

the RIGHTS of the CHILD ONLINE



Inspired by the United Nations Convention on the Right of the Child - UNCRC, New York 1989
And by the Universal Declaration of Human Rights -UDHR, New York 1948

UNCRC_PREAMBLE

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity (...).

The online world where children live today is as real as the offline world: is the **society** where they meet people, have experiences, make discoveries, learn, test themselves. Their sociability is often lived through social networks, online platforms, online games, messaging. Sociability also means affectivity, emotionality and the most intimate aspects of their growth.

The child, however, is not aware of the risks and consequences associated with his online activities, although he can be very informed on a technical level. Generally speaking, parents and teachers are less competent than the child regarding the network's offer, its dynamics and its behavioural codes.

The child has the right to be protected in the online world as much as in the offline world.

For the purposes of the present Chart, as for the UNCRC, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

UDHR_ Article 3

Everyone has the right to life, liberty and security of person.



art 1
SAFETY

Article 1 – SAFETY

Every child has the right to surf the web in safe, constructive and joyful conditions

UNCRC_ Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.



art 2
CONSIDERATION

Article 2 – PRIMARY CONSIDERATION

The international and national rights of the child online cannot be prevaricated by commercial interests

Action required: laws regulatory interventions aimed to guarantee:

- Age verification
- Privacy
- E-security
- Social and civil responsibilities of the web service providers

UNCRC_ Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention.



art 3
PROTECTION

Article 3 – PROTECTION

Every child online has the right to the adequate and comprehensive regulatory protection

Action required: creation of “the Kids Online Forum” as official Advisory Board for the regulatory activity of protection of the child from all new forms of risk on line, constantly adapted to the age range.

The Advisory Board includes representatives of institutions, stakeholders, civil society and the scientific community and stimulates the legislator, citizens and professionals to adopt the necessary tools for the protection of minors. The board's representative have the duty to monitor and guarantee the application of the present Digital Welfare Chart, following shared, detailed and verifiable guidelines.

The Forum's goal is also the interception and regulation of new trends and issues before they become emergencies.

UNCRC_ Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Confidential

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.



art 4
REPORT

Article 4 – REPORT

Every child has the right to report psychological violence occurred online

Actions required:

- In Italy: improvement of the effectiveness of Law 71/2017
- Worldwide: creation, enhancement and strengthening of the European and international laws for the protection of minors online.

UNCRC_Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

UNCRC_Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others; or



art 5
RESPECT

Article 5 - RESPECT

The child online has the right to be respected, to protect his reputation and the duty to respect others

Action required: strengthening of e-security and privacy protection against cyberbullying and other risks as hate speech, harassment, exposure, trolling, denigration, baiting...

UNCRC_Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.



art 6
PRIVACY

Article 6 – PRIVACY

Every child has the right to protection from illegal and / or harmful interference in private life

Action required: strengthening e-security and privacy against grooming, and other risks as stalking, cyberstalking...

UNCRC_Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall: (...)

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

UNCRC_Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.



art 7
PREVENTION

Article 7 - SECURITY

Every child has the right to be legally protected from violent, pornographic, harmful, obsessive or violent online material and from the explicit or implicit instigation o violence, self-harm, gambling and gaming

Action required: strengthening of the child on line protection and safety, through penalization of suppliers of NUGC and negative crowdsourcing platforms.

UNCRC_Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern. (...)

UNCRC_Article 28

1. States Parties recognize the right of the child to education,(...)

UNCRC_Article 29

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;



art 8
INFORMATION

Article 8 - INFORMATION

Every child has the right to a complete and exhaustive information about the safe and healthy use of the Internet and about fundamental values as self-respect and compassion

Action required: mandatory and transversal training protocols on digital citizenship for the educating community.

UNCRC Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.



art 9
CARE

Article 9 - CARE

Every child has the right to immediate and effective care and support in case of trauma occurred online

Action required: national and international protocols on validated and shared prevention and intervention tools.

Example: Activation of the [Rescue Team](#).

The [Rescue Team](#) is an interdisciplinary team in charge of Emergency intervention to support situations in cases of bullying, cyberbullying and others problems related to the distorted use of the internet.

The [Rescue Team](#) is reached by the community alerting [App 1Safe](#).

It is composed by: 1 pedagogic coordinator, 1 psychologist / psychotherapist, 1 legal expert, 1 communication expert.

UNCRC Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.



art 10
E-SECURITY

Article 10 - E-SECURITY

Every child online has the right to be protected from any kind of contact with malicious adults and from grooming through fake identities and profiles

Action required: strengthening of e-security and privacy.

UNCRC Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.



art 11
HEALTH

Article 11 - HEALTH

Every child online has the right to be protected by instigation to the use of drugs and alcohol

Action: strengthening of the child on line protection and safety, through penalization of suppliers of NUGC and negative crowdsourcing platforms.