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## Protecting children from Digital Media Overexposure: The urgency of Governments, Parents, and Industry Self-Regulation

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### Abstract

The children's unsupervised media exposure was underestimated in the past. Today, when lives are dictated by technology and digital media, children are considerably exposed to advertising content directed either to 1) them, or 2) to their parents or older siblings, that might cause set of disadvantages: materialism and snobbism, obesity, even anxiety. The theoretical research and the findings of the previous studies are strongly signal of a condition where kids are under significant unsupervised exposure of digital media and advertising content. Despite some initiatives and regulations, there is no unified and standardized method to fight this trend. The study aims to examine the role of the 3 most important stakeholders concerned with this mater: 1. Governments; 2. Industry (self-regulation) and the 3. Parents. The results in all three aspects show some improvements: Government regulations and policy making – however not fully adoptable globally or difficult to adjust to the algorithms od current social media platforms; Industry self-regulation has several challenges specially related with sustainable reasoning and the results show that children of parents who use mobile device for conditioning are exposed longer on social media platforms in comparison to children who are not conditioned by parents. Following EU Report (2020) of children time spent of media, the urgency is alarming for taking a balanced and systematic approach embedding all 3 stockholders as intersectoral solution is urgent.

**Keywords:** Children, Generation Z, digital media, advertising, risks.

### 1. Introduction

This paper intends to provide a comparative overview of the current issues of children's digital media exposure followed up by an analysis of activities taken by all involved stakeholders:

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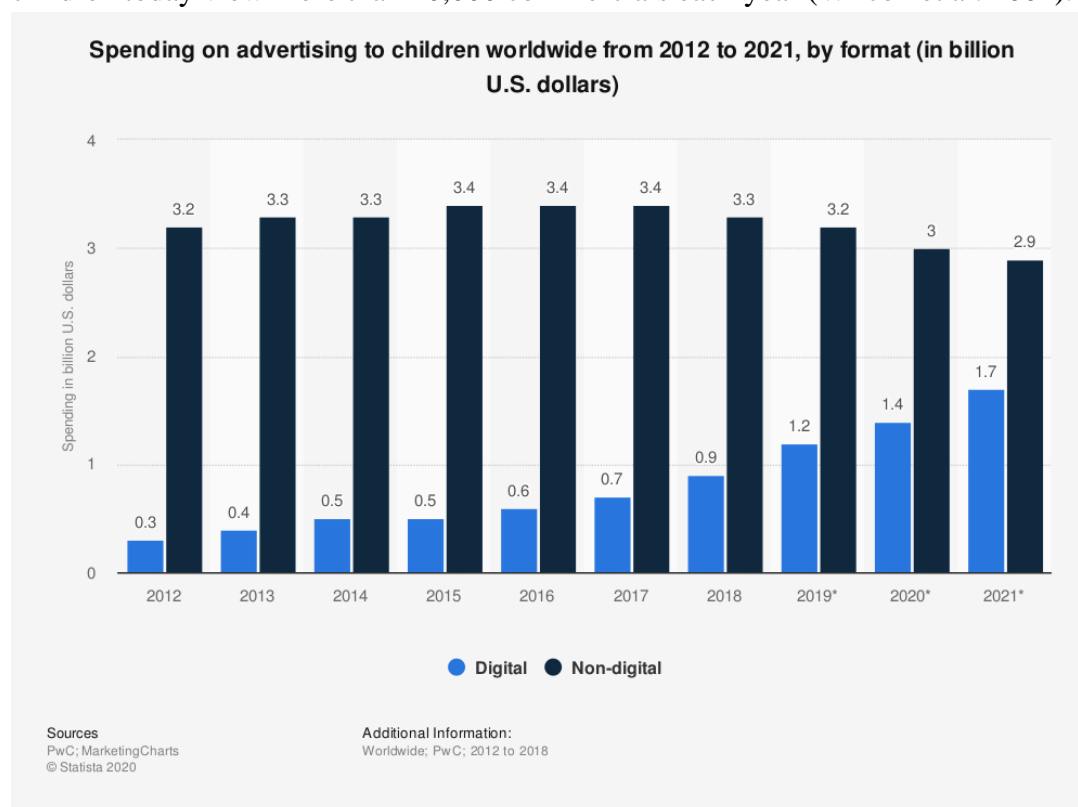
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governments and institutions, parents, and industry tending to ensure a secure and favourable digital environment for children. The paper serves to create awareness among the concerned stakeholders and elevate the current international academic and institutional discussions, intended measures and restrictions aligned with the current (and expected future) risks and needs of children in a digital environment.

This paper seeks to contribute to the review of: i) analysing new and emerging risks for overexposed children on digital media content; and ii) identifying if the policies, actions and initiatives have developed with the same dynamic with as the technology, ensuring involvement of all 3 parties: governments, parents and institutions.

## 1.1 The relations of children and digital media

1. Strongly regarded as potential consumers by advertisers nowadays, children have from one had more significant allowances and on the other hand they have a significant influence on their parents' purchasing decisions. Children's media use has changed significantly over the last decade. Today's children dominate a unique position in the marketing system being treated as a demographic target group by advertising industry. It is estimated that the children today view more than 40,000 commercials each year (Wilcox et al. 2004).



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Marketing Charts. (June 27, 2019). Spending on advertising to children worldwide from 2012 to 2021, by format (in billion U.S. dollars) [Graph].

Statista. Retrieved January 31, 2021, from <https://www.statista.com/statistics/750865/kids-advertising-spending-worldwide/>

Consequently, advertising budgets for ads for children continues to grow. Although traditional and offline media still hold the biggest share of spending, there has been an obvious trend towards digital in recent years.

In the latest survey performed in (Zhang et al., 2020) 19 European countries, children's estimated time being exposed online stretches from 134 minutes in Switzerland up to 219 minutes in Norway (Smahel, D., Machackova, H., Mascheroni, G., Dedkova, L., Staksrud, E., Ólafsson, K., Livingstone, S., and Hasebrink, U. (2020). Comparing with the same report from 2010 in some countries such as Germany, France, Italy and Spain, the average time children spend on the internet has multiplied. The same report confirms that among the countries more than 50% of the children are using their smartphones every day or almost every day, several times a day or all the time (Ave = 57%), having varieties ranging 39% - Slovakia and 71% - Norway.

Regarding France, the EU Kids Online Report (2020) shows that 62% of children log on the internet daily with their mobile phone and 39% actively utilize PC's. According to the same report, the average time spent online per day is 2 hours and 6 minutes throughout the days from Monday till Friday, and 3 hours and 16 minutes during Saturday and Sunday. In France, 8% of children spend more than 6 hours a day online during the week and 18% at weekends. While around 50% of the children do own a profile on the social media platforms, at this point the most used platform is Snapchat (25%), with a significant disparity between girls versus boys (31.6% vs 17.7%). Facebook is the second used social media platform, with 23%. The main and most dominant reason why children in France use the internet is entertainment (videos and music) and second - communication (Blaya et al., 2020).

In addition to that, a new analysis by the European Commission pointed that the digital media have to a large extent replaced television as a source of information and entertaining in addition to the already confirmed conclusion that children do spend more time online. Coming back to the French market, advertisers are spending 150 million eur per year on advertising – ads targeting children below the age of 12 and this budget is growing, especially for food advertising (Béjot, Doittau, 2004).

Further on, in fact the digital world is dominated by advertising, based on easily collected data which is a main motivating factor behind increased datafication. In thus up and rising industry, children are considered important socio-demographic targets for the marketing industry for

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three main reasons: 1) children have money to spend- as they become financially more independent at earlier age, 2) their influence their family's budget is increasing, and from a consumer behaviour point of view - they are in fact the forthcoming consumers (Van Der Hoff, 2017). Hence, children are increasingly exposed to personalized digital advertising through various online ad services such as display banners, all types of google ads, and paid advertising on social media platforms. This digital media exposure comes in direct way – when advertisers are directly targeting children or indirect when advertisers are targeting their parents or older siblings and children are using their devices. In addition to that online gaming is popular among children, and the main income driver in online gaming is advertising, which in other words means the game itself represents an advertising platform. A study from 2018 that evaluated 135 Apps on the Google Play App store created for children aged between 1 and 5 years, concluded that 95% of the mobile applications had at least one advertisement which involved: the use a popular character (42%); call to actions (CTA's) to upgrade and buy to a full version of the application (67%); videos mid-roll ads ( 35% of all apps, 54% of free apps); in-app product placements (30% of all apps, 41% of free apps); stimuli to offer ratings the application (28%); share option on social media (14%); display banners (17%); or products placements with characters masked as game play (7%). In general, the study exposed significant amount of mobile advertising, using data based manipulative and disturbing techniques (Meyer, et. al., 2019).

According to OECD report: Protecting children online (2020), today, children are increasingly taking having their social lives in the digital environment set up, communicating among each other through social media platforms and applications such as Snapchat, Messenger, Instagram, Twitter, TikTok and WhatsApp; and using connected devices, apps, websites and games for their entertainment but also education. Along with this evolution of the risk, we need to able to analyse the benefits as well. Therefore, the report concludes that the risks (and certainly the advantages) linked with this use may have as well evolved, without being acknowledged and analysed sufficiently. According to OECD report (2020) all the above mentions concerns represent challenges for policy makers in discovering methods that can at the same time address risks and be reactive to the needs and weaknesses of children without detaching the children from the opportunities and the benefits offered.

## **2. The worrying rise of children overexposure on digital media**

This trend of spending more and more time online comes along with both, benefits and challenges. The problem of rising use of digital devices by children is that they are currently treated as another demographic group by advertisers, and yet not perceived as a vulnerable group. It is urgent to upgrade the awareness and knowledge of their sensitivity of certain digital

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media content, and thus act upon. The rise of digital advertising calls for stricter regulations. Children today are exposed to multimedia channels like never. Just as in offline media structure, digital advertising to children should be legitimate, proper, and factual, while also ensuring data security and information privacy relating to children's personal information. In year 2011, OECD identified online related risks into three general groups:

- 1) content and contact risks
- 2) consumer related risks
- 3) privacy and security risks.

Although these 3 general groups exist today, new have emerged such as sexting or sextortion, targeted advertising, and privacy risks as well.

However, there is also an evolving perception also of the advantages that the digital communication is offering to children, in terms of social interaction and informative grants.

One instrument that can tackle these to emerging trend is ensuring children's digital literacy.

## **2.1 The negative effects of children's overexposure on digital media and measures undertaken**

The analysis by OECD in 2017 builds on responses from thirty-four countries<sup>1</sup>. The answers of the question asked, 'which online risk groups should be referred in a review, either because they are new or because they require updated evidence' were offered the following listings by priority. From lower priority (1) - to higher priority (6).

Figure 1. Rating of new and emerging risks

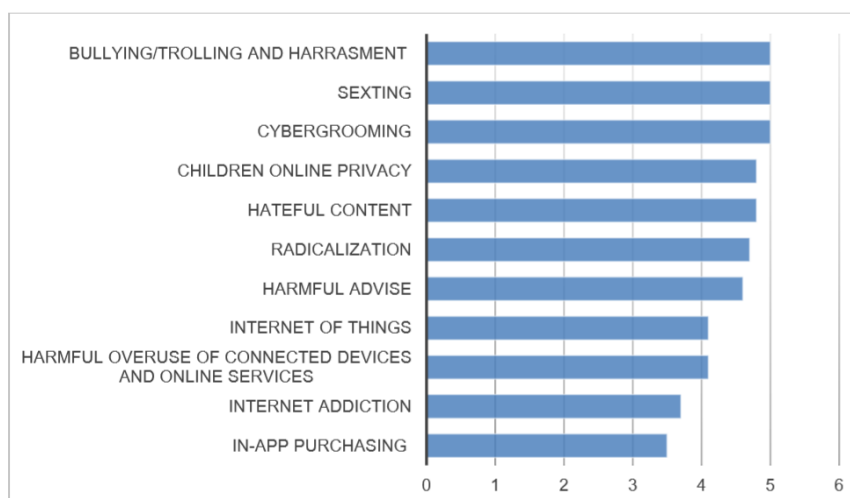
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<sup>1</sup> Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Russian Federation, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States.

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Source: OECD 2017 Questionnaire

As noted at the Zurich Conference 2018 held by OECD related with this report, the listed issues are not only growing concern across OECD countries, but also they begin to represent major concern in the developing world as well. An extreme case can be taken from India and the manipulative use of the app WhatsApp – which in this case has seemingly also been utilized to enable sex trafficking.

At the European Level, in 2018 the European Commission noted that, “Victims are exploited in the sex and entertainment industry, facilitated by the rapid technological development and the use of internet for advertising services and the recruitment of victims.” Similarly, the Council of Europe has stated that, “the prevention of human trafficking is closely linked to the on-line security of children. Recruiting victims through the Internet, via websites advertising jobs, dating sites or social media is a growing trend”.

Further on, the number of children exposed to hate content in the digital media is rising as well. In 2010, 12% of the children aged between 11–16-year reported that, they had been exposed to hate content”. Three years after in 2013 this percentage increased to 23% of children in the same age range. Despite the negativity around these results, the surveyed suggests that there is also data indicating that children and young people are becoming more knowledgeable of how to address and report this issue.

In year 2014, across the EU 12% of the children aged between 9-16 had reported seeing a sexual image in the digital media device, and similar fraction had seen websites where people talk about ways of physically harming themselves (Livingstone, et al., 2014a).

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Hence, the negative effects of children exposure to digital advertising content can be divided in two major groups: a) financial and b) psychological.

- a) The financial effects can be associated with the phenomenon of increased household spending's under the children's influence in the past decade and recorded materialism among younger children. For instance, preadolescent girls are buying more fashion, make-up, and related goods that were previously intended to an adolescent teen demographic group. Parents, therefore, are pressured to purchase a growing number of products required by their children. Finally, exposing children to intentional advertising messages can lead to parent child dispute, skepticism, obesity, and possibly snobbism (Calvert, 2008). In the research paper: Exposure and Use of Mobile Media Devices by Children: Challenges and Implications, authors have analyzed the correlation between screen media exposure and socio-economic status, as well as other factors such as number of children per family. Namely, families with more children have a tendency to use tablets less than household with smaller number of children. Children that live in families with more children play spend more time playing with each other with each majority of the time, while children growing in households with less children use more tablet and devote more time on it. In addition to that, according Naumovska et., al. (2019) children of parents who use mobile phones **for conditioning spend** more time on mobile devices compared to children of parents who are not conditioning their children with devices. The obvious point here is that each time mobile device is being used as a conditioning tool for children, negative amplification may occur related to prolonged time spend of mobile device for the child itself. This rather indicates the poor knowledge of parents for the challenges of children's overexposure to screens. (Naumovska, Serafimovik, Efremov, 2019). On the other hand, in the research paper "Mind the gap: Generation Y and Z socio-economic choices", authors have discovered a possibility to predict the positive and negative trend of the Generation Z development course in terms of economic choices, education and financial status in association with their digital media exposure (Naumovska, Novkovska, 2020), again referring to the healthy balance between the benefits and risks of media exposure.
- b) However, the most alarming negative effect is the psychological. Namely, it has been noted by a number of authors that children below the ages of 8 years do not consistently differentiate organic media program from intentional advertising content, even when clear program/commercial separation warnings

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are applied. This is due to the fact that children lack the cognitive ability to recognize the persuasive intent of advertising as they haven't yet develop the ability to apply that knowledge in the child's perception of the advertising messaging (Naumovska, Milenkovska 2017; Calvert, 2008). Therefore, taking into account the absence of the cognitive ability to clearly distinguish the organic news content and creative advertising content (Calvert, 2008), children without parental or teacher's supervision, are at risk of being exposed to inappropriate digital media and advertising content that is not aimed to target them, but their parents or elderly siblings on one side, and are at risk to be exposed to content that is aimed to target children, but created by advertisers who are not skilled to create adequate content for children on the other side. This state is rather alarming if we put it in the context of the multimedia marketing environment and the number of increased media outlet and media budgets nowadays.

Further on, to the regard of the psychological reasoning in the context of personal data protection, according to UNICEF report "Children and Digital Marketing: Rights, risks and opportunities", the use of children's personal data for the purpose of digital advertising, raises the following concerns:

- Majority of the children under age of 13 are unlikely to have the capability to provide knowledgeable consent for managing their personal data.
- Even teenagers and older children strive to realize the implications of permitting cookies.

In the same discussion report by UNICEF, allowing parental permission to substitute for children's consent is offered as one way of ensuring children's rights are protected. However, expert express their concern due to the shortage in digital literacy of parents. Therefore, they consider parental consent may be an unsuccessful method of protecting the privacy rights of young children.

The complexity of online risks faced by children are many and progressing, nearly with same pace as digital marketing industry is developing. Addressing them involves a mix of methods that include governmental, self- and co-regulatory instruments, awareness and educational measures for the children, parental education and child safety restrictions. Concerns are mainly related with children's cognitive limitations typical for the age group, to understand the information contained in advertisements uncritically, and accept most advertising claims and appeals as truthful, was followed by set of measures by governments, global institutions, and the industry (self-regulations). European Commission's published the first Internet Action Plan 1999–2002. Since then, till now many measurers have been tested



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and undertaken, mainly on national levels. In practice, each country manages its own program and instrumentalization, which reflects its regulations and restrictions as well as its culture and governance style. In the past decade there has been a repeated request for improved restrictions on advertising to children especially in EU countries. For instance, Greece has already enforced a complete prohibition on toy advertising. Similar to that, Sweden prohibits all advertising aimed for children under the age of 12; Ireland forbids product placement advertising.

The advertising budget in France for children has reached 150 million a year and this figure is up and rising, particularly for food advertising (Bejot and Doittau, B., 2004). In general, it is noted in many articles that French advertising rules are fairly relaxed compared with other European countries. However, it is important to note that advertising in France is governed by an efficient self-regulatory system which guarantees children's advertisements go through very strict criteria and rarely provoke complaint from the authorities or consumers. In France, the organization responsible of controlling content in audio-visual media services is the Conseil supérieur de l'audiovisuel (CSA). The main action of the ARPP is the 'name and shame principle', or in other words- public announcement of the name of the advertiser, the agency that created the advertisement content and the media that distributed it. In case of acting in non-accordance with a ruling, and after giving warning to the advertiser, the ARPP can ask the media to remove the advertisement and / or dismiss a member. This goes in the same line with the data enclosed in the latest EU report "EU Kids Online 2020" where children in France were reported as lowest (7.1) overall level of digital skills across 19 countries where the highest is 8.3 (Lithuania and Serbia) (Blaya et al, 2020). New regulations from the European Union are set to improve the standards for advertising to children measures imposed in different EU countries. The General Data Protection Regulation (GDPR), applied in May 2018, contains new and stricter requirements. For example, it requires providers of "information society services" directly to children to acquire parental approval where permission is the basis for their personal data collection process. The GDPR requirement applies to all children under age 16, though it allows EU member States to decrease that age to 13, a step that Ireland, Poland and Sweden have already taken, while Austria is choosing age 14. Other fields of European Union regulation currently under being reviewed will also have an influence on digital advertising to children mainly in the area of video-sharing platforms within its authority and will require social media platforms and advertisers to restrict content that "may be harmful" to children.

However, even though most countries in the EU now have active rules regarding advertising to children, not many of these policies have been tested for their usefulness on reducing children's buying behaviors or preferences. Statistical meta-analyses performed following alcohol and tobacco advertising bans reveals that, in terms of their effectiveness at overall

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levels, that bans on advertising actually does not decrease consumption of these products. An additional argument concerning the discovered incompetence of advertising bans is that generally they are limited. To become effective, bans should grasp all forms of communication instead of being implemented in relation to just one medium (Livingstone and Helsper, 2004).

In addition to this, in the report EU Kids Online report published in 2020, it is noted that despite the age limits for online platforms and the implementation of GDPR's "article 8 in EU countries – which requires parental consent for the processing of personal data of children under the ages of 13, 14 or 16" (depending on the country) – a significant number of 9- to 11-year-old children, ranging between 11% in Germany and 45% in Serbia, report visiting a social network site every day. This undoubtedly indicates a gap in the monitoring and as well as testing of the applied methods and open new questions on methods efficiency that need to be re-addressed.

On the top of these concerns there does not appear to be a leading unified legislative and global response to these risks effective in all countries – and not just EU.

## 2. Who's should take responsibility?

From a governmental point of view, Governments face many challenges when developing programs to protect children from the digital advertising and social media platforms. One obvious challenge is how to reduce risks without reducing children's benefits, while maintaining essential values such as freedom of speech and the right to data privacy for all Internet users, as well as children. Nevertheless, the majority of researchers agree that Government policies to protect children online are in their early stages. On that end the essential question should be frames as: Who should accept accountability for protection? What method should the protection take? For the first question my recommendation are rather simpler: Building new standards for digital marketing to children that are to be consistent and global.

1. For providers and advertisers: setting a visual standard that will assure use of content recommended for children; Default settings for platforms, search engines, applications and games, and Internet connected gadgets should be set at the highest level of privacy. Clear and easy to manage separation between programs and ads (following the examples of TV regulations).
2. Parents: providing guidance for parents regarding restricting media exposure time of children and engaging in healthy discussion about media messages. However, parents' supervision can be effective only in teaching children to think

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critically about digital media, while restrictions should be the primary duty of technology developers and policy makers, who should enable a digital environment in which all demographics can access content that provides prospects rather than brings profits.

3. Policy makers and institutions: Policy makers in a cooperation with technology companies should adopt stricter privacy rules for all users especially children, regarding data collection from mobile devices, and other Internet-connected devices and wearables. Release of such data should be significantly provided, and tech companies should report what information will be collected, how the information will be used, with which third parties data might be shared, and the risks and benefits to the consumer on clear and understandable manner.
4. Industry self-regulations supported by the Governments. At this end, children below 12 years should be regarded as a vulnerable group.

### 3.1 Parents

In the report: “Artificial intelligence and privacy, and children’s privacy Report of the Special Rapporteur on the right to privacy, 2021”, today’s children are born into the digital age and parents do play a key role in what concerns making sure that their privacy and safety are protected. A report presented in 2021 to the Human Rights Council points to the fact that protecting children’s privacy in the digital age involves deciding in children’s best interests, being able to understand children’s perception and thus act accordingly. Joseph Cannataci, Special Rapporteur on the right to privacy mentions that „ parents have a role to play in protecting their children’s right to privacy, but it is not only up to them: States must safeguard children’s rights by establishing appropriate practices and laws, and ensuring information is available to children themselves on exercising their rights.”

The report also reveals that about 57% of parents of teenagers aged between 13–17 years are concerned about their child receiving or sending explicit images, and between 21 % and 85% have concerns about their children’s digital privacy. At the same time, less than one in three parents do actually use parental settings on the device of their child, and about 81 per cent knowingly allow their children to use general audience YouTube without surveillance.

According to Byrne et al. (2016), there is a gap with respect to parents’ digital literacy skills and the implication of this is that parents are not properly equipped to guide correctly their children aged between 15-17 in their online experience.

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Nowadays, family traditions such as family photo albums have now shifted towards the digital space and new trends are appearing. *Sharenting* for example, a distinct feature of modern-day parenting, describes any instance where parents get to share private details about their child via digital channels (Hsu, 2019). This phenomenon of recording and sharing the development of a child poses an important risk, the implication of it is that the audience is now wider than ever before, the information can easily go viral via sharing the posts multiple times and sometimes even reaching child predators. Governments are taking steps in order to address this potential harm. For example, Germany and France adopted strict laws to “mandate public awareness campaigns and enforce fines when pictures are posted that are not in a child’s best interest” (Hopegood, 2020).

Another relevant phenomenon is associated to the rise of the so-called “*kidfluencers*”. Recently, “Kidfluencers” –children with a large number of social media followers – have „catalysed an \$8 billion social media advertising industry, with highly ‘successful’ children generating up to \$26 million a year through advertising and the sharing of sponsored content” (Masterson, 2020). Due to the fact that the majority of social media platforms, such as Instagram and YouTube, normally require users to be 13 years old or older to be able to create accounts on their websites, most “Kidfluencers” parents are actually the ones managing their accounts in order to sustain their online presence.

A study carried out by Dias et al. (2016) shows that parents’ attitudes and perceptions play a significant role in what concerns the adoption of digital media by young children but also with respect to the development of their digital literacy. The analysis connecting parents’ perceptions with mediation strategies points to the fact that parents who show confidence with respect to engaging with digital technologies are more likely to perceive them as positive and are more likely to take an active role with respect to their mediation. On the the other hand, parents who do not have the necessary digital skills and knowledge tend to be less confident and will most likely find it more difficult to manage their children’s access and protection.

At the same time, a survey conducted in 2016 in Singapore with 746 adolescents aged 12–18 revealed that „instructive parental mediation based on parent-adolescent communication was more effective than restrictive parental mediation based on rule-making and controlling in reducing information disclosure among adolescents“ (Wonsun,S., Hyunjing,K., 2016). A similar view is supported by Hefner et al. (2019), the study pointing to the importance of open and empathic parent-child-communication. Parents have the power to influence their children’s engagement with the digital by showing a good example, by building trust with the child and through a good communication.

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A study conducted by Livingstone et al. (2015) shows that especially for parents who lack assurance, knowledge, or skill for using digital media, there is a necessity for strategy and expert support.

### 3.2 Governments

According to OECD Report (2020), there is a critical need for policy coordination with respect to governmental instrumentalization of this issue. Two questions are worth highlighting in this respect. First question is on the variety of digital devices and platforms, in the sense that they are not easily able to lead to the creation of policy and legal instruments. Second question relates to the fact that most countries are dealing with the difficulty of having to balance the instruments and regulations. They must take into consideration the importance of encouraging a better use of digital media while at the same time seek to protect children from the associated risks of that use. In this context, governments should seek to invest more in policy coordination.

Nevertheless, in the last decade there are some improvements and efforts that deserve to be acknowledged. In this respect, we can speak about the current debate at international level on industry' voluntary codes of conduct and guidance becoming legally binding (OECD, 2020). In fact, 34 countries included in this survey indicated that they had some form of instrumentalization to address risks to children in the digital environment. Majority of countries included in this report shared that they have adopted a national digital strategy, with the purpose to inform the overall policy direction of their country. In some cases, existing policy adaptation are developed in an ad hoc manner and contain a broad mix of instruments. We can give the example of Poland and its Cyberspace Protection Policy (2013), that has the aim to ensure the cyber security of the country, as well as its citizens. A second example refers to the Mexican Government's 2013 National Digital Strategy<sup>5</sup> which integrates specific actions to enhance the digital health of the country, as well as several protective actions aiming at children safety. Another example is Austria's 2017 Digital Roadmap<sup>6</sup>, which is not a child specific policy, it however seeks to address the opportunities and risks associated with the digital environment for children.

In the US, Children's Online Privacy Protection Act (COPPA) of 1998 has the objective to limit advertising aimed at children (under 13 years) and this is achieved by "forbidding the collection, use, and dissemination of personal information from these children without parental consent" (OECD, 2020).

We also have examples of European countries that seek to criminalise violations of a child's privacy, such as Austria and Sweden. Austria's penal code protects children from being recorded without their consent while Sweden indicated in the OECD survey that there is a plan

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to introduce legislation that will put forward penalties with respect to the abuse of privacy when it comes to sharing images intended to cause harm.

Both in Australia and Canada, consent is required with respect to the sharing of personal information, when it comes to children (less than 15 years old). This initiative is aiming to protect the rights of children and other vulnerable persons.

Most countries' regulations and instrumentalization are not only <child-specific> but broader. However, some countries have adopted or implemented very <child-specific> instruments:

Table 2. Examples of specifically created legal surveillance bodies / different countries

Country	Oversight body	Responsibilities	Child specific
Australia	-Office of the e-Safety Commissioner -Established under the <i>Enhancing Online Safety Act</i> (2015)	General oversight of children in the digital environment, administers complaints scheme, accredits/trains educators, can direct the removal of online content & issue sanctions	No – but with a strong focus on children
Costa Rica	-National Online Security Commission -Established under Decree N° 36274 of the Ministry of Science and Technology (2010)	Administers both the National Online Safety Plan, and the Child Online Protection Policy. The National Online Safety Plan aims to: protect minors online, reduce the use of technology in crime; and promote online security	No – but with a strong focus on children
Israel	-National Network for the Prevention of Violence and Network Crime against Children and Teenagers -Government Decisions January & September 2016	Promotes a safer Internet through educational activities, administers a complaints scheme and a hotline. Is headed by the Director of the Public Security Ministry with a multi-agency steering committee.	Yes
Italy	Permanent Observatory To Protect Children and Individuals Fundamental Rights on the Internet Established by Resolution no. 481/14/CONS (2014)	Analyses issues related to the use of the Internet and Social media networks Monitors content and contact risks (hate speech, objectionable content, threats, bullying harassment), Operates under the auspices of the Communications Regulator.	No – but with a strong focus on children
Japan	The Third Basic Plan on Measures for Providing Safe and Secure Internet Use for Young People	Administered by the Headquarters for the Promotion and Development and Support for Children and Young People, Provides policy guidance for awareness raising activities for the ethical use of the Internet, and promotes voluntary efforts by citizens and business to protect children from harm on the Internet.	Yes
New Zealand	Netsafe Established under the Harmful Digital Communications Act (2015)	Provides information, advice and support on a wide variety of online safety topics. E.g. Bullying; fraud; consumer complaints; image based abuse; and data protection.	No

Source: OECD Report 2020

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Overall, taking the strategy and methods in the analysed 34 countries, the current legislation covers three main aspects: 1) criminality (i.e. to address to risk of sexual abuse / harassment); 2) content regulation; and 3) privacy protection (OECD, 2020).

For example, the United Kingdom's Digital Economy Act 2017 forbids the access of minors to any commercially available pornographic material. France introduced a law to classify programs, age verification, and a prohibition on broadcasting content likely to harm children (OECD, 2020). This initiative was taken as a way to address the issue of minors' protection with respect to on-demand digital media services.

Another example is Sweden and their Media Council, which is a governmental agency, its aim being to protect minors from the harmful effects of media. Media Council has both a content regulation role and an educational and research purpose role. (OECD, 2020)

Alongside with governmental instrumental actions, other associated initiatives are overtaken to fill the gaps and to act in a more dynamic and flexible manner, focused on both enhancing adults' digital literacy but also encouraging and helping them to be better equipped in providing support to their children to safely engage in the digital environment.

France has taken an active role in addressing these issues. For example, in 2018, an amendment to the Education Code was put forward, seeking to ensure that both students and teachers are conscious about the responsible use of digital technology. Beside highlighting this important issue, the amendment also introduces data protection in schools and other educational institutions. Furthermore, in 2015, an initiative was implemented in order to ensure necessary resources and training to help enhance the awareness among educators and students with respect to responsible use of digital technology (OECD, 2020).

Other instruments that need to be highlighted is the digital literacy of both, children and parents (Görzig & Machackova, 2015). Technology oriented solutions might play an important part in complementing traditional approaches (Livingstone et al, 2016b), like moving the responsibility in the hands of the social media companies and the industry itself. Developing industry accountability should be a clear target for future.

### **3.3.Industry (self) regulations and international policy making**

Since birth, children are fully integrated within the digital environment. But they are also very vulnerable and need to be guided and supported. Being exposed to extremely harmful content, depicting violence, pornography, online bullying, etc., their protection and safety in the online environment becomes an imperative.

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Legislative instruments exist both at the level of the United Nations and the Council of Europe, that aim at protecting children's rights, specifically in the online environment. At the same time, Member States have an obligation to "secure to everyone within their jurisdiction, including children, the rights and freedoms that are laid down in international and European conventions" (Handbook for policy makers on the rights of the child in the digital environment, 2020).

As we have mentioned earlier, creating accountability among industry representatives becomes an imperative for the future, as businesses play a key role in ensuring a safe online environment for all concerned. In this respect, UNICEF has worked on developing a number of tools and key resources to provide the necessary support to businesses in making sure that children's rights in the digital environment are respected.

The UN Convention on the Rights of the Child classifies children as a vulnerable group within society. In this respect, all parties are obliged to make sure that children's rights are protected. The convention also recognises the key role that mass media plays, in what concerns the freedom of expression, but also children's right to information and the quality of the content that will contribute to their development.

In the European Union, the regulation of audio-visual media services is carried out by the Audio-visual Media Services Directive (AVMSD). The Recommendation CM/Rec(2018) of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment highlights children's rights within the online environment, such as the right to education, right to express their personal views, but also the right to protection from violence, exploitation, and abuse.

Several initiatives have been put forward recently to address this important and urgent matter.

For example, a key initiative of the European Year of Youth 2022, entitled „The European strategy for a better Internet for children“ (BIK+), has the objective to put forward complementary measures to develop a safer digital environment, such as funding, coordination and self-regulation.

BIK+ initiative proposes actions focused on three pillars (A European Strategy for a better Internet for Kids, 2022):

- *safe digital experiences* to protect children from harmful online content.
- *digital empowerment* for all children to be able to make good choices and express themselves in the digital environment in a safe and responsible manner.



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- *active participation*, which involves developing more child-led activities to enhance creative safe online experiences.

Leading ICT and media companies, NGOs and UNICEF launched in 2017 the *Alliance to better protect minors online*, which is a self-regulatory initiative that is meant to provide a safer digital environment for children and young people. The companies that are part of the Alliance are committed to address the significant risks that children and young people face online, including:

- *harmful content* (e.g. violent or sexually exploitative content)
- *harmful conduct* (e.g. cyberbullying)
- *harmful contact* (e.g. sexual extortion).

All most important social media platforms have developed their own statements with respect to rights and responsibilities and/or Terms of Services to address hate speech. The implication of this is that it can bring about the refusal to publish certain material or material being removed from the platform.

However, the actual effects of these self-regulatory measures are not clear which stresses the need for future research in this area (Alava, et al, 2017; p. 17).

At the same time, the combination of industry self-regulation and governmental instrumentalization has shown to provide great results.<sup>2</sup> The European Union Code of Conduct on Countering Illegal Hate Speech Online which entered into force in 2016 represents an agreement between the European Commission and major platforms such as Facebook, Twitter, Microsoft and YouTube. According to this agreement, these major online platforms agree to evaluate all reports of online hate speech within 24 hours. Recent findings at the level of the European Union point out that about 81% of companies succeeded in evaluating complaints within a day during a six-week monitoring period in 2017.<sup>3</sup>

Countries are also putting forward national-level measures to protect children (WHO, 2018).

For example, Norway developed a self-regulatory scheme that deals with different forms of marketing aimed specifically at children under 13, which integrates social media related marketing, games as well as web pages that market products targeting children. Another example is Finland which, in 2015, forbidden certain forms of marketing of alcohol products

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<sup>2</sup> <https://ec.europa.eu/newsroom/just/items/54300>

<sup>3</sup> <https://ec.europa.eu/newsroom/just/items/54300>

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on social media that covers participating in games where an advertisement uses content produced by consumers. More recently, in April 2021, France put forward a new legislation to address the “Kidfluencer” phenomenon by making social media platforms obliged to remove child content should the child request it (BBC, 2020). According to this legislation, parents must receive government approval before the child engages in digital activities that appear as the equivalent of a ‘labour relation’.

#### 4. Recommendations for future steps

Protection and safety of children at the moment constitutes a top priority with respect to public policy both at national and international level. Studies have shown that more and more children watch content online, which exposes them to harmful content. Then there is the issue of privacy and cyber crime that also needs to be addressed.

Regulations play an important role, however, they cannot address on their own all the challenges related to the topic of minor protection and safety. The entire society should fully engage in addressing this important issue. Each stakeholder’s role is highly important and complementary.

Since there are also issues that cannot be solved by national regulators alone (for example, the international dimension of audio-visual media services), besides the cooperation between the different stakeholders, governmental agencies, industry, etc., international cooperation is becoming more and more important nowadays.

Furthermore, studies have also shown that there is a need for policy and practitioner-level support to be provided in relation to issues such as:

- Knowledge transfer with respect to the benefits of internet use.
- The utilization of technical tools in what concerns managing children’s internet use for safety purposes.
- Support for easy ways to increase parents own digital skills and knowledge.
- Message strategies to enable shared activities using digital devices and parent–child discussions.
- Guidance and support for parents from schools or nurseries with respect to their children’s digital activities at school or nursery.

Parents, as an important stakeholder group, play a significant role, in protecting their children’s right to privacy by paying more attention to the private details that they share

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about their children via the digital channels. At the same time, parents should receive more support with respect to improving their digital skills as studies have shown that parents who tend to lack digital skills and knowledge tend to find greater difficulties in managing their children's access and protection.

Overall, a 360 degrees holistic approach is urgent, with development pace at least same as the industry.

## **5. Conclusion (TNR 14pt., bold)**

The urgency of the solution for protection of children's rising exposure on digital media content has never been more important. Reviewing the literature, a holistic approach for tackling children' digital media exposure is needed. With this holistic and 360 degrees approach, all involved parties are concerned: industry, media, and governments as well as a area collaboration is another space for improvement. While international and regional intergovernmental organizations (OECD, the Asia-Pacific Economic Co-operation, the Council of Europe, the International Telecommunication Union, the Internet Governance Forum and the European Commission) are already engaged, governments and other stakeholders can and should initiate co-ordinated international actions in order to ensure the protection of children in the digital environment by supporting national measures and providing more comparable international statistics. Further on, national and international campaigns for awareness building and education of parents is underestimated as an instrument for protecting children and there are poor or no evidence on taking any strategic measures on this end. And finally, even awareness and education measures need to be addressed for the marketing industry itself, as self – regulation methods such as the case in France seem to be working partly.

A holistic and global approach to children's wellbeing in a digital world is needed embedding: marketing industry self-regulation, visual, content and media standards protected by law, parental and experts education and awareness rising, and finally international cooperation based on standardized data. The approach should be global and should have have double purpose: securing safe digital enviroment for the children while benefiting from the digital transformation at the same time.

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