content.

- Intelligent age-based labelling of content and products to facilitate the detection of potentially harmful content, using descriptors that identify the subject matter of such content. Attention must be paid to content that is seriously harmful to minors, including, for example, scenes of pornography, inappropriate language, or physical or psychological violence.
- Strengthen the control capacity of the CNMC, AEPD, or the body responsible for the powers under the Digital Services Act, providing it with resources and powers.
- Establish mechanisms for verifying a person's age through non-invasive systems that respect their rights, especially privacy and access to reliable, quality information. This can be achieved through the accreditation of attributes and trusted third parties to resolve issues such as anonymity, information protection and interoperability. It also involves the adoption of the mechanisms required of video exchange platforms, content intermediaries, audiovisual content distributors and audiovisual social networks.
- Establishing a legal framework of accountability for managers responsible for video exchange platforms and content distributors who fail to comply with the establishment of the age verification obligation.

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M.14 Algorithms.

- Require that algorithms and automated processing systems be audited by independent third parties and supervisory authorities with regard to privacy protection, the absence of discriminatory biases, manipulation, and addiction, and that clear and understandable information be provided to parents and guardians about the service, as with any high-impact product: who it is intended for, who should not use it, what contraindications it has in special cases, how it should be used and within what limits, how to act in the event of problems, who has verified its correct functioning, etc., in the same way as with medicines.
- Hold those who design, develop, maintain, apply, and use algorithms that cause harm to children and adolescents accountable for the damage caused—including mental health damage—by those algorithms

M.15 Strengthening institutions.

- Strengthen the resources of existing public institutions with responsibilities for protecting the rights of children and adolescents in the digital sphere (CNMC, AEPD, INCIBE, etc.).
- Creation of a specific working group on the digital sphere within the Children's Observatory, including actors and agents with responsibility for the interests of minors.
- Creation of entities, or attribution of powers to existing institutions, in European regulations governing the digital sphere.

We ask the representatives of the political parties to **commit to the above consensus measures** and, with the start of Spain's European Presidency (1 July), to lead a package of measures in the digital sphere for the protection of minors in the European Union.

This Manifesto for Consensus has been signed by the following entities and representatives in Madrid on 9 June 2023. Any entity that supports the above consensus measures for the protection of minors in the digital environment may sign this document. They will be added in order of application.

Ana Caballero
Vice-President of AETD



**Mr. Jorge Gutiérrez Berlinches
y D. Alejandro Villena**
Secretary and Clinical Director



Ms. Silvia Moroder
Chairwoman of the
ANAR Foundation



Mr. José Luis Colas Giraldos
President of iCmedia



Mr. Andrés Conde
General Director of
Save the Children



Mr. José María Vera
Executive Director of UNICEF



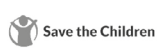
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NOTES

- 1 Source: Impact of Technology on Adolescence. Relationships, Risks and Opportunities. 2021. UNI-CEF., USC and CCII.
- 2 According to the aforementioned UNICEF study, 1 in 3 adolescents in Spain may already have a problematic use of the internet.
- 3 According to the ANAR Foundation's 2022 Annual Report, mental health problems account for 45.1% of cases handled by ANAR helplines, with suicidal behaviour being the main reason, increasing 34.8-fold in the last year. Other phenomena involved in the increase in mental health issues, related to the inappropriate use of technology, are self-harm, which has grown by 4,448% in the last 10 years, eating disorders, with an increase of 291% in the last year, and self-esteem problems, which have increased by 494%, in addition to addictions: to gambling, mobile phones, video games, etc.
- 4 According to the IV Report on the Prevention of Bullying in Educational Centres by the ANAR Foundation, 8.2% of students believe they are victims of cyberbullying, with the most common platforms being WhatsApp (66.9%), Instagram (53.1%) and TikTok (48.6%). 26.9% of students believe that people who have suffered cyberbullying have experienced this situation for more than a year.
- 5 In Spain, the average age for minors' first contact with pornography is between 9 and 11 years old. Source: Milano, V. (Dir.) (2023) Study on pornography in the Balearic Islands: access and impact on adolescents, applicable international and national law, and technological solutions for control and blocking. Balearic Institute for Women.
- 6 Viral violence, analysis of violence against children and adolescents in the digital environment. 2019. Save the Children.

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INSTITUTIONAL SUPPORT

