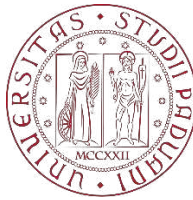# UNIVERSITÀ DEGLI STUDI DI PADOVA

DEPARTMENT OF POLITICAL SCIENCE, LAW, AND INTERNATIONAL STUDIES

Master's degree in

Human Rights and Multi-level Governance

Analysis of child vulnerability on the digital sphere

The case study of European Schoolnet

Supervisor: Prof. MARIAVITTORIA CATANZARITI

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Matriculation No.: 2039438

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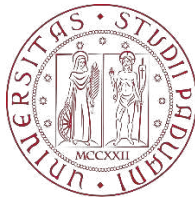Supervisor: Prof. MARIAVITTORIA CATANZARITI

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ABSTRACT

For many years, children and young people have been identified as a vulnerable demographic group in conventions related to children's rights and development. However, although the Convention on the Rights of the Child protects their rights, it was not until recently that the concept of child vulnerability had been properly defined. Since then, there has been a growing awareness and a call for action from international organisations to write reports and conduct consultations with children and young people to better understand their needs. More recently, child vulnerability specifically on the digital sphere has become a growing focus of research due to the omnipresent technology in children's lives. Therefore, this thesis focuses on child vulnerability in the digital sphere illustrated by the work of the non-governmental organisation European Schoolnet and its Safer Internet Centres. The thesis starts by discussing the concept of child vulnerability, its various conceptualisations, and the potential consequences of targeting individuals as vulnerable. It then focuses on the digital sphere, the rights, and risks of different vulnerable groups online as well as the importance of using an intersectional approach when addressing such issues. Thanks to a survey sent out to seventeen European Safer Internet Centres, the final section allows to illustrate the research by good practice examples of initiatives addressed at children across Europe. The latter allows suggestions for improving the capacity of international organisations and States to protect vulnerable children and young people as well as for a greater sharing of learning and good practice between stakeholders.

Keywords: Child vulnerability, Children's rights, Digital sphere, Risks, Opportunities

TABLE OF CONTENTS

LIST OF FIGURES & ACRONYMS

Acronyms

BIK+	The (new) Better Internet for Kids initiative
CRC	The Convention on the Rights of the Child
ECHR	The European Convention of Human Rights
EU	The European Union
EC	The European Commission
ECtHR	The European Court of Human Rights
EUN	European Schoolnet
ICT	Information and Communications Technology
INHOPE	The International Association of Internet Hotlines
IOM	The International Organisation for Migration
ITU	The International Telecommunications Union
NGO	Non-Governmental Organisation
OECD	The Organisation for Economic Co-operation and Development
SIC	Safer Internet Centre
UDHR	The Universal Declaration of Human Rights
UN	The United Nations
UNHCR	The United Nations High Commissioner for Refugees
UNICEF	The United Nations International Children's Emergency Fund
USA	The United States of America

INTRODUCTION

Child vulnerability on the digital sphere is a complex and multi-layered concept which has been receiving a lot of attention in the last two decades. The concept of child vulnerability offline can already be traced back to Greek Ancient Times with Aristotle defining children as "unfinished adults". Even the term "vulnerability" in itself keeps on receiving a lot of traction from academia, civil society, and governments. Since the case *Chapman v. The United Kingdom* in 2001*, vulnerability has taken a significant role in Human Rights Law and has impacted how the European Court of Human Rights interprets new cases. The University of Padova's PhD call for the year 2023-2024 even included the topic "Social vulnerabilities, public policies and human rights". But what really is vulnerability? Academics, politicians and policymakers use this concept to define certain individuals' fragile situations, but a clear definition is often missing in reports. The literature review shows that vulnerability is a vague and paradoxical concept and there is no universal definition. It can either be too broad (everyone can become vulnerable at one point in time) or too narrow (excluding others).

Therefore, the aim of this thesis is to first define child vulnerability and analyse how it is defined on the digital sphere, to understand the major needs, risks and opportunities of certain identified vulnerable groups and to illustrate good practice examples addressing such needs. Besides academic research for the literature review and policy research understanding each vulnerable group online, the biggest analysis will come from the case study of European Schoolnet. But first, as the literature review shows, vulnerability remains a broad and vague concept. Hence, since child vulnerability can be interpreted in a great number of ways and can gather everyone, analysing this concept is quite challenging. Identifying which groups are the most vulnerable, meaning those who will require the most attention, often depends on countries' international and national politics. Moreover, as the literature review shows, targeting specific populations as vulnerable can have various consequences on individuals such as discrimination, paternalism, oppression and even exclusion. What is currently missing in the research however is a condensed analysis of the research on a often used list of vulnerable groups.

Hence, this thesis analyses child vulnerability online from the point of view of a non-governmental organisation, in partnership with a European institution and working with relevant stakeholders

across Europe. The organisation is called European Schoolnet, based in Brussels, that works on projects on behalf of the European Commission. This thesis topic is a continuation of my internship with European Schoolnet as a Research Trainee where I wrote a good practice guide on how to respond to online risks to children and young people in vulnerable groups. This good practice guide is a first step in analysing the needs, risks, and opportunities of the vulnerable identified groups and understanding how their partners Safer Internet Centres work with relevant stakeholders providing support to children and young people in vulnerable situations. The good practice guide is currently published for internal use only within European Schoolnet and the wider network of Safer Internet Centres. The guide complemented the following two good practice guides written by European Schoolnet: "Children and young people with disabilities in an online world[1]" (March 2021) and "Classifying and responding to online risk to children"[2] (February 2023) focusing on different types of risks children face online.

For the purpose of this research, the interpretation of child vulnerability will be based on European Schoolnet's chosen list. In their report on "Making Europe's Digital Decade fit for children and young people" (2021), the organisation states choosing the following list of identified vulnerable children and young people:

- Children with disabilities
- Migrant/refugee children
- Roma children
- Children in care
- LGBTQ+ children
- Children living in poverty

How the list came together will be discussed in the beginning of chapter two. Therefore, focusing on European Schoolnet and the Safer Internet Centres' interpretations of child vulnerability on the digital sphere gives an example of a European initiative working on improving the awareness to

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[1] Better Internet for Kids. (2021). *Children and young people with disabilities: best practice guide.* https://www.betterinternetforkids.eu/documents/167024/200055/Best-practice+guideline+-+Children+and+young+people+with+disabilities+-+March+2021+-+FINAL.pdf/1dab1ba7-0437-d04a-e5b0-f4a60420112d?t=1617107094923

[2] Better Internet for Kids. (2023). *Classifying and responding to online risk to children: best practice guide.* https://www.betterinternetforkids.eu/documents/167024/200055/Good+practice+guide+-+Classifying+and+responding+to+online+risk+to+children+-+FINAL+-+February+2023.pdf

pay careful attention to children with special needs, or from disadvantaged and vulnerable backgrounds.

The thesis is sectioned in four chapters. The first two chapters' goals are to set the context of vulnerability overall and child vulnerability; as well as to describe the risks, needs and opportunities of various children and young people in vulnerable situations. All information written in those two chapters mostly come from academia and reports from civil society. Chapter three analyses the survey findings responded by European Safer Internet Centres. The thesis concludes with chapter four discussing future perspectives for research and initiatives on addressing the needs and risks of children and young people in vulnerable situations.

As mentioned above, this thesis is an empirical study using a case study of a non-governmental organisation[3] (European Schoolnet) which analyses child vulnerability on the digital sphere. This NGO is a good example as it works on projects on behalf of the European Commission and works in partnership with various so-called Safer Internet Centres across Europe. The following part introduces European Schoolnet and how they work. All information below has been rewritten from various sources, all referenced in the bibliography.

INTRODUCTION OF THE CASE STUDY - EUROPEAN SCHOOLNET

Founded in 1997 and based in Brussels, European Schoolnet[4] is an NGO comprising 34 European Ministries of Education focusing on improving the Internet for children and young people. Its slogan is: "Transforming education in Europe". Their main key stakeholders are Ministries of Education, schools, teachers, researchers, and industry partners. For example, EUN works in partnership with European Safer Internet Centres[5] that are creating initiatives for children and young people focused on their online rights (more details in the following part). Thanks to its research, EUN aims to support schools and teachers in their teaching practices and help them to improve their pedagogical use of technology. By doing so, they are giving both teachers and pupils the necessary skills to achieve in the digital society. Marc Durando, EUN's Executive Director, explains that heads of schools are important stakeholders as they will boost the teaching community to become the driving force for change.

Safer Internet Centres

Co-funded by the European Commission as part of the Connecting Europe Facility programme, the European network of Safer Internet Centres help to advise and assist anyone with questions

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[3] Hereinafter, "NGO" or "NGOs"

[4] Hereinafter, "EUN"

[5] Hereinafter, "SIC" or "SICs"

around the digital environment as well as online child sexual abuse. They are present in all EU Member States including Iceland, Norway and the United Kingdom.

The Insafe network focuses on the following two activities:

- *National awareness centres:* Safer internet issues and emerging trends are their main focal points. They are raising awareness about online safety and the necessary skills, knowledge and strategies to stay safe online. Their target groups are children, young people, parents, carers and teachers. Their biggest event is the Safer Internet Day[6], organised every year in more than 170 countries worldwide.

- *Helplines:* As their name says, helpline's main goal is to give advice about harmful content, contact and conduct online. Examples of concerns include relationship issues online, grooming (being harmful contact), cyberbullying or even data privacy. Various ways of contacting helplines exist such as telephone, email, Skype and online chat services.

The International Association of Internet Hotlines (INHOPE)[7] also works through SICs for its *hotline activity*. Any illegal content posted anonymously can be reported on hotlines by the public. Child sexual abuse material is only one example of such content. Once the content is reported, it is automatically sent to a higher body such as a Law Enforcement Agency or a corresponding INHOPE Association Hotline.

Finally, both Insafe and INHOPE work on *youth panels*. Youth panels allow all children and young people to freely express their views about anything related to online technologies or tips about staying safe online. Youth Ambassadors are the voices of young people, disseminating eSafety messages to their peers and even advising them on empowerment strategies.

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[6] Home - Safer Internet Day - BIK Community. Safer Internet Day. Last modified August 26, 2023 https://www.saferinternetday.org/

[7] INHOPE. Last modified August 26, 2023 https://www.inhope.org/EN

EUN is working on many different projects but for the purpose of the research, we will focus on the Better Internet for Kids[8] project as part of the Digital Citizenship Team.

The new Better Internet for Kids Initiative

In 2021, the European Commission adopted a new EU strategy on the Rights of the Child and the European Child Guarantee mainly focusing on protecting the rights of all children and making sure vulnerable children have access to basic services. Following up on this new comprehensive EU policy framework, the digital section is called the first European Strategy for a Better Internet for Children (BIK+). Adopted on the 11th May 2022 by the European Commission, BIK+ is part of the new Digital Decade and adopts all European Digital Principles. Examples of those principles include "increasing safety, security, and empowerment of individuals; supporting solidarity and inclusion; or even putting people and their rights at the centre of the digital transformation".[9] The BIK+ strategy is also one of the pioneering initiatives of the European Year of Youth 2022, focusing on building a better future: greener, more inclusive and digital.[10] Although BIK was first created in 2012, it was necessary to build a new one due to the fast-changing and omnipresent aspect of technology in children's lives. Therefore, in early 2021 once the EU strategy on the rights of the child had been adopted, a call broke out for a Better Internet for Kids strategy. For BIK+ to come into motion, the network of Safer Internet Centres organised 70 consultations with more than 750 children and young people across Europe. On top of that, SICs organised surveys and more consultations with parents, teachers, researchers, national experts in child online safety and industry partners.[11] This working technique is a perfect example of a willingness to involve children and young people in all decision-making that would affect them.

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[8] Hereinafter, "BIK+"

[9] European Commission. *European Digital Rights and Principles*. Shaping Europe's Digital Future. Last modified August 26, 2023 https://digital-strategy.ec.europa.eu/en/policies/digital-principles

[10] European Union *What is the European Year of Youth? | European Youth Portal.* European Youth Portal. Last modified August 26, 2023 https://youth.europa.eu/year-of-youth https://youth.europa.eu/year-of-youth

[11] European Commission (May 11, 2022). New strategy to protect and empower children in the online world. Last modified August, 26 2023. https://ec.europa.eu/commission/presscorner/detail/en/ip_22_2825

BIK+ mission and values

Age-appropriate digital services are part of BIK+ missions. To ensure that no child is left behind and that all are protected, empowered and respected online, BIK+ focuses on the following three key pillars:

- *Safe digital experiences to protect children:* To improve their wellbeing, to respect their best interests in a safe, age-appropriate digital environment, BIK+ aims to remove all harmful and illegal online content, conduct, contact and risks for young consumers. An EU code on age-appropriate design is only one of the fresh measures to improve the Internet for children and young people. Working with industry stakeholders such as online platform providers (Meta, Snap, Tiktok and more) is a crucial aspect of this pillar.

- *Digital empowerment:* Adequate media literacy education should be given to all children (including the ones in vulnerable situations) in schools providing them with the ability to freely express themselves online and to make thoughtful decisions. The BIK+ portal is a platform full of resources and best practices working in partnership with the Safer Internet Centres who consult children, parents and teachers.

- *Active participation & respecting children:* Youth participation is one of the biggest priorities. Children should be involved in decision-making processes about the digital environment, giving them a voice helping to foster innovative and creative safe digital experiences. For example, a child-led evaluation of BIK+ will be set up every two years. More importantly, BIK Youth Ambassadors and BIK Youth Panels have been set up in each EU Member State as a way to easily work with children and young people.

The figure below is a child-friendly version of EUN's three core principles.

Figure 1: BIK+ three pillars (Child-friendly version)

Children are active key actors of the strategy, being at the centre implementing and monitoring it. A child-friendly version of BIK+ is also available. The execution of all those pillars would not be possible without consultation first with children but also with parents, teachers, Member States, the industry, international organisations, academics, civil society; and most importantly the network of Safer Internet Centres across Europe.[12]

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[12] European Commission (May 11, 2022). A Digital Decade for children and youth: the new European strategy for a better internet for kids (BIK+). Last modified August 26, 2023. https://digital-strategy.ec.europa.eu/en/library/digital-decade-children-and-youth-new-european-strategy-better-internet-kids-bik

METHODOLOGY

A qualitative research method has been chosen for this research as the research is based on analysing academic literature, non-governmental organisations' reports, policy documents at European and international levels regarding children's rights online as well as a survey sent to European stakeholders.

Chapter one is the literature review focusing on first academic research defining vulnerability, its various conceptualisations and how it has slowly emerged in the Human Rights language (with an analysis of European Court Cases); then a focus on child vulnerability, the child rights language, relevant factors contributing to child vulnerability online and the importance of intersectionality. The sources were a mix of academic literature and civil society reports.

The second and third chapters of the thesis have initially been written during my internship for the good practice guide. As briefly explained in the introduction, my main task was to write a good practice guide about various initiatives European Safer Internet Centres implement addressing the risks, needs and opportunities online of certain identified vulnerable groups. The main goal of this good practice guide was to raise awareness to governments and other NGOs about the different risks those children and young people in vulnerable situations can face online. Moreover, showing the numerous initiatives implemented by the SICs helps a sharing of good practices within the network and to other relevant partners.

Therefore, chapter two will first analyse child vulnerability online from a European policy point of view and European institutions. Sources include the United Nations International Telecommunications Union, UNICEF and even a UK-based NGO called Internet Matters. Secondly, there will be in-depth examinations of each identified vulnerable group, giving group definitions and specifications of the digital sphere to the respective groups (risks, needs and opportunities). All research is found on the civil society organisations' reports and definitions.

Chapter three will analyse the findings of the survey sent to Safer Internet Centres across Europe. The survey (see Appendix 1) was virtually created on the platform EU Survey used for The European Commission's projects. It was sent to twenty nine Safer Internet Centres mostly in the

European Union[13] (including two outside of the EU, being The United Kingdom and Norway); but only seventeen answered. The survey aims to collect more information on how Safer Internet Centres are addressing the needs of vulnerable children and young people in the digital sphere. It also illustrates how they understand and interpret child vulnerability online based on the countries they are based in. The survey is made of five sections as well as three additional ones about the reasoning behind this survey, data privacy and thanks. There are eleven mandatory questions, eight optional questions, five conditional questions and three questions to describe initiatives implemented. It is a mix of different questions: open and closed ended, yes or no, multiple choice (for example, for choosing which vulnerable group(s) of children and young people was (were) targeted) and probing. The first section of the survey is about their contact details including the strands their organisation focuses on (awareness raising, youth participation activities, helpline or hotline). The second section focused on definitions about vulnerable children and young people, the SICs' opinions about the chosen list of individuals for the BIK Initiative and potential (local) government measures addressing the needs of vulnerable groups. The third section gives SICs an opportunity to detail their strategy and illustrate it with two to three good practice examples mentioning which vulnerable group(s) is (are) the target(s), the initiative's key successes, challenges and future plans. A question also focuses around the potential collaboration or partnership with other organisations for the implementation of those initiatives. This section is optional as every centre functions differently and might not have all the details. However, by making the most important section optional, we took a risk of not receiving many initiatives' details. Section four of the survey focuses around the SICs' knowledge about wider European good practices and section five gives them an opportunity to add anything relevant we might have forgotten to ask. Thematic and content analysis were used for this survey, specially looking at the definitions section. Finally, the fourth and final chapter discusses future perspectives of child vulnerability on the digital sphere.

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[13] Hereinafter, "the EU"

CHAPTER I: LITERATURE REVIEW

Vulnerability is a term used by academics, politicians and policymakers to define certain individuals' fragile situations. The people fitting in this category are often women, children and the elderly. However, a definition is missing in humanitarian reports and policy briefs. Therefore, before going into details about child vulnerability on the digital sphere, it is important to define vulnerability. This literature review is divided into four main parts. On the one hand, the first two parts define the concept of vulnerability, its conceptualisations, its critiques as well as its relationship with Human Rights Law. On the other hand, the last two parts focus on children's vulnerability and more specifically on children's vulnerability online.

1.1 What is vulnerability

The most important aspect to know is that there is no universal definition about vulnerability (Paul, 2013). As it became a hot topic in recent years specially in academic literature, policymaking and even humanitarian debates (Gilodi, Albert & Nienaber, 2022); vulnerability has been defined to fit various experts' purpose and interests. The fields talking about vulnerability the most are usually the following: geography, anthropology, economics, ecology, public health, poverty and development, sustainable livelihoods, famine and food security, sustainability science, land management, disaster management and climate change (Paul, 2013). Therefore, it is difficult to have a single universal definition common to all disciplines. It became so popular that it is now a buzzword (Brown, 2017). Academics and policymakers usually define vulnerability as a self-explanatory condition or phenomenon without going further in understanding its implications. This aspect will be further discussed in the next part. Adding to this, vulnerability is a "possibility of injury or harm arising due to the limitations or inherent of our physical bodies" (Fineman, 2020). The word "vulnerability" itself derives from the late latin *vulnerabilis* "wounding" and from the verb *vulnerare* "to wound, hurt, injure, maim"[14]. The idea of human vulnerability is strongly correlated to Mediaeval religious practice and the veneration of the Passion (Turner, 2006). This

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[14]Online Etymology Dictionary. *Etymology of the word Vulnerable.* Last modified July 20, 2023. https://www.etymonline.com/word/vulnerable

veneration is associated with the Seven Wounds of Christ as an evidence of His suffering and humanity. Therefore, this human vulnerability is a traumatic wounding as it determines our capacity to "be open to wounding and to be open to the world (Turner, 2006).

1.1.1 Definitions of vulnerability

1.1.1.1 Risk

Another common definition of vulnerability is "an internal risk factor of the subject or a system that is exposed to a hazard and corresponds to its intrinsic tendency to be affected, or susceptible to damage" (Paul, 2013). This widely known definition has been adapted to various disciplines by only changing the word "system" according to the issues. For example, sociology would focus on sociopolitical systems or disaster management would relate to ecological systems (Gilodi, Albert & Nienaber, 2022). The system will help to analyse which type of risk is to be examined. In the case of children's vulnerability, the risk would be to not benefit from the same rights as their parents.

1.1.1.2 Capacity

Moreover, various definitions of vulnerability refer to capacity (Gilodi, Albert & Nienaber, 2022). A system which cannot cope with external hazards will be identified as vulnerable. The International Organisation for Migration (IOM) also mentions capacity in their definition of vulnerability: "Within a migration context, vulnerability is the limited capacity to avoid, resist, cope with, or recover from harm. This limited capacity is the result of the unique interaction of individual, household, community, and structural characteristics and conditions" (IOM, 2019).

1.1.1.3 Autonomy/Dependency

Finally, autonomy and dependency have been identified as common factors of vulnerability among various definitions. By logic, if individuals or so-called "systems" are lacking capacity, they would also have a reduced level of autonomy and higher dependency (Gilodi, Albert & Nienaber, 2022).

Therefore, risk, capacity and autonomy/dependency have been identified as common factors of vulnerability in various definitions. Overall, the terms vulnerable and vulnerability can mean a lot of different things and are often perceived in a negative way. Someone referred to as vulnerable can be defined as someone who is weak and without protection, resulting in them being easily hurt physically or emotionally[15]. Vulnerability is often used to talk about people who are weak, discriminated against, disadvantaged, oppressed, marginalised or helpless (Fineman, 2020). The first commonly known feature of human vulnerability is their relation to corruption. By nature, human beings are seen defenceless and easily wounded or harmed. They will either be weakened due to fate or chance; or because of individual choices and their assumption of risks (Fineman, 2020). This vulnerability applies to all human beings, and it implies that all have a degree of vulnerability inside of them and that some could also avoid the consequences of vulnerability. The second less common feature of vulnerability however focuses on specific demographic features of individuals associated with specific social, economic, or political disadvantages. Those features are often unjustly forced on individuals and are subjective and mutable. The professional discourses common in law and public health often refer to them as "vulnerable populations" (Fineman, 2020). Mary Neal refers to vulnerability as the condition of particular "vulnerable populations" (Neal, 2013). The discourses portray such populations as "lacking in ability, capacity, or character" which only causes an unwanted stigmatisation. The main features that professional discourses will focus on are physical or mental health conditions (the elderly, children or individuals identified as disabled) or situational or status related factors (refugees, the poor and the incarcerated). Overall, any individual labelled as vulnerable is someone who suffered discrimination, mistreatment, or the consequences of destructive environmental forces impacting on their economic, political, or social opportunities. Identifying individuals as vulnerable helps to argue that they require special legal and political considerations.

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[15] Collins Dictionary definition of "Vulnerability. Last modified March 3, 2023. https://www.collinsdictionary.com/dictionary/english/vulnerable#:~:text=(v%CA%8Cln%C9%99r%C9%99b%C9%99l,easily%20hurt%20physically%20or%20emotionally.

1.1.2 Conceptualising vulnerability

1.1.2.1 Martha Fineman's vulnerability theory

1.1.2.1.1 Definition

All the above refers to the commonly known definitions of vulnerability as talked about by various professional discourses. However, Martha Fineman conceptualises vulnerability from a different perspective with the "vulnerability theory" in her article "Universality, Vulnerability, and Collective Responsibility". Martha Fineman, an American jurist, a legal theorist, and political philosopher, focuses on the less debated feature that all human beings are "universally, consistently, and constantly vulnerable". She states that "none of us are totally invulnerable from outside forces or internal forces"(MRonline, 2022). This vulnerability theory focuses on the body and the real developmental differences which take place within every body, positive and negative. Positive developments can be growing from being a helpless baby to an adult with a developed brain. Negative developments can be sickness or accidents. A lot of those developments are out of one's control and the society's control. Therefore, Martha Fineman's main argument is that no individual should be labelled as vulnerable only for law and policy purposes. The universal and constant aspect of vulnerability here demonstrates that "vulnerability" is not the appropriate term to define and isolate specific groups from humanity. It is important to mention though that this theory does in no way diminish or deny discrimination or harm or that States should not take the correct steps for remedy. This vulnerability theory focuses on institutions and structures and wants to bring a more universal and inclusive approach to social justice (Fineman, 2020). The argument is that finding remedies to discrimination in a "fundamentally unjust institution" does not help to reach the goal of social justice; instead, focusing on reforming the whole institutional or structural system would be more useful. This vulnerability theory goes beyond specific oppressions and marginalisation of specific groups: it is about a collective responsibility. Florencia Luna goes further by saying that targeting vulnerable populations is an oversimplification and "suggests simplistic answers to a complex problem" (Luna, 2009).

Going further on this collective responsibility, Martha Fineman illustrates it with the targeted vulnerable populations during the Coronavirus pandemic using the example of The United States

of America[16]. From the beginning of the pandemic, it seemed clear that some demographic groups were more vulnerable than others. The authorities first targeted the elderly, then those with specific health issues to some coming from racial and ethnic minorities. While targeting individuals did help them to feel safer and more protected, it actually had significant health and political implications. Everyone else who were not part of this vulnerable group did not feel included in the universal guidelines and could have been feel free to ignore recommendations such as social distancing and the use of masks for example. In a way, we can say that targeting individuals as vulnerable did not help to stop spreading the virus but in fact gave a different reality of the virus as well as its nature and threats. Moreover, as more and more groups are targeted as being vulnerable, everyone might fall into this category and vulnerability will no longer be important or meaningful to focus on (Luna, 2009). Kate Brown in her article about "Re-moralising vulnerability" focused on UK policies explaining that targeting vulnerable individuals can bring a speech of opposing the ones who are deserving more special care and the "undeserving" of society (Brown, 2012).

1.1.2.1.2 *Dependency*

After going into details about what is not vulnerability, Martha Fineman continues by stating that dependency is a concrete manifestation of vulnerability. While vulnerability and dependency can often be confused with one another, it is important to show their differences. Similar to vulnerability, dependency is what makes humans "human": how humans' bodies evolve make them dependent on social relationships and institutions. This dependency is inevitable for humans and ongoing throughout their life. For example, human beings, and especially children, are dependent on social institutions and on relationships to provide care. They move from one system of dependence to the next, from the family to the educational system, the employment system and even the healthcare system. As humans grow older, they become less dependent on the family as an institution (MRonline, 2022). This dependency in return enables humans to "adapt, adjust, survive, and even thrive, despite (…) their vulnerability". The vulnerability theory calls this process: "resilience". No human is born resilient, but resilience is obtained through personal

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[16] Hereinafter, "USA"

experiences. In order for a successful resilience, it is important for social institutions and relationships to work together. Family and other social institutions exist specially because humans are vulnerable. Martha Fineman gives the example of family and the educational system which play a fundamental role in an individual's life as they determine their success of employment, ability to form a family to a wellbeing in retirement. Successful social institutions and family dynamics will bring a successful resilience in human beings' lives. What is important here is how governments can transform the social institutions in order to give greater resilience; or how they can respond to vulnerabilities "by ensuring that all people have equal access to societal institutions" (MRonline, 2020).

Besides Martha Fineman's universal vulnerability theory, academic scholars have identified three complementary conceptualisations.

1.1.2.2 Additional conceptualisations of vulnerability

1.1.2.2.1 Innate vulnerability

The first conceptualisation is "innate vulnerability" or natural characteristics of individuals rendering them vulnerable (Brown, 2017). Age, gender, disability and chronic medical conditions are usually the focus of this type of vulnerability. The UN Refugee Agency (or UNHCR) often talks about innate vulnerability in order to target the most vulnerable migrants (Flegar, 2018): women, children, elderly and disabled people being the groups.

1.1.2.2.2 Situational vulnerability

Situational vulnerability refers to an experience that people have been through in the past or who are currently living through or even who could be exposed to (Gilodi, Albert & Nienaber, 2022). Examples include homeless people, Roma communities, drug users, asylum seekers and refugees but also women or even black and ethnic minority groups could also be included as more general groups (Brown, 2017; Peroni and Timmer, 2013). Situational vulnerability talks more about a possibility of change in someone's personal situation and, contrary to innate vulnerability, helps to put together more proactive policies to leave this situation of vulnerability. According to

Florencia Luna (2009), defining vulnerability as relational instead of a "permanent and categorical condition persisting throughout one's existence" enables to demonstrate that vulnerability can happen between certain circumstances. For example, Flegar (2018) says that situational vulnerability is very related to migrants. She states IOM's policy documents saying that the whole process of migration forces a situational vulnerability as the environment is unfamiliar and unsafe. Sozer (2020) on the other hand talks about the first step of becoming migrants by saying that migrants become vulnerable specifically because of a certain situation, putting them at risk of experiences of violence and persecution forcing them to leave their country.

1.1.2.2.3 Structural vulnerability

The third and final conceptualisation of vulnerability is structural vulnerability focusing on the factors that produce and reproduce vulnerability. According to James Quesada et al. (2011) structural vulnerability is "a product of class-based economic exploitation and cultural, gender/sexual, and racialized discrimination, as well as complementary processes of depreciated subjectivity formation". Luna (2009) complements this definition by saying that everyone is affected by this type of vulnerability. The general idea is that it is necessary to analyse all social, institutional, legal and economic conditions around a situation to better understand vulnerability. Luna (2009) gives the example of women who are vulnerable specifically because of the unequal misogynistic system in which they live and not their natural characteristics of gender. This type of structural vulnerability is very important as it relates to human beings' interdependency and need for social institutions. It is similar to Martha Fineman's universal vulnerability theory where interdependence and relationships are at the core.

1.1.3 Critiques of targeting vulnerable populations

As briefly mentioned above, targeting specific individuals as vulnerable has received much criticism in recent years. The following part defined the concept of vulnerability and showed its various implications and conceptualisations. While it has become very popular for academics and policy makers, conceptualising vulnerability has also received much criticism specially because of its consequences on politics, policy and legal frameworks.

1.1.3.1 From the definition itself

To start with the definition of vulnerability itself, it is both too broad and too narrow. The American Journal of Bioethics published a study on "The Limitations of Vulnerability as a Protection for Human Research Participants"[17] in 2004. According to them, on the one hand, the broadness of the definition can encompass a large group of individuals. Therefore, in some cases all human beings can be included. Shown in the coronavirus pandemic where vulnerable groups started from those with health conditions, to the elderly to even racial minorities and the economically disadvantaged. The aspect of vulnerability does not seem very significant or valuable. For example, the Office for Human Research Protections (OHRP) in the United States of America (USA) recently added more people for special considerations. Besides the protected populations by special regulations, the following groups are now concerned: "cognitively impaired persons; traumatised and comatose patients; terminally ill patients; elderly/aged persons; minorities; students, employees, and normal volunteers; and participants in international research" (US Dept. of Health and Human Services, 2001). Levine focuses his research on medicine explaining that doctors find it difficult to know which populations have priority since more and more individuals are targeted as vulnerable. The health departments already have limited attention and resources that this aspect of vulnerability can have negative impacts on people's health.

Secondly, the article demonstrates that the definition of vulnerability is also too narrow. Using a medicine perspective, Levine (2004) explains that by focusing too much on certain group characteristics, it is likely to forget to consider patients' other significant aspects. Such aspects could be the social and economic context or a patient's institutional environment that would help to explain why they are suffering from harm. By looking too narrowly, we can also forget the major small details in someone's situation.

1.1.3.2 From a Human Rights Law perspective

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[17] Carol Levine, Ruth Faden, Christine Grady, Dale Hammerschmidt, Lisa Eckenwiler and Jeremy Sugarman (2004) "The Limitations of "Vulnerability" as a Protection for Human Research Participants". *The American Journal of Bioethics*, 4: 3, 44-49, First published on: 17 August 2010 (iFirst)

1.1.3.2.1 Discriminating and stigmatising

To start with, various authors described as discriminating and stigmatising the idea of targeting groups as vulnerable. The negative connotations associated with vulnerability such as risk, harm and injury have the potential to take a larger place in individuals' identity or a "master status" (Peroni and Timmer, 2013). Therefore, in court hearings, vulnerability might overshadow other positive qualities such as individuals' talents and abilities. Stigmatisation is especially powerful in innate vulnerability as it is part of human beings and hence cannot be changed (Gilodi, Albert & Nienaber, 2022). Moreover, vulnerable targeted individuals might also face discrimination as society will have their own moral judgement by portraying them as "less capable, less autonomous, less rational, less competent, etc" (Gilodi, Albert & Nienaber, 2022). Nathalie Grove and Anthony Ziwi (2006) talk about a process of "othering" where vulnerable targeted populations will be marginalised and stigmatised by putting them in a system of moral hierarchies. They use the example of refugees, asylum seekers and irregular migrants who are automatically treated as "separate, distant and disconnected from the host communities in receiving countries". Discrimination can further lead to impacting various aspects of individuals' lives such as access to healthcare, job opportunities or housing.

1.1.3.2.2 Patronising, paternalism and disempowering

Similarly, targeting vulnerable groups can also lead to patronising, paternalism and disempowerment. Kate Brown (2011) explains that treating people as having less qualities than others puts the "non-vulnerable" in a situation of power and feel they have the right to paternalism over what is good for them. She illustrates it with disabled people who have always been defined as "incapable, limited and deficient". By excluding and stigmatising such groups, society is ripping them off their ability and power to decide what to do in their lives. Although there are various social protection systems designed to help such groups, those systems do not really give them a chance to challenge or negotiate their need for protection (Clark, 2007). Working with young Congolese people in Uganda, Clark realised how important it is for researchers, policymakers and practitioners to understand the real needs of targeted vulnerable populations. Another example is

by Peroni and Timmer who talk about the case D.H. and others v. Czech Republic[18] (2007) involving Roma children and their registration to special schools. In this case, the European Court of Human Rights stigmatised the Roma parents as being unable to make informed decisions about their children's education only because they are part of a disadvantaged community and "often poorly educated" (Peroni and Timmer, 2017). The paternalism of the Court only reinforced the parents' powerlessness. This is why Kate Brown (2017) states that vulnerability should be handled with care.

1.1.3.2.3 Social control and/or oppression

Moreover, targeting vulnerable populations can also lead to social control and/or oppression under the disguise of "assistance and protection" (Gilodi, Albert & Nienaber, 2022). Various legal scholars such as Turner (2009) have criticised humanitarian work comparing it to authoritarian effort reproducing power inequalities and "promoting the control of the powerless beneficiaries by the powerful benefactors". Vulnerable groups have no choice but to adapt to the situation they are in, "thanks" to the aid received (in any form). Grove and Zwi (2006) go even further by saying that humanitarian aid allows to silence and control refugees. They become passive actors of their conditions (Turner, 2009). Moreover, Dambisa Moyo in her book "Dead Aid - Why Aid Is Not Working And How There Is A Better Way For Africa" explains that humanitarian aid is often not only badly implemented with coercive effects on governments, it also contributes to increasing corruption and accepting dictatorial regimes without trying to understand a country's situation. While she also mentions successful examples of humanitarian aid, Moyo does explain that humanitarian aid overall makes things worse and reinforces a situation of dependency of targeted vulnerable African populations towards Western powerful donors. Those examples demonstrate how vulnerability can foster social control and/or oppression.

1.1.3.2.4 Exclusion

Another negative consequence of vulnerability is exclusion, where the international community and humanitarian organisations try to find the "most vulnerable populations" leading to exclusion

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[18]ECtHR, D.H. and Others v. the Czech Republic (GC), Application no. 57325/00, November 13, 2007

of the ones not fitting in this category (Turner, 2009). In a way they are establishing a hierarchy of vulnerabilities and choose which is more significant (Heidbrink, 2020). Heidbrink illustrates this aspect with the case of the 177 migrants rescued in the Mediterranean Sea. The Italian civil society and humanitarian actors decided which aid these migrants were entitled to according to an established list of vulnerabilities (health conditions, age, and trauma). The 140 other migrants still at sea were asked to wait onboard for 10 days. Another issue is that such criteria are often normative abstract categories decided by Western humanitarian workers. Some criteria might be overlooked and create additional conditions of vulnerability (Heidbrink, 2020; Turner, 2019).

1.1.3.2.5 Labelling

Finally, ignoring differences between vulnerable targeted groups is yet another consequence of labelling vulnerability. Society might not fully know which individuals are actually living in vulnerability versus those who may not (or at least not as much as others) (Heidbrink, 2009; Luna, 2009; Sozer, 2020). Luna (2009) states that labelling might also ignore intersectionality or that someone might experience various layers of vulnerability. She illustrates this argument with women who are not only vulnerable because of their gender but might become more vulnerable because of a myriad of factors overlapping. For example, women would become vulnerable in countries limiting their reproductive rights; or a woman who is wealthy and educated will not be as vulnerable as a woman who is poor and illiterate (Luna, 2009). This is why it is fundamental to acknowledge the concept of vulnerability in a dynamic, contextual, and relational way (Luna, 2009; Clark, 2007; Heidbrink, 2020).

The previous parts defined vulnerability and demonstrated how vague, confusing, and paradoxical this concept is. It also discussed the potential consequences of targeting groups as vulnerable. Since vulnerability is related to human beings, recently legal scholars and Courts have used it referring to Human Rights. This next part will explain the type of role vulnerability has played for human rights and more specifically for children's rights.

1.2 Vulnerability and Human Rights

1.2.1 Conceptualisation of human rights and vulnerability

1.2.1.1 Vulnerability as the foundation of the human rights regime

1.2.1.1.1 Human beings are vulnerable simply from being human

In recent years, a few legal scholars have conceptualised the relationship between human rights law and vulnerability. In 2006, Bryan Turner conceptualised vulnerability as the foundation of the human rights regime. Human rights were constructed from theories of natural rights, which are rights given to humans for the sole reason of being human.[19] They are not dependent on any State. Therefore, human nature's vulnerability is strongly correlated to certain fundamental human rights such as the right to life. Human rights are a consequence of a shared vulnerability. He states that vulnerability, a concept that all human beings share together, helps to build a strong framework of human rights. Similar to Mary Neal's (2012) idea that human vulnerability is related to suffering, Turner states that humans suffer pain and humiliation for the sole reason of vulnerability.

1.2.1.1.2 The role of institutions

However, there has been a lot of debate around the idea of institutions and States enforcing human rights to protect individuals. By definition, human rights, contrary to social rights, are not bound to any obligations. Although the Universal Declaration of Human Rights[20] (1948) implies certain obligations, up until today there is no "sovereign power to enforce human rights at a global level" (Turner, 2006). This issue led to criticism by some philosophers such as Hannah Arendt (1951) who argued that human rights are only abstract claims if they are not supported by governments[21]. She gives the example of the right to citizenship which is given by a government: without it, no

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[19] Jack Donnelly, "Human rights as natural rights". (1982). *The Human Rights Quarterly.* Vol. 4, No. 3, pp. 391-405 (15 pages)

[20] United Nations United Nations Human Rights Office of the High Commissioner (1948) Universal Declaration on Human Rights.

[21] Hannah Arendt (1973). The origins of totalitarianism. New York: Harcourt Brace Jovanovich,

authority exists to protect individuals as human beings. Although Arend's conclusions are quite pessimistic, her arguments did raise a few questions around the relationship between human rights and the institutions. Bryan Turner (2006) gives the example of civil rights in the United States of America (USA) often being used as a synonym for human rights. Bringing the two rights together leads to much confusion between the rights of citizens and the rights of human beings. Analysing various examples in political history gives the conclusion that "effective human rights regimes actually require state stability and the institutionalisation of national citizenship" (Turner, 2006).

1.2.1.1.3 A new sociological approach

Moreover, Turner's objective in his book was to make a contribution to the study of human rights from a sociology perspective, which often only brought negative contributions. He challenges anthropologists and sociologists who refuse to acknowledge human rights as universal. Starting from embodiment and human vulnerability, Turner advocates for a new sociological approach. According to him, human rights are universal principles since all human beings share a similar ideology based on a shared vulnerability. He goes further by stating that institutions failing to protect human's vulnerability have been very well studied by sociology. Although there is a lot of debate around relativism and universalism and the absence of one common culture, there is one factor that interlace all human beings together: the various risks and disruption coming from their vulnerability. Each and every one fights for security and a protection from suffering and indignity. The International Covenant on Economic, Social and Cultural Rights[22] (1966) is directly connected with the protection of human life. Since misery is common to all human beings, Turner (2006) explains that they have a need for ontological security rooted in social and economic rights such as right to a family life, to healthcare, to a clean environment and protection from pollution and more. Those rights are fundamentally connected with human embodiment.

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[22] United Nations Human Rights Office of the High Commissioner (1966) International Covenant on Economic, Social and Cultural Rights.

1.2.1.1.4 Four philosophical arguments about vulnerability

Similar to other legal scholars referenced in this literature review such as Martha Fineman, Mary Neal or Florencia Luna, Bryan Turner's study of human rights and vulnerability is focused on four philosophical arguments: "the vulnerability of human beings as embodied agents, the dependency of humans (especially during their early childhood development), the general reciprocity or interconnectedness of social life, and the precariousness of social institutions" (2006). All these legal scholars show how human's vulnerability leads to a strong need of protection by building various foundations: social institutions such as family or political institutions to protect them or put together as a society; a common trust in order to build meaningful relationships crucial to human development; or even rituals and festivals to renew social life. Arnold Gehlen (1988), using Nietzsche's aphorism that humans are unfinished animals, states that this needs to build institutions enables us to compensate for a lack of instincts. Peter Berger complements this argument by saying that religion is a sacred canopy helping to bring meaning in a fragile environment.

1.2.1.2 The relationship between vulnerability and institutions

However, all those institutions are precarious and cannot work without proper leadership and good fortune (Turner, 2006). Turner gives the example of priests and political leaders who are often prone to corruption. Vulnerability therefore is strongly connected to the institutions being precarious. From a human rights perspective, Turner shows how the United Nations[23] and international law are both illustrations of such precariousness. He explains that the UN is portrayed as an "ineffective and conservative institution that cannot offer security to marginal or brutalised communities" as shown with the examples of its reluctance to intervene in the Kosovo crisis and its slow response to the 2005 famine in Niger. Therefore, the social institutions built by humans for protection are in constant need of renewal and change to better respond to social change (Turner, 2006). Turner cites many different examples of institutional precariousness which only reinforce human's vulnerability (despite significant improvements in medical science). Hence, why human rights and vulnerability are related: human rights must also be reviewed constantly due to their failures to protect everyone in a modern world. Turner illustrates institutional

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[23] Hereinafter, "the UN"

precariousness with Hobesian's paradox[24]: human beings need a stable State to protect them but unfortunately State power "is often the cause of human rights failures".

But human rights and social rights are the perfect illustrations of human solidarity and are built in the name of a common experience of vulnerability (Turner, 2006). Turner also explains how raising children and young people in ethical standards enables young individuals to recognise the vulnerability in others and identify with them. It is a significant aspect of human rights culture. He cites Richard Rorty (1989) who believes that it is only with such a moral education that the future generations will be able to recognise other humans as "creatures of their worthy respect, concern and care". Although this argument that moral education is a solution to the miseries of the world has its limitations, it does help humans to recognise "in the plight of others their own misery".

1.2.2 Vulnerability in Human Rights Law

In the article, "Vulnerable groups: The promise of an emerging concept in European Human Rights Convention Law" (2013), Peroni and Timmer question if the human rights system is well constructed to protect the most vulnerable people. By analysing recent high-profile cases, the authors assess how the European Court of Human Rights[25] defines and uses the concept of vulnerable groups. The case *Chapman v. The United Kingdom*[26] in 2001 introduced the use of vulnerable groups to talk about the Roma minority. The situation is an eviction of a young Roma woman from her personal land simply because her caravan was parked there without a planning permission (Peroni and Timmer, 2013). The young woman complained on the basis of Articles 8 and 14 of the ECHR, respectively the right to respect for his private and family life, her home and his correspondence[27] and prohibition of discrimination[28]. She explained that the government did

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[24] Britannica. *Leviathan, work by Thomas Hobbes.* Written by Tom Sorrell. Last accessed: July 20, 2023. https://www.britannica.com/topic/Leviathan-by-Hobbes

[25] The text will often refer to it as "ECtHR"

[26]ECtHR, Chapman v. The United Kingdom, Application no. 27238/95, January 18 2001

[27] European Convention on Human Rights (1950) Article 8 https://www.echr.coe.int/documents/d/echr/convention_eng

[28] European Court of Human Rights (2022) "Guide on Article 14 of the Convention (prohibition of discrimination) and on Article 1 of Protocol No. 12 (general prohibition of discrimination)" Last modified July 31, 2023 https://www.echr.coe.int/documents/d/echr/Guide_Art_14_Art_1_Protocol_12_ENG

not respect her Roma lifestyle of living and travelling in a caravan, which is significant to her tradition. The Court's Grand Chamber defended Chapman by saying that since "gypsies" are considered a vulnerable group and a minority, authorities should accommodate their specific lifestyle when deciding on a case. For this case, the Court simply uses the term "vulnerable" to associate it with minorities. Unfortunately, the wide margin of appreciation of States related to environmental regulations and planning policies enables the United Kingdom to win this case. However, this case is major for the European Court since it set a precedent in the use of the term "vulnerable groups" for the future. Peroni and Timmer (2013) uses the following definitions of the concept: "belonging to a group (in this case, the Roma minority) whose vulnerability is partly constructed by broader societal, political, and institutional circumstances". After 2001 and by drawing on relevant European and international human rights reports, the European Court extended the list of vulnerable groups to: "persons with mental disabilities, people living with HIV, and asylum seekers". For example, the Court referred to the case M.S.S. v. Belgium and Greece[29] for asylum seekers (see section on social disadvantage and material deprivation).

1.2.2.1 Characteristics used to analyse vulnerability by the European Court of Human Rights

Moreover, although still today there are no guidelines to establish a group as vulnerable, Peroni and Timmer (2013) have identified three characteristics to understand group vulnerability: "relational, particular, and harm-based". To start with, the relational factor refers to wider social circumstances which are necessary to analyse vulnerability. An individual's vulnerability is determined by social, historical, and institutional forces. As we have seen in the previous parts, societal institutions are fundamental for individuals to thrive and survive in society. Secondly, according to the Court, an individual's vulnerability depends on particular group-based experiences. Differently from Martha Fineman's vulnerability theory, the Court defines such individuals as "particularly vulnerable groups" instead of simply "vulnerable groups". For example, in case *Alajos Kiss v. Hungary*[30] The Court defines the mentally disabled as a "particularly vulnerable group in society". The case involved a man with disabilities who was

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[29]ECtHR, M.S.S. v. Belgium and Greece, Application no. 30696/09, January 21, 2011

[30] ECtHR, Alajoss Kiss v. Hungary, Application no. 38832/06, May 20, 2010

denied his right to elections due to his disabilities. The conclusion was a violation of article 3 of Protocol 1 of the European Convention stating a right to elections[31]. The Court used the "vulnerable" term to explain how mentally disabled individuals were at risk of suffering from legislative stereotyping since they had already suffered discrimination and social exclusion. This difference between many legal scholar's views on universal vulnerability simply goes further in showing how vulnerability is a paradox and vague being both universal and particular.

The third and probably the most significant factor in defining vulnerability by the Court is harm. The Court uses two main indicators of harm which are prejudice and stigmatisation; and social disadvantage and material deprivation. Peroni and Timmer use those indicators in order to determine which one is more significant in a vulnerability analysis.

1.2.2.1.1 Vulnerability as harm - Prejudice and stigmatisation

After the historical *Chapman v. the United Kingdom* case, the European Court determined prejudices to better understand the Roma minority's vulnerability. There have been various cases after 2001 which demonstrated discrimination against Roma children in their right to education. Peroni and Timmer (2013) first mention the notable case of *D.H. and Others v. the Czech Republic* (2007). *D.H. and Others v. The Czech Republic* is very significant as it is the first time where the European Court challenged the issue of segregation for the Roma population in education. The case talks about the Czech Republic putting Roma students in special schools with an overrepresentation of Roma students. They are forced to only go to those schools due to their status as Roma minorities. An appeal to a violation of article 14 (non-discrimination) was sent to the Court. Following up after this case, there have been several other similar cases brought before the European Court such as *Sampanis and others v. Greece*[32] (2008) or even *Oršuš and others v. Croatia*[33] (2010). Most cases showed how Roma children were forced to attend schools for children with special needs instead of regular schools. The authorities, schools and non-Roma parents used the "turbulent history and constant uprooting" as reasons not to accept them in regular

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[31] European Convention of Human Rights (1950) Article 3, Protocol 1 https://www.echr.coe.int/documents/d/echr/Guide_Art_3_Protocol_1_ENG

[32] ECtHR, Sampanis and Others v. Greece, Application no. 32526/05, June 5, 2008

[33] ECtHR, Oršuš and Others v. Croatia, Application no. 15766/03, March 16, 2010

schools, which only increased the community's disadvantage and vulnerability (according to the Grand Chamber in the D.H. case). The Court also noticed strong negative and hostile sentiments and attitudes of non-Roma parents towards the Roma community. Furthermore, the cultural differences and socioeconomic disadvantages led some doctors to believe that many Roma children had a mental disability. This issue was prevalent in the case *Horváth and Kiss v. Hungary*[34] (2013). Situations impacting children's right to education due to discrimination has also been analysed during the past three years by the European Court of Human Rights. Examples of such cases include *Ádám and Others v. Romania*[35] (2020), *Elmazova and others v. North Macedonia*[36] (2022) and *X and Others v. Albania*[37] (2022). In those cases, the applicants called for a violation of Article 14 (prohibition of discrimination) to be read in parallel with Article 1 of Protocol No.12 (general prohibition of non-discrimination). In *Ádám and Others v. Romania* (2020), applicants of Hungarian ethnicity felt discriminated against for taking more high school exams than ethnic Romanians during the same number of days. Nonetheless, the Court ruled against a violation of Article 1 of Protocol No.12. On similar topics than the cases mentioned above for Roma students, in *Elmazova and others v. North Macedonia,* children from Roma and Macedonian ethnicity were unable to choose the school in their residence area. Due to their ethnicity, the government forced all those students to attend a so-called "gypsy school" with more than 80% of Roma representation. In turn, the students in those Roma only schools suffered from an inferior education than the other students in non-Roma schools. The European Court agreed for a violation of Article 14 (prohibition of discrimination; and went even further by reinforcing the necessity to stop discrimination against Roma students using Article 46 as a foundation (binding force and execution of judgements)[38].

However, the case *X and Others v. Albania* is another highly significant case as it highlights a notable improvement of the Court's strong reaffirmation of its non segregation and non discrimination principles. Fifteen years after the case *D.H. and Others v. the Czech Republic*

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[34]ECtHR, Horváth and Kiss v. Hungary, Application no. 11146/11, April 29, 2013

[35]ECtHR, Ádám and Others v. Romania, Application no. 811114/17, March 8 2021

[36]ECtHR, Elmazova and others v. North Macedonia, Applications no. 11811/20 and 13550/20, March 13, 2023

[37]ECtHR, X and Others v. Albania, Applications no.73548/17 and 45521/19, August 31, 2022

[38]European Convention of Human Rights (1950) Article 46: https://www.echr.coe.int/documents/d/echr/convention_eng

mentioned above, it is only the second time that the Court has shown how segregation is devastating for vulnerable populations. Similar to other cases mentioned above, *X and Others v. Albania* involves several Roma and Egyptian students suing the Albanian government for not putting any non-segregation measures in their schools. They also were forced to go to schools where their minority is overrepresented. This case highlights the Albanian government refusing to improve its performance on fighting against segregation and discrimination of Roma and Egyptian minorities. Since then, the Court has expressed its willingness to better fight against segregation and reinforce its laws.

Although most of the cases mentioned above refer to the Roma population, the Court also looked at analysing other non-dominant groups' vulnerability such as people with mental disabilities. The case *Alajos Kiss v. Hungary* helped to prove how those individuals historically faced a lot of prejudice, leading to discrimination and social exclusion. The Court also used the case *Kiyutin v. Russia*[39] (2011) to analyse the vulnerability of individuals living with HIV. The case refers to the denial of a residence permit to an HIV-positive man. The only reason for denial lies in people's negative assumption that HIV-positive individuals would necessarily engage in unsafe behaviour. This case helped the Court to state how groups living with HIV have been suffering from stigma and exclusion from the 1980s until today. Another example is *G.L. v. Italy*[40] (2020) where a school did not continue to provide specialised teaching assistance to an eleven-year-old girl with a non-verbal autistic disability. Because of that, the young girl could not continue her first two years of primary education which is a violation of Article 38 of the Italian Constitution stating that all children with disabilities have a right to education and vocational training[41].

1.2.2.1.2 Vulnerability as harm - Social disadvantage and material deprivation

These two indicators have appeared less significant in the Court's analysis and definition of vulnerable groups. Peroni and Timmer (2013) refer to cases addressing the harm of

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[39]ECtHR, Kyutin v. Russia, Application no. 2700/10, September 15, 2011

[40]ECtHR, G.L. v. Italy, Application no. 59751/15, September 10, 2020

[41]European Agency for Special Needs and Inclusive Education. *Country information for Italy - Legislation and policy.* Last modified October 4, 2023 https://www.european-agency.org/country-information/italy/legislation-and-policy

maldistribution[42]. A first case example is *Yordanova v. Bulgaria* (2012)[43] where a large number of Roma individuals was evicted from a settlement they lived on for years, without authorisation. The several "urgent" neighbours' complaints about the community's behaviour were the only reasons why the authorities finally decided to evict them. Such behaviour, according to the neighbours, included "littering, stealing, drug abuse, and aggressive behaviour". Some neighbours even specifically stated that they should "return to their native places". Differently from the cases about school segregation (see previous part), the Court analysed poverty as a main indicator of the group's vulnerability. Article 8 of the ECHR was violated according to the Court since the Bulgarian government should have acknowledged the Roma community as a socially disadvantaged group. The government should have also helped them to apply for social housing since the community was well eligible. However, the case *M.S.S. v. Belgium and Greece* (2011) was the case which really helped the Court to broaden its understanding of group vulnerability. The situation is an Afghan asylum seeker who entered the European Union through Greece from Kabul and who applied to asylum in Belgium. As he did not apply to asylum in Greece, Belgium expelled him back to Greece, under the "EU Dublin II Regulation"[44] where he was detained in sordid conditions. The Court analysed the applicant's vulnerability on the traumatic events he faced migrating from his home and the various failures of the Greek asylum system. The conclusion was a violation of Article 3[45] of the ECHR or "Prohibition of torture - No one shall be subjected to torture or to inhuman or degrading treatment or punishment.". Therefore, the Court identified asylum seekers as vulnerable on the counts of their dependence on host countries, the various failures of asylum systems, the traumatic events during migration and their daily strenuous realities in applying for asylum. Although the Court found sufficient reasons to identify asylum seekers as vulnerable, it does not precise which asylum seekers are vulnerable: is it only the ones

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[42]According to Collins Dictionary, maldistribution is "an inadequate or faulty distribution, as of wealth or income among people" Collins Dictionary. *Definition of maldistribution.* Last modified, July 24, 2023 https://www.collinsdictionary.com/dictionary/english/maldistribution

[43]ECtHR, Yordanova and Others v. Bulgaria, Application no. 25446/07, April 24 2012

[44]EUR - Lex (2003) Dublin II Regulation. Last modified July 25, 2023 https://eur-lex.europa.eu/EN/legal-content/summary/dublin-ii-regulation.html

[45]   European   Convention   on   Human   Rights   (1950)   Article   3 https://www.echr.coe.int/documents/d/echr/convention_eng

travelling through Greece or all of them? This question does demonstrate how open the Court is slowly becoming in interpreting vulnerability.

Following up on this case, several cases related to vulnerabilities leading to social disadvantage and material deprivation have been brought up in recent years. An example is *X and others v. Bulgaria*[46] (2021) where three orphan siblings (one boy and two girls) suffered from serious sexual abuse in the orphanage in Bulgaria before their adoption. The Italian children with Bulgarian origins had been placed in an institution due to an absence of parental care and hence were in a vulnerable situation. The adoptive parents expressed a violation of article 3 as the Bulgarian authorities had failed to protect those children. Although the Court could not prove the Bulgarian authorities were aware of the sexual abuse, it did agree to a violation of the procedural limb of article 3 (prohibition of inhuman or degrading treatment - procedural obligation to carry out an effective investigation into the applicants' allegations)[47]. On another topic, the case *Khan v. France*[48] (2019) involved a violation of article 3 when an unaccompanied Afghan minor was not given any help before and after the dismantling of a makeshift refugee camp in Calais. As an unaccompanied foreign minor, he is considered to be one of the most vulnerable minors on the move. Yet, the Court does not believe that the French authorities, as a respondent State, did everything they could to fulfil their obligations to protect a foreign minor unlawfully staying on their territory. In consequence, this young boy was living in degrading and unsafe conditions not at all suitable for someone his age. The Court agreed to a violation of article 3.

The previous section illustrated the European Court of Human Rights' criterion to analyse and determine vulnerability in certain groups. Looking through the cases with a vulnerability lens enables the Court to start creating a "more inclusive human rights law"[49] (Timmer, 2013). However, Peroni and Timmer point out that the Court is forgetting other groups that should be defined as vulnerable according to relevant international human rights reports and academic literature. For example, the Icelandic Human Rights Centre compiled a more general list of

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[46]ECtHR, X and Others v. Albania, Applications no.73548/17 and 45521/19, August 31, 2022

[47] European Convention on Human Rights (1950) Procedural limb of article 3 https://www.echr.coe.int/documents/d/echr/convention_eng

[48]ECtHR, Khan v. France, Application no. 12267/16, February 28, 2019

[49] Alexandra Timmer (2013). A quiet revolution: vulnerability in the European Court of Human Rights. In M. Fineman & A. Grear (Eds.), Vulnerability: reflections on a new ethical foundation for law and politics (pp. 147–170). Ashgate.

vulnerable groups which include inter alia women and girls, religious minorities and LGBTQIA+ people.

1.3 Vulnerability and children's rights

1.3.1 Children are innately vulnerable

After defining vulnerability, it is now important to explain what has already been researched in terms of vulnerability related to children's rights. Children and young people, depending on relatives or guardians, are frequently considered a vulnerable demographic group per se: this vulnerability is often mentioned regarding children's rights and development, such as in the UN Convention on the Rights of the Child[50] (1989). Bryan Turner (2006) states that children are the most vulnerable members of society. Being vulnerable means requiring protection and children must be "closely nurtured and regulated because the continuity of the society depends on their successful training and socialisation". As children and young people are still evolving in the world, the first impression is that they are physically weaker and less developed than adults. Norozi and Moen (2016) explain that "children tend to have less cognitive skills, intellectual abilities, less knowledge and less ability for reasoning". Overall, children are considered to be less powerful than adults. Anneke Meyer in her article "The moral rhetoric of childhood" divides children's vulnerability in three categories: social, physical, and structural. Social vulnerability refers to children lacking the necessary social skills, relational contexts, and experiences to protect themselves from harmful situations. Resilience is also a key factor they are missing in order to respond to harm when it happens (Herring, 2022). Similar to social, the physical vulnerability relates to their weaker and smaller bodies than those of adults. Finally, the structural vulnerability refers to children's limited access to various resources including food and medical care or transport as adults are the ones granting them access. Anneke Meyer talks about asymmetrical power relations between children and adults and this type of vulnerability is a product of society, while the first two vulnerabilities are innate characteristics. (Meyer, 2007). Therefore, adults are considered to be in charge of children and young people and the latter become dependent passive

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[50] OHCHR (1989). *Convention on the Rights of the Child.*

objects (Christensen,2000). This dependency factor is emphasised by the discourse of the innocent child which portrays children as "inherently virtuous, pure, angelic, and innocent" (Ariès, 1962). This discourse emerged during the Romanticism period and was mostly focused on children's sexuality, but the discourse enabled society to portray children as "immature, ignorant, weak, and vulnerable" making children and young people in constant need of adult protection. Finally, as children are portrayed as lacking many social skills to function in society, such as being able to judge dangerous situations, they become vulnerable only from being children (Meyer, 2007).

Moreover, it has been researched that the western conceptions of childhood are highly focused on this vulnerability factor (Christensen, 2000). This conception believes childhood should be a protected world where there are sometimes external forces from immoral adults. It is the adults' responsibility to intensely nurture and protect children. The vulnerability factor is divided into two ideas. The first one separates children from adults due to their age and thus "non-worker" status. They instead have the right to play and learn. The second idea focuses on the family as a social institution where the parents are the responsible providers and carers of the children. Children, before being accepted in the formal society, must receive the necessary care, protection, and training (Christensen, 2000). Those two conceptions of childhood have been influenced by popular images and public pictures explaining such cultural meanings of children. Christensen illustrates it with fundraising campaigns for protecting and saving children such as the European campaigns pushing parents to "Adopt (or Support) a Child" in a developing country. These campaigns imply that adopting a child will help to improve a local community's health; and have been compared to the "Adopt a Whale" campaigns. The comparison between children and animals only reinforces children's vulnerable character and their symbolic analogy of being "endangered species".

1.3.2 Critiques of the Innocence discourse

Although the discourse of innocence is prevalent in how society portrays children and young people, it has received much criticism. To start with, the socio structural position of children brings a weakness as they must be obedient to their parents, thus they are automatically vulnerable (Meyer, 2007). As children should respect this adult-child relationship, it is difficult for them to naturally dismiss obedience in specific situations. In turn, children are considered to be immature which impacts on their practices, decisions and ways of reasoning as they are not being taken

seriously. As adults believe children are lacking specific adult knowledge such as emotional, physical and mental reason or maturity, children are constructed to be innately vulnerable and defenceless. Aristotle defined children to be "imperfect, unfinished adults" and childhood as a state of lacking (Gheaus, 2015). This view is omnipresent in the philosophical tradition but has become part of society's understanding of childhood. For many philosophers, childhood is only a preparation to adulthood and is only valuable to help become good adults. Thus, children become constantly "at risk" and are in need of constant protection. As Anneke Meyer (2007) states, "this "at risk" status is constant because it is grounded in the nature of the child, its incompetence and vulnerable nature". Children are becoming passive actors in their own self-development which can only lead parents to treat them in an oppressive and arrogant way (Herring, 2022). The powerful position of adults in the social structural system shows the "right model" for children to follow and sets the agenda that their children should achieve. A child who tries to disobey will automatically be called immature as adults believe children should appreciate "how little they know" and that they should respect adults and elders. Herring talks about an "unjustified paternalism" which can endanger children. In fact, some parents might feel free to discipline their children however they wish, using violent methods or not. For example, in the United Kingdom, a recent call to ban smacking children has been rejected by the government and many parents' protests calling for their right to discipline their children[51]. All these examples demonstrate how children are powerless and structurally vulnerable compared to older individuals. This structural vulnerability also prevents children and young people from gaining experience and becoming independent, making them not necessarily aware of the danger. Being passive actors of their development, children become automatically created either by biological maturation and genetics or by society (socialisation) as Green explains it (2017). Portraying children as vulnerable poses a risk that they cannot shape their own future.

Furthermore, this discourse of innocence and the structural vulnerability only contribute to promoting a needs perspective from children to adults (Meyer, 2007). Since this discourse defines children in terms of absence of adult competence in the name of protection, children and young people might not feel the need to demand for equal rights later. In fact, portraying children this

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[51] Warraich, B. E. (2023, April 12). Government rejects call to ban smacking in England. *BBC News*. Last modified July 10, 2023. https://www.bbc.com/news/uk-politics-65243518

way can have the opposite effects by not protecting them from abuse. It can be seen as "producing vulnerability instead of protection" (Meyer, 2007). Anneke Meyer's study focuses on pedophilia and explains that such perpetrators coerce children into sexual activity by using their high position in the social structural system. The innocence discourse emphasises the angelic character of children which only fuels the imagination of paedophiles. Children then become extremely vulnerable in the domain of sexual contact (Herring, 2022). Anneke Meyer further explains that the discourse of innocence portrays children as asexual beings which impacts the parents' discourse on sexuality. As parents refuse to think of their children as sexual individuals, they become awkward and tense or completely silent. Finally, emphasising children as being vulnerable misleads society over the source and nature of dangers to children (Herring, 2022). With regards to risks for children, the law has a specific hierarchy and puts more emphasis on certain dangers than others. For example, although authorities usually prefer to focus on sexual abuse and physical harm by strangers instead of within the family circle, the risk of abuse happening by someone familiar to the individual is much higher. Governments act as the protector of children by focusing on promoting family life. However, children and young people are also not alarmed about potential dangers by family members.

1.3.3 Towards a new model of personhood focused on vulnerability

1.3.3.1 Focus on vulnerability, interdependency and care

1.3.3.1.1 A different model of personhood

While adulthood is often described with the image of someone being independent, self-sufficient, and autonomous, Jonathan Herring (2022) suggests a different model that works both for adults and children. The law is focused on this adulthood model where it protects human beings' freedom of pursuing their personal goals. Individuals are known to be free of making their own choices and to only be responsible for the decisions they make. However, according to Naffine (2014), this model is an ideal and human beings do in fact need the psychological, practical, and emotional support of others in order to survive. She gives the example of adults with "impaired mental capacities or disabilities" and children, targeted as vulnerable, who lack the necessary skills to protect themselves.

In Jonathan Herring's model however, vulnerability, interdependency and care are the focus. The law will now emphasise mutuality, relationships, and care: or "the key features of human beings" as Herring says. Susan Dodds reinforces that model by explaining that, in this current model of adulthood, there is a battle between those independent actors fighting against one another and so-called vulnerable citizens whose willingness to become independent is conditioned by environmental factors (Dodds, 2007).

1.3.3.1.2 Three main aspects

The new model focuses on three main aspects: universal vulnerability, the caring self and the relational self. To start with, universal vulnerability defined by Martha Fineman (see section I) says that all human beings are innately vulnerable and thus in need of societal resources and relationships to survive. Mary Neal (2013) also talks about a "negative vulnerability" where she says that human beings are vulnerable because they are penetrable. This negative vulnerability refers to human beings' universal capacity for suffering. Humans require others and social institutions (more importantly, the State) to survive but at the same time are open to positive harm. She talks about the suffering and the capacity of suffering: "even the most capable adult is vulnerable to hurt and harm, both physical and emotional". Jonathan Herring sees vulnerability and dependence as virtues, instead of vices, as they push human beings to reach out to one another to receive and offer help. Being compassionate creates intimacy and trust while also pushing to be creative and cooperative in finding solutions to problems. Vulnerability is a key human feature and is fundamental for relationships. Being vulnerable with others helps us to grow and nurture more powerful relationships based on trust and mutual respect. Similarly, Mahatma Gandhi, states that vulnerability is the foundation of respect for others during his philosophical defence of a peaceful struggle (Turner, 2006). The caring self goes hand in hand with universal vulnerability as it is essential for human beings to survive. The new model goes from seeing our personal value in ourselves to seeing it while caring for relationships. Joan Tronto explains that "care is a central concern to human life" and not only a woman's concern. She believes that the political and social institutions should be fundamentally changed in order to reflect this truth. The caring self is also linked to the third feature of this model, the relational self, where human beings are defined and

understood in regard to their relationships. Human's identity and life's meaning are constituted and constructed thanks to relationships.

1.3.3.1.3 Interests of children and parents no longer separated

Therefore, since this new model of adulthood and law allows us to focus on the care and on promoting relationships, the interests of children and parents will no longer be separated. There would no longer be divisions between the vulnerable and the non-vulnerable or even the competent and the non-competent. Herring (2022) states that in this current model, society often undermines vulnerability and may even accuse people to be responsible for the vulnerable position they are in. However, the universal vulnerability allows us to see the full picture of someone's experiences towards vulnerability showing the allocation of resources and power in society. Finally, this new model brings a different legal relationship between the individual and the State. We will no longer believe the obligations of a State to be done for a specific identified group of vulnerable individuals: instead, its obligations will focus on meeting the needs of everyone. Social institutions are fundamental to vulnerability as they help to come up with better and more creative solutions when misfortune, disaster, or violence (Fineman, 2010).

1.3.3.2 Positive impacts on children

Moreover, this new model of personhood also impacts society's understanding of children and vulnerability. Jonathan Herring suggests four main impacts: breaking down boundaries, vulnerability and power, decision-making as well as child-parent relations.

1.3.3.2.1 Breaking down boundaries

To start with and as explained above, societal structures emphasise the division between adults and children which portray children as being passive and non-autonomous. However, children and adults are in fact quite similar as they both need help requiring food, education, services, and other support. While it is true that babies need others to give them food, adults do also need others to "grow, distribute, and sell food" (Herring, 2022). Dependence, as mentioned above, is part of humanity.

1.3.3.2.2 Power

Secondly, Herring suggests seeing children from a lens of power instead of a vulnerability lens: their power over other children. Some of the children's vulnerability is used to the advantage of the adults' power as it justifies its use. Adults' power acts as a natural response to vulnerability and hides the power that children do have over adults. According to Kate Brown (2015), the main idea about vulnerability is most often applied to people in more powerful positions to define others in less powerful ones.

1.3.3.2.3 A different conception of welfare and best interest

Thirdly, Herring suggests thinking differently about the concept of welfare or actions done in the best interests of children. One view is to believe that childhood is only valuable because it helps to produce successful adults, referring to Aristotle's belief that children are "imperfect, unfinished adults" (Gheaus, 2015). Therefore, many welfare policies currently are created based on that assumption in order to help to produce a successful adulthood (Herring, 2022). However, this philosophical view of childhood is currently being challenged by a rapid growth of philosophical literature focusing on what makes childhood great. The article talks about other important values which are good for both adults and children such as relationships, virtues and achieving goals. But more importantly, and similar to what has been discussed above, by putting vulnerability and interdependence part of what makes humans humans, decision making would be focused on taking care of one another (Clough, 2017). Since the Western view of human rights focuses on ideas of autonomy, liberty, or entitlement, such a significant change of narrative would make human rights more suitable for adults and children. The interdependency is an important aspect of this new model of adulthood and would require a complete rethinking of the law and social policies.

1.3.3.2.4 Change of child-parent relations

Fourth and final implication of a new model of adulthood focuses on a change of child-parent relations. Being a parent is an exhausting work and there are some issues where parents are unable to know what decisions will be best for their children's welfare. Religion for example is a difficult issue as children are unable themselves to know what is best for them. Parents have an important power in shaping their children's lives and children are vulnerable to their parents' decisions.

However, parents' vulnerability is often overlooked in this model, but it should be better acknowledged. It is very difficult to be in control over other people's lives and especially if they are influenced or even pressured by the government and everyone else to make the "right" decision. Parents, and more specifically mothers, will be the first ones to blame when something goes wrong in their children's lives. In the case of teen shooters for example, society's first instinct will be to analyse their education and relationship to their parents. Although in many cases the family social environment will help to understand, in other cases the murderer is the only one to blame. Therefore, according to Frank Furedi, more and more parents believe that being a responsible parent is about asking for help from experts[52]. Parents who are excessively focused on making the "best possible child", or doing hyper parenting, is also a consequence of pressure from governments to raise their child in the correct way. But this focus on parenthood and the pressure to do good disregards the pleasures of being a parent raising their children. Instead of talking about caring relationships between parents and children, parenthood is defined as doing tasks and measuring their success. They should work together in order to see what makes a successful relationship. Therefore, this new model of personhood focused vulnerability and interdependence shifts the child-parent relationships. Jonathan Herring illustrates this argument with disabled children whose greatest success will be not adhering to a governments' objective standards. He adds by saying that disabled children can also help parents become more open to other ideas as they are different from the social norm.

1.4 Children's vulnerability online

As we have elaborated in this literature review, children and young people are considered to be some of the most vulnerable groups. Whether it is from a physical point of view or a right point of view, this group does face more risk and harm than adults. This final part will now focus on children's vulnerability online.

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[52] Furedi, Frank (September 12, 2011). It's time to expel the 'experts' from family life. *Spiked*. Last modified July 20, 2023. https://www.spiked-online.com/2011/09/12/its-time-to-expel-the-experts-from-family-life/#.Vqg1IiorLIU

1.4.1 Studies on children's rights online

1.4.1.1 The impact of technology on children's lives

Technology is omnipresent in our everyday lives and the children today are now born with the Internet. The use of information and communication technology[53] has major impacts within family communication and daily life (Lafton, Holmarsdottir, Kapella, Sisak & Zinoveva, 2022). Children and young people below 18 years old are now one-third of all Internet users. Although this revolution brought a lot of extraordinary advantages for children worldwide, such as an increase in social opportunities and opportunities for learning, it also brought a lot of risks and harm. Sonia Livingstone DPhil, as a Professor in the Department of Media and Communications at the London School of Economics (LSE) has focused much of her research on children's rights in the digital age[54]. She researches mostly children's rights but also on ways to help parents raise their children in a digital world. She states that children and young people's rights in the digital agenda has become an emerging agenda for policymakers (Livingstone and all, 2017). However, although there has been more and more interest and calls to secure users' rights and freedoms online, children and young people have somewhat been left out of policies and Internet governance. People are seeing their equality, privacy, dignity, speech and protection being violated online and are calling out governments and the private sector to protect their rights. In January 2022, a Declaration on digital rights in the European Union was signed by the European Commission[55]. But Sonia Livingstone points out that many of those violations in fact concern children and young people. Such examples of violations include anxious parents controlling and surveilling what their children do online, governments censoring children's freedom of information (health, sexual, and political) or even paedophile networks sharing images which only reinforces child sexual abuse (2017).

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[53] Hereinafter, "ICT"

[54] LSE. Professor Sonia Livingstone, Department of Media and Communications. Last modified, July 31, 2023 https://www.lse.ac.uk/media-and-communications/people/academic-staff/sonia-livingstone

[55] European Commission (2022). Declaration on Digital Rights. Last modified, July 28, 2023

https://digital-strategy.ec.europa.eu/en/library/european-declaration-digital-rights-and-principles#:~:text=The%20Declaration%20on%20Digital%20Rights%20and%20Principles%20presents%20the%20EU's,version%20of%20the%20Declaration%20available.

1.4.1.2 The non-involvement of children in Internet governance

Therefore, why are children not better involved in Internet governance? Livingstone agrees with the legal authors above saying that children are "developmentally inferior and more vulnerable" than adults. On the one hand, many legal scholars argue that we should not give special attention to children's rights as they are globally included in the human rights instruments. It has been proven though that in fact children often cannot enjoy many rights. For example, adults' constant need of protection overall impacts children's participation rights which they are unable to contest (Livingstone et al., 2017). On the other hand, the exceptionalist approach specifically targets children as "less than" and more vulnerable than adults and overall "othering children". Therefore, children are not considered legal "Internet users". There have been some attempts by legal scholars to change the narrative by better including children and young people in digital citizenship (standing as a synonym for cybersafety). Amanda Third and Philippa Collin (2016), using the Australian example, explain that digital citizenship "targets those who are usually excluded from citizenship of the State: children and young people". Digital citizenship engages on the two configurations of children by society. Firstly, since children and young people are considered as vulnerable, and often passive users, they require protection from evil threats and influences. This vision only reinforces their adaptability and innocence. Therefore, when digital citizenship mentions protecting their rights, it in fact implies protecting them from harm, instead of protecting their rights to participation (Livingstone & O'Neil, 2015). Secondly, society sees childhood as a period of experimentation and their digital participation is seen as "a playground of (both wilful and inadvertent) rule-breaking, risk-taking, and the contestation of adult-centred social norms" (Third & Collin, 2016). The digital space enables children and young people to challenge their limits which they have been taught to their whole lives (Livingstone, 2017). Adults' anxieties are built on their realisation that they have little control over the digital social interactions their children have (Harris, 2008). Hence, the policies around digital citizenship explain that they would like to encourage children and young people (but it really is about educating them) in adopting personal responsibility, restraint, and self-management in what is only a "minimal" form of citizenship (Evans, 1995). Third and Collin contribute by saying that digital citizenship focuses on educating children and young people on their "responsibilities towards others as members of a community". Therefore, digital citizenship is a first step towards acknowledging children and

young people as social actors online, helping to reinforce their rights, while still seeing them as non-political actors able to shape the society they live in (Vromen, 2010). Similar to Aristotle who defines children as "unfinished adults", digital citizenship defines them as "not-yet citizens" who require educational policies in order to become "good digital citizens".

1.4.2 Growing literature and Court cases on child vulnerability online

Since Sonia Livingstone published her article in 2017, there has however been growing literature on child vulnerability online and a shift of Human Rights Law to better protect all children online. The European Court of Human Rights' first willingness to use the concept of vulnerability in its interpretations of cases can be put in parallel with its openness towards protecting children online. One of the first cases highlighting this shift is *K.U. v. Finland (2009)*[56]. The case started when an adult man used the identity of a 12-year-old boy to post advertisements on an online dating site to meet other boys his age or older for an intimate relationship. The 12-year-old boy became a target for paedophiles on the Internet since he received an email from an older man asking to meet him. The case concluded there had been a violation of Article 8 of the European Convention of Human Rights stating: "Everyone has the right to respect for his private and family life, his home and his correspondence.[57]" Another case with a notable positive impact for girls and young women is *Buturugă v. Romania*[58] (2020). The case involves a woman accusing her husband of cyberbullying and domestic violence raising a violation of article 3, to which the Court agreed. But most importantly, this was the first time the European Court of Human Rights finally recognised cyberbullying as a factor leading to violence against girls and women. This is a major improvement for a European institution and a huge milestone for girls and women in Europe. Since then, academic researcher Marga M. Groothius demonstrated how civil society organisations are becoming better at addressing the vulnerabilities of children on the Internet. Yet, a 2021 article of

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[56]ECtHR, K.U. v. Finland, Application no. 2872/02, March 2, 2009

[57] European Convention on Human Rights (1950) Article 8: https://www.echr.coe.int/documents/d/echr/guide_art_8_eng

[58]ECtHR, Buturugă v. Romania, Application no. 56867/15, February 10, 2020

the OHCHR expressed how children's right to privacy online should be much better[59]. The majority of cases found in the European Court of Human Rights database mostly involve article 8 when finding paedophilic material or paedophile hunters. Rare are the cases of children being sexually abused online complaining before the European Court.

Moreover, although the increasing research mostly comes from NGOs, there is also growing academic literature on the many vulnerabilities children and young people face online. In 2020, the International Telecommunications Development (ITU)'s "Guidelines for Parents and Educators on Child Online Protection"[60] explained how vulnerable children and young people online face the same challenges as they do offline. However, in the best-case scenario, they will receive the same advice as children that are not affected by particular vulnerabilities, although children from vulnerable backgrounds do require more specialised measures and interventions.

1.4.3 Factors contributing to child vulnerability online

Therefore, there are significant domains contributing to child vulnerability online. Recently, a few legal scholars published research[61] focused on those factors and negative effects ICT has on children's lives online. The research called "Children's vulnerability to Digital Technology within the Family: A Scoping Review" focuses on the relationship between family and ICT usage. Those factors also have significant impacts on children's overall wellbeing. This research relates to OECD's research focusing on the correlation between children's vulnerability and their wellbeing[62]. The research has identified four main factors contributing to child vulnerability online: "extensive internet use, age and gender, risky behaviour online and exposure to sexual and harmful content, social networking as a social lubricant as well as parental mediation and care". Extensive internet use being one of the most researched topics related to parental mediation.

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[59] OHCHR (2021). *Children's right to privacy in the digital age must be improved.* Last modified October 4, 2023 https://www.ohchr.org/en/stories/2021/07/childrens-right-privacy-digital-age-must-be-improved

[60] International Telecommunications Unit (2020) Guidelines for Parents and Educators on Child Online Protection . Last modified March 25, 2023 https://www.itu.int/pub/S-GEN-COP.EDUC-2020

[61] Tove Lafton & Halla Holmarsdottir & Olaf Kapella & Merike Sisask & Liudmila Zinoveva. (2022). Children's Vulnerability to Digital Technology within the Family: A Scoping Review. Societies. 13. 11. 10.3390/soc13010011.

[62] OECD iLibrary (2019). *What is child vulnerability and how can it be overcome?*

Family is a social institution which plays a significant role in shaping children and young people's lives. Therefore, research shows that family relationships influence children's Internet use or Internet addiction. Adolescents, and in particular those who might not perceive to have a strong social support[63], have been identified as the most vulnerable group likely to develop an Internet addiction[64].

1.4.3.1 A wide range of child vulnerabilities

1.4.3.1.1 A focus on specific vulnerabilities…

Moreover, in the recent years, there has also been several research on specific vulnerabilities for children and young people online. For example, one research focused on "children who are carers for their family, in care themselves, or who have a physical disability or special educational needs" who will be also disadvantaged online and "at a greater risk of harm" (El-Asam, Lane, Katz, 2022). The research mentioned above on the relationship between child vulnerability and a family setting also identifies children with disabilities as vulnerable to an Internet overuse Another research analysing the heightened risk of online grooming vulnerability on WeChat for young Malaysians demonstrates age, lack of parental control and risky behaviour to be factors of vulnerability (Hussain, 2022). Years before even, in 2012, Sonia Livingstone and Tink Palmer published research findings from a seminar identifying vulnerable children online with the LSE[65]. They first started by explaining that the context of children's lives offline is very important to analyse in order to understand their vulnerability online. Their research is highly detailed and focused on different studies related to child vulnerability. For example, an EU Kids Online study identified the following vulnerable children: disabled children, those with psychological difficulties, minority children and even children whose parents lack internet experience or education. Another

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[63] Gunuc, S.; Dogan, A. The relationships between Turkish adolescents' Internet addiction, their perceived social support and family activities. *Comput. Hum. Behav.* **2013**, 29,131-150

[64] Kuss, D. J., van Rooij, A., Shorter, G. W., Griffiths, M. D., & van de Mheen, D. (2013). Internet addiction in adolescents: Prevalence and risk factors. Computers in Human Behavior, 29(5), 1987– 1996.

[65] Livingstone, Sonia and Palmer, Tink (2012) Identifying vulnerable children online and what strategies can help them. UK Safer Internet Centre, London, UK.

study focusing on virtual violence and specifically on cyberbullying in 2009 showed "white, non-British ethnic background and females" suffered a higher incidence of persistent online bullying.

1.4.3.1.2...Makes it impossible to have one permanent list

Therefore, and similar to the definitions of vulnerability above, the wide range of vulnerabilities this demographic group can suffer from makes it difficult (and almost impossible) to identify one clearly defined list of vulnerable children and young people. Vulnerability remains vague and can apply to many different domains. There have been some ideas in trying to bring all child vulnerabilities in one list. For example, UNICEF's 2017 State of the World Children report[66] focused on children in a digital world and emphasised that there is still a considerable lack of research on some of the most marginalised communities and groups. The report identified the most vulnerable children to online harms as:

- Girls and children, and young people socially perceived as female
- Children from poor households
- Children in communities with a limited understanding of different forms of sexual abuse and exploitation of children
- Children who are out of school
- Children with disabilities
- Children who suffer from depression or mental health problems
- Children from marginalised groups

Moreover, in 2021, The United Nations (UN) published its General Comment No.25 on "Children's rights in relation to the digital environment"[67], in consultation with 709 children from 28 countries. Its general principles reaffirmed principles of non-discrimination on all children as mentioned below (p. 2):

> *The Committee calls upon States parties to take proactive measures to prevent*
> *discrimination on the basis of sex, disability, socioeconomic background, ethnic*

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[66] UNICEF (2017). *The State of the World's Children 2017: Children in a Digital World.*

[67] OHCHR (2021) *UN General Comment No.25 on children's rights in relation to the digital environment.*

or national origin, language or any other grounds, and discrimination against minority and indigenous children, asylum-seeking, refugee and migrant children, lesbian, gay, bisexual, transgender and intersex children, children who are victims and survivors of trafficking or sexual exploitation, children in alternative care, children deprived of liberty and children in other vulnerable situations. Specific measures will be required to close the gender-related digital divide for girls and to ensure that particular attention is given to access, digital literacy, privacy and online safety.

This growing awareness towards the concept of child vulnerability led to many international organisations writing reports and conducting consultations with children and young people. 2021 was a big year for research in this field as shown by the General Comment no. 25 and the following reports "Our Europe, Our Rights, Our Future"[68] by the European Commission and the "DigitalDecade4Youth consultation"[69] carried out as part of the Better Internet for Kids initiative[70]. All reports consulted with children and young people discussing their risks, challenges, and opportunities in the digital sphere. The discussions reaffirm the whole range of vulnerable groups and how sensitive and complex it is to discuss such issues.

1.4.3.2 Importance of intersectionality

As illustrated by General Comment No. 25, a wide range of vulnerabilities can (and should) be considered when trying to protect, empower, and respect children and young people's rights in an inclusive manner. In line with this, one key aspect to recognise is the many (potential) overlaps between groups in practice. It is necessary to understand vulnerabilities as intersectional issues, especially in providing support and solutions. Intersectionality was first used in 1989 by American

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[68] UNICEF. (2021). *Our Europe, Our Rights, Our Future: Children and young people's contribution to the new EU strategy on the Rights of the Child and the Child Guarantee.*

[69] Better Internet for Kids. (2021). *How to make Europe's Digital Decade fit for children and young people: a report from the consultation with children and young people.*

[70] European Commission (2023) "A European strategy for a better internet for kids (BIK+)" Last modified March 25, 2023 https://digital-strategy.ec.europa.eu/en/policies/strategy-better-internet-kids

critical legal race scholar Kimberlé Williams Crenshaw[71], describing how Black women faced multiple discrimination rooted in racism and sexism. She defines intersectionality as "a metaphor for understanding the ways that multiple forms of inequality or disadvantage sometimes compound themselves and create obstacles that often are not understood among conventional ways of thinking."

The following definition[72] of intersectionality is considered most appropriate:

> *[Intersectionality refers to] the interaction between gender, race, and other categories of social difference in individual lives, social practices, institutional arrangements, and cultural ideologies and the outcomes of these interactions in terms of power.*

The above definition sensitises to acknowledge that providing one-size-fits-all solutions cannot work in practice. For example, as will be discussed below, children from minority ethnic backgrounds are more likely to live in poverty and hence face more risks and challenges online than other groups since the bases of vulnerability intersect.

1.5 Conclusion

This literature review analysed the concept of vulnerability, its various definitions, its application in Human Rights Law, the definitions of child vulnerability and its impact online. The main key takeaway from the literature is that vulnerability remains a vague and paradoxical concept. Although it is often associated with negative individuals' aspects, the term itself can mean a lot of different things. The main definitions of vulnerability focus on the risk, the capacity and autonomy/dependency. While some legal scholars believe vulnerability is innate and part of every human being (see Martha Fineman's vulnerability theory), other academics demonstrate that vulnerability depends on a wide range of factors such as someone's situation or the institutions shaping an individual's life. However, vulnerability has also received much criticism in recent

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[71] The Scottish Government. (2022). Using intersectionality to understand structural inequality in Scotland: evidence synthesis. *The Scottish Government*. Last modified March 10, 2023 https://www.gov.scot/publications/using-intersectionality-understand-structural-inequality-scotland-evidence-synthesis/pages/3/

[72] Chaplin, D., Twigg, J. & Lovell, E., (2019) Intersectional approaches to vulnerability reduction and resilience-building. Resilience Intel. BRACED. Issue no. 12

years as it has appeared to bring more harm than protection to those vulnerable identified populations. Those "non-vulnerable people" can feel more superior than those "vulnerable people" and could want to exclude them or oppress them. Other examples include a form of paternalism or social control. This is why vulnerability is slowly becoming an important aspect of Human Rights Law. The European Court of Human Rights recently analysed vulnerability according to different characteristics including the particular factors of certain populations, their relations and the harm they suffered. Although the Court first started using vulnerability to define the Roma population, it is slowly starting to accept other populations in the definition.

Moreover, those definitions and applications of vulnerability help to understand children's relationship with vulnerability. Since Ancient Greece and Aristotle's definition of children as "unfinished adults", society has never stopped defining children and young people as vulnerable beings. Because they are in a growing phase and are physically weaker than adults, adults believe children are in constant need of protection and cannot decide for themselves. Although this protection aspect could appear beneficial for children, it actually causes more harm than good. They are becoming passive actors in their development which only makes it more difficult for them to become independent and autonomous once they are no longer considered children. Adults also overplay their "adult" authority figure, can feel the need to control them and exert a form of "unjustified paternalism" to justify their potential violent discipline methods. Therefore, a few legal scholars have tried to create a different model of personhood which would bring children and adults on a similar footing.

Hence, since children are identified as vulnerable offline, they are also vulnerable online. Going from that idea, it would make sense to include children in Internet governance and to protect their rights. However, it seems that children are once again forgotten and are suffering from a strong parental and authority control. The idea of "othering" children does not help children to be considered as Internet users, even though they are now one-third of all internet users worldwide. But there is growing academic literature and non-governmental organisations' reports on children's vulnerabilities online. The literature shows there is a wide range of vulnerabilities. It refers back to the idea that the definition of vulnerability is too broad: almost every child and young person can fit in this category. It is therefore necessary to adopt an intersectional approach when trying to protect children and young people's rights online.

Finally, more specific academic research on various identified vulnerable children and young people on the Internet is currently missing. As explained in this literature review, some individuals are more prone to vulnerability than others and it is necessary to identify their risks and opportunities. This research paper will focus on those individuals.

CHAPTER II: ANALYSIS OF SPECIFIC CHILD VULNERABILITIES ONLINE

While the literature review sets the context of academic research on vulnerability, and more specifically, child vulnerability, the following chapters will go deeper by focusing on governmental and non-governmental research. As mentioned in the literature review, there is a growing awareness and research by many non-governmental organisations on child vulnerability online. The Better Internet for Kids initiative by European Schoolnet[73] and The European Commission, is one example of a project solely focusing on improving the digital sphere for children and young people. Therefore, before diving into the risks, opportunities and challenges of vulnerable groups online, it is important to analyse how NGOs and other organisations define child vulnerability online.

2.1 Child vulnerability online from a policy point of view

2.1.1 Definition

The fact that the Internet is growing to become a fundamental part of everyone's lives, and especially children's, is not a new phenomenon. In 2016, it had already been estimated that one in three Internet users are children, according to the Innocenti Discussion Papers[74]. In 2018, the NGO Internet Matters along with researchers Aiman El Asam and Adrienne Katz stated that children and young people's lives are fully changed by ICT and will continue to be changed given how fast it develops. The study specifically focused on vulnerable children in a digital world and how they are often forgotten or not given targeted help. The report states that for the moment vulnerable children are still given generic advice on navigating the Internet, the same advice given to all children even though vulnerable groups require more specialised measures and interventions. The lack of advice on navigating the Internet safely for vulnerable groups is one of the factors which prompted the research. Although ICT is developing at a quick pace, ITU gave the same statement

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[73] Hereinafter, "EUN"

[74] Livingstone, Sonia; Byrne, Jasmina; Carr, John (2016). One in Three: Internet Governance and Children's Rights, Innocenti Discussion Papers, no. 2016-01, UNICEF Office of Research - Innocenti, Florence

two years later in 2020, showing that protecting vulnerable groups online is not the major priority. This does not mean that no action is done to proactively help vulnerable groups but that there is still a lot of work to be done. In 2017, UNICEF released its State of the World report about "Children in a Digital World" and stated that vulnerable groups must be protected immediately, saying "if we don't act now to keep pace with rapid change, online risks may make vulnerable children more susceptible to exploitation, abuse and even trafficking – as well as more subtle threats to their well-being.[75]" According to the report, the likelihood of vulnerable children and young people suffering from harm is higher since they might not have the proper media literacy education to understand online risks. On top of that, as the research for specific targeted groups will show, it is necessary to expand digital access to all children in order to avoid creating additional divides between individuals.

2.1.2 Vulnerable groups online

Similar to academic research, the concept of child vulnerability remains a vague, broad but also narrow concept. Since all children can be defined as vulnerable individuals and vulnerability can be interpreted in a great number of ways, it is nearly impossible to have one specific list of targeted vulnerable identified children and young people. According to countries' politics and focus of research, some reports could decide to focus on some groups while other reports might focus on other groups. For example, the report "Vulnerable children in a Digital World"[76] focused on the following five groups of individuals ages 10 to 16: "Family vulnerability, communication difficulties, physical disabilities, special educational needs and mental health difficulties". The groups were identified from a sample of 2,988 young people. On the other hand, UNICEF's State of the World report "Children in a Digital World" identified "children caught in humanitarian situations" to be the most vulnerable group. The report explains how ICT is more and more used to help such groups. Another report by the Council of Europe shows girls and young women as a particularly vulnerable group online. Research shows how this group is "more likely to be victims

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[75] UNICEF (2017). *The State of the World's Children 2017: Children in a Digital World.*

[76] Adrienne Katz & Dr Aiman El Asam, in partnership with Internet Matters (2018) "Vulnerable children in a digital world" *Internet Matters and Youth Work.* Last modified, August 22, 2023 https://www.internetmatters.org/wp-content/uploads/2019/04/Internet-Matters-Report-Vulnerable-Children-in-a-Digital-World.pdf

of repeated and severe forms of harmful actions online or with the help of technology"[77]. Examples of such assaults include intimidation and threats on email or social media (such as rape and death threats), online sexual harassment, stalking or image and video sharing in a non-consensual way (to name the few). Sexual exploitation and abuse or even cyberbullying by peers significantly affects young women more than young men. Similarly, research estimates online violence impacts more women of colour than white women[78]. Moreover, as mentioned in the literature review, the General Comment No.25 about "Children's rights in relation to the digital environment" reinforced principles of non-discrimination on all children and young people.

However, for the purpose of this research and the case study, we will focus on the list used by EUN and its report on "Making Europe's Digital Decade fit for children and young people" (2021). The original list was put together by the European Commission's report "Children and young people's contribution to the new EU Strategy on the Rights of the Child and the Child Guarantee" (or "Our Europe, Our Rights, Our Future"). With an objective to fully illustrate the reality of children in Europe and not to forget anyone, the five following child rights organisations were chosen by The European Commission: UNICEF, Eurochild, Save the Children, World Vision and ChildFund Alliance. Those organisations helped to organise 10,000 consultations in 2020 for children living in Europe (82%), for children living outside of the European Union (15%) and for children around the world (3%). The list encompasses the following groups of children and young people in vulnerable and marginalised situations:

- Children with disabilities
- Migrant/refugee children
- Roma children
- Children in care
- LGBTQ+ children
- Children living in poverty

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[77] Council of Europe. (2023, March 15). No space for violence against women and girls in the digital world. Commissioner for Human Rights. Last modified August 26, 2023 https://www.coe.int/en/web/commissioner/-/no-space-for-violence-against-women-and-girls-in-the-digital-world

[78] For example, abusive tweets are 84% more likely to target Black women than white women

For the purpose of this research and the case study, the thesis will only focus on the list above. It is important to mention though that this list is only one interpretation of vulnerable groups which does not claim to be exhaustive. European Schoolnet acknowledges that vulnerability is a complex and sensitive term. Moreover, as we will read in the following sections, many vulnerabilities are intersectional with shared risks and opportunities across different groups of vulnerable children and young people.

2.2 Children living in poverty - an unequal access to technologies

According to UNICEF, children living in poverty are those who grow up impoverished, often lacking the food, sanitation, shelter, health care and education they need to survive and thrive.[79] Worldwide it is estimated that around 1 billion children are multidimensionally poor. Here, multidimensional refers to a lack of basic necessities such as nutrition or clean water. In 2020, UNICEF estimated that 1 in 4 children in the European Union is at risk of falling into poverty. Children are more than twice as likely to live in poverty than adults. This group also encompasses children who live below the poverty line, meaning their parents might be on low incomes, (social) benefits or disability allowances, generating limited and mostly insufficient finances. In the context of the present good practice guide, this might lead parents to not being able to give their children digital devices they would need to socialise with their peers or learn in school settings. In the same year, the European Union confirmed the UNICEF estimate and acknowledged 24.2 % of children and young people are at risk of poverty or social exclusion[80]. The countries with the highest chances of child poverty are Romania (41.5 %), Bulgaria (36.2 %), Spain (31.8 %) and Greece (31.5 %).

2.2.1 The digital sphere: A space to feel equal with other children

During the DigitalDecade4Youth consultation, children and young people across Europe expressed how important the internet is in their everyday lives. Technology has become virtually

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[79] UNICEF. *Child poverty*. Last modified, March 5, 2023 https://www.unicef.org/social-policy/child-poverty

[80] Eurostat. (2021, October 28). 1 in 4 children in the EU at risk of poverty or social exclusion. Eurostat. Last modified March 10, 2023 https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20211028-1

omnipresent in children's lives. As seen during the COVID-19 pandemic, being able to navigate the internet allows children – also those living in poverty, *if* they have access to digital technology – to participate and feel included. They can continue learning in times when remote learning is necessary but also stay in contact with their peers and families. The internet is also a great platform to be entertained and to escape boredom.

2.2.2 Biggest risk: Low accessibility

First, the biggest challenge for impoverished children is the low accessibility to the internet and technological devices. The European Commission's study on "Our Europe, Our Rights, Our Future" reports that almost half of the children suffered from problems due to a lack of connectivity. However, children in poverty also face several challenges in freely accessing the digital sphere, even with an internet connection at home. Those challenges include the necessity to do house chores, having to work to support family funds, having insufficient devices at home, or having none that children and young people can use freely. In some families, parents or guardians might put a strict full or partial ban on their children using the internet either because they worry about the dangers or because they want to have control over their free time. This challenge is linked to the parents' or guardians' inability to protect their children on the internet due to little knowledge about parental control measures and tools. The challenges for children in poverty are typical indicator examples of the digital divide and digital poverty.

According to the OECD, the notion of the digital divide refers to:

> *The gap between individuals, households, businesses and geographic areas at different socio-economic levels with regard both to their opportunities to access information and communication technologies (ICT) and to their use of the internet for a wide variety of activities.*[81]

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[81] OECD (2001). *Understanding the digital divide.* Last modified March 6, 2023 https://www.oecd.org/sti/1888451.pdf

Digital poverty (or digital deprivation), on the other hand, refers to those who cannot afford to have an internet connection or a computer at home. During the 2021 Safer Internet Forum[82], part of the focus was on "Digitally deprived, disengaged and unconfident children in Europe", a perspective co-facilitated by the H2020 DigiGen's research project, addressing aspects of access and digital skills of European children. According to the EU's Statistics on Income and Living Conditions (EU-SILC), 5,3% of children were digitally deprived in 2019. Although the issue of the digital divide among children has often been researched in recent years, the drivers of such issues remain largely unexplored[83]. However, poverty and having low-educated parents or guardians are important factors in children becoming digitally deprived. Research shows children from lower-income families and children with special education needs and disabilities (SEND) are the populations most impacted by the effects of the digital divide and digital poverty. Furthermore, children and young people coming from BAMER (Black, Asian, Minority Ethnic and Refugee) backgrounds are most affected as they are more likely to live in poverty.

In 2020, the European Union estimated that 32.9 % of children with at least one parent with a migrant background were more likely to live in poverty (compared to 15.3 % for children whose parents were native-born) and hence more likely to be at risk of not having access to the internet[84]. The challenges of being unable to access the digital sphere easily are also likely to impact children's wellbeing, social skills, and future. UNICEF[85] mentions four main impact areas:

- Limitations on children's capacity to navigate the digital sphere compared to other children;
- Limitations in terms of their competitiveness in the modern economy;
- Isolation from the world;
- Deprivation of education.

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[82] DigiGen. Ayllón. S. (2021). *Digitally deprived, disengaged, and unconfident children in Europe*. Safer Internet Forum 2021, Better Internet for Kids.

[83] Mascheroni, G., Cino, D., Mikuška, J., & Smahel, D. (2022). Explaining inequalities in vulnerable children's digital skills: The effect of individual and social discrimination. New Media & Society, 24(2), 437–457.

[84] Eurostat. (2021, October 28). 1 in 4 children in the EU at risk of poverty or social exclusion. Eurostat. Last modified March 10, 2023 https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20211028-1

[85] UNICEF (2020). *Two thirds of the world's school-age children have no internet access at home, new UNICEF-ITU report says.* Last modified March 6, 2023 https://www.unicef.org/press-releases/two-thirds-worlds-school-age-children-have-no-internet-access-home-new-unicef-itu

2.2.3 Impact on right to education

Most recently, the COVID-19 pandemic often had extreme consequences for children in poverty regarding access to education. Being unable to access remote learning easily has put children in slower learning growth than their peers. The OECD estimates disadvantaged children have been more impacted by the pandemic than their peers, which only contributed to worsening their already existing inequalities[86]. For example, Eurochild's research on "Growing up in lockdown: Europe's children in the age of COVID-19" estimates that the pandemic highlighted the educational divide and the digital divide between populations[87]. A lot of parents and guardians were forced to support their children's learning even though some of them had a low level of education. The low accessibility to digital devices and the absence of necessary technical skills for parents only exacerbated inequalities. For example, in Romania, 32% of children had no access to online learning. Consequently, even in 2023, some children still suffer from the 2020 and 2021 COVID-19 lockdowns. On top of that, the OECD's Child Well-Being Dashboard reports that disadvantaged 15-year-olds are significantly less likely to use the online sphere for their homework or reading the news. Since some of them have not been properly taught to navigate online, a lot of them also do not necessarily trust the internet as a valuable resource to access information. Short- and long-term problems in terms of their academic progress, future job opportunities and social interactions are only some of the impact areas of this pause in education. Disadvantaged children will likely face extremely difficult barriers to catching up on their learning gaps. The pandemic only worsened the existing inequalities in education, as mentioned by the Sustainable Development Goal (SDG) #4 (Ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all)[88]. Consequently, UNICEF estimates a shortage of 4 million highly skilled

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[86] OECD (2022). *Starting unequal: How's life for disadvantaged children?* Policy Insights. Centre on Well-being, Inclusion, Sustainability and Equal Opportunity (WISE). https://www.oecd.org/wise/Starting-unequal-How-is-life-for-disadvantaged-children-Policy-Insights-July-2022.pdf

[87] Eurochild. (2020). *Growing up in lockdown: Europe's children in the age of COVID-19.* https://eurochild.org/uploads/2020/12/2020-Eurochild-Semester-Report.pdf

[88] United Nations. *Sustainable Development Goal Number 4*. Last modified March 10, 2023 https://sdgs.un.org/goals/goal4

workers by 2024 in the UK if no action is taken now to support those learning gaps between children[89].

2.2.4 Unaware of dangerous threats online

Finally, like other vulnerable groups, children living in poverty might not necessarily be as aware of the potential risks occurring online and/or may not have sufficient skills to react. In October 2021, the Better Internet for Kids (BIK) initiative consulted children and young people on "how to make Europe's Digital Decade fit for children and young people?". A lot of children growing up in marginalised situations expressed how they felt more exposed to violence and sexual content compared to other young people not living in poverty. One of the consulted youth groups from low-income backgrounds (Portugal) also expressed their lack of self-confidence to understand the importance of being heard and listened to by adults, frequently considering their own perspectives as irrelevant. The group in Austria explained that disadvantages also often relate to little parental involvement and education. This can lead to children using the internet in a passive way, feeling helpless and lacking the skills and language to detect and communicate issues online.

Therefore, the most important needs for children living in poverty are:

- A high-quality and continuous education,
- Access to an internet connection, a device and sufficient time allocated for navigating the digital sphere and
- More parental/guardian involvement in safeguarding their digital experiences.

2.3 LGBTQIA+ children - Internet a safe but often dangerous space

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[89] UNICEF UK & Carnegie UK Trust "Time for Action" (2021) Closing the Digital Divide for Good: An end to the digital exclusion of children and young people in the UK https://apo.org.au/sites/default/files/resource-files/2021-06/apo-nid312856.pdf

LGBTQIA+ is an acronym and stands for Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex and Asexual or Agender[90]. It is a non-exhaustive term, and the + sign indicates the inclusion of everyone who does not identify in any of the listed categories[91].

2.3.1 The digital sphere: A safe space

When LGBTQIA+ children do not receive the support and conversations they need or would like to have in their social environments and families, the internet can act as a good platform for them to find that support in communities and explore their identity. They can educate themselves on their sexuality or even meet friends online who share the same struggles. The NGO GLSEN (Gay, Lesbian & Straight Education Network), focusing on fighting against discrimination based on gender identity in schools, conducted research in 2013 showing that most LGBTQIA+ children and young people do not receive sufficient health information in schools or at home[92].

Therefore, the internet is a much-needed space for them to educate themselves about such vital issues. Furthermore, it offers ways for them to feel a sense of belonging and realise there are people who think about the same things they do. UNICEF State of the World's report discusses the internet as a platform to feel empowered and "brin[ging] together different groups, breaking cultural barriers and enhancing social cohesion" (p. 32).

2.3.2 Many risks faced on the digital sphere

In 2018, the European Commission estimated that the children who are more vulnerable offline are also more vulnerable online, making the internet not an entirely safe space for LGBTQIA+ children[93]. For Safer Internet Day in 2023, Microsoft published new survey-based research

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[90] Council of Europe. *LGBTI children*. Last modified April 2, 2023 https://www.coe.int/en/web/children/lgbti-children

[91] Council of Europe. *LGBT+*. Last modified April 2, 2023 https://www.coe.int/en/web/gender-matters/lgbt-

[92] Kosciw, J. G., Clark, C. M., & Menard, L. (2022). The 2021 National School Climate Survey: The experiences of LGBTQ+ youth in our nation's schools. New York: GLSEN.

[93] European Commission. (2018). *New studies explore how digital technologies affect children.* Last modified April 11, 2023 https://ec.europa.eu/social/main.jsp?langId=en&catId=1246&newsId=9072&furtherNews=yes

focusing on online safety for 6-17 year-olds and for their families[94]. Focusing on LGBTQIA+ children, research shows 80 % of respondents experienced a risk, and all risks were higher for them. Compared with non-LGBTQIA+ children, the most significant gaps were on sexual solicitation (31 % vs 13 %) and suicide and self-harm content (29 % vs 13 %)[95]. The report "Our Europe, Our Rights, Our Future", published by the European Commission in 2020, corroborates these findings and shows that 48 % of LGBTQIA+ children experienced unpleasant things in the digital sphere at least once per month.

The NGO Internet Matters lists a range of risks specific to LGBTQIA+ children as follows[96]:

2.3.2.1 Exposure to inappropriate content and online hate

Such content includes paid-for advertisements for conversion therapies, anti-LGBTQIA+ groups, and hate speech. In 2021, The Council of Europe published a report about "Young people, social inclusion and digitalisation – Emerging knowledge for practice and policy"[97]. A young respondent from Ireland explained how it is normal to find online forums with people quoting the Bible, deeming LGBTQIA+'s lifestyles and sexualities as immoral. The same goes for hate comments on Facebook and other social media.

2.3.2.2 Exposure to pornography

Such exposure can harm children's vision of sex and go in the way of their sexual exploration. At the same time, it might also lead them to dangerous situations where they can feel pressured to participate in such activities.

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[94] Gregoire, C. (2023). New Microsoft research illustrates the online risks and value of safety tools to keep kids safer in the digital environment. *Microsoft on the Issues*. Last modified March 20, 2023 https://blogs.microsoft.com/on-the-issues/2023/02/06/safer-internet-day-global-online-safety-survey-2023/

[95] Microsoft (2023). Safer Internet Day Global Online Safety Survey 2023. Last modified March 5, 2023. https://www.microsoft.com/en-us/online-safety/digital-civility

[96] Internet Matters (2019). *Supporting LGBTQ+ children and young people - A guide to connecting and sharing online.* Last modified April 2, 2023 https://www.internetmatters.org/inclusive-digital-safety/advice-for-parents-and-carers/supporting-lgbtq-children-and-young-people/connecting-and-sharing-online/

[97] Council of Europe & European Commission (2018). *Young people, social inclusion and digitalisation - Emerging knowledge for practice and policy.* Youth Knowledge #27. Youth Partnership. https://pjp-eu.coe.int/documents/42128013/47261623/YKB-27-WEB.pdf/dbab979b-75ff-4ee8-b3da-c10dc57650d5?t=1617810287000

2.3.2.3 Connecting with dangerous people

The internet allows children to meet people online, but using online dating apps might bring them in contact with dangerous people. In addition, some applications might not even be age appropriate.

2.3.2.4 Meeting online-only friends face-to-face

Related to the risk above, it has been researched that 9.9 % of homosexual young children had met up with an online contact who was not who they said they were, compared to only 4.9% of straight young people[98].

2.3.2.5 Online sexual harassment

As mentioned above, LGBTQIA+ children and young people might be more targeted for their sexual orientation and/or gender. For example, a 2013 study[99] focusing on 5,907 young people aged 13 to 18 estimated that the people who identified as lesbian, gay, bisexual or transgender were "disproportionately at risk of online sexual harassment"[100]. A few years before, in 2008, another study in Sweden showed another fundamental factor in predicting online sexual solicitation was bisexuality or homosexuality.

2.3.2.6 Grooming and sexual exploitation

Children can encounter these practices on dating sites or, generally, on sites that are not age-appropriate for them. Some children might believe going on those websites is the only way for them to meet people or even feel accepted. Those sites might be their only option if they don't have access to an LGBTQIA+ youth group or a moderated forum run by trained professionals.

2.3.2.7 Harmful hate speech online for transgender people

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[98] Internet Matters (2019). *Help LGBTQ+ kids socialise safely online - A guide to connecting and sharing online.* Last modified April 3, 2023 https://www.internetmatters.org/inclusive-digital-safety/advice-for-parents-and-carers/supporting-lgbtq-children-and-young-people/connecting-and-sharing-online/

[99] Mitchell KJ, Ybarra ML, Korchmaros JD. Sexual harassment among adolescents of different sexual orientations and gender identities. Child Abuse Negl. 2014 Feb;38(2):280-95. doi: 10.1016/j.chiabu.2013.09.008. Epub 2013 Oct 19. PMID: 24148274

[100] UNICEF (2017). *The State of the World's Children 2017: Children in a Digital World.* Page 80.

Over a timespan of three and a half years, 1.5 million transphobic tweets were published worldwide[101]. Unfortunately, transphobic tweets often come along with an increase in transphobic bullying. This hostile environment can encourage some people to continue harassing, bullying, or discriminating against trans people. On the other hand, hateful messages can potentially harm mental wellbeing and self-image.

During a BIK+ consultation with children and young people in 2021, a German group flagged the dangerous aspect of anonymity on the internet to give more power to those who attack, degrade and insult others. Recently, many discussions regarding anti-LGBTQIA+ attacks were triggered by the European football championships in 2020 and the debate around the use of the rainbow symbols and the controversy over Hungarian anti-LGBTQIA+ legislation.

2.4 Children from minority ethnic backgrounds - many rights impacted

As Roma children, migrant children and refugees' risks and needs are often similar, this good practice guide brings the groups together, highlighting their similarities while acknowledging their differences.

Migrants

UNICEF uses the following as the most widely accepted definition of migrants: "people living in a country outside their country of birth"[102]. Their reason for leaving and how long someone has lived in that new country are not important in this definition.

Refugees

The 1951 Refugee Convention defines a refugee as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race,

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[101] Brandwatch. *The scale of transphobia online*. Last modified March 25, 2023. https://www.brandwatch.com/reports/transphobia/

[102] UNICEF DATA. (2021). *Child migration.* Last modified April 10 2023 https://data.unicef.org/topic/child-migration-and-displacement/migration/

religion, nationality, membership of a particular social group, or political opinion"[103]. The Russian invasion of Ukraine led to the largest flow of refugees since World War II[104]. The only other country from which more people have been forced to flee is Syria, while it took more than a decade into the conflict to reach similar numbers.

Roma children

The European Commission defines the Roma as a group including many different populations such as "Roma, Sinti, Kale, Romanichels, Boyash/Rudari, Ashkali, Egyptians, Yenish, Dom, Lom, Rom and Abdal, as well as Traveller populations (gens du voyage, Gypsies, Camminanti, etc.)"[105]. They are the largest ethnic minority in Europe, estimated to be 10 to 12 million Roma people living in Europe.

2.4.1 The digital sphere allows them to be fully integrated in host countries

The main reason for Roma children to access the internet is to participate in remote learning. As the numbers below show, they are one of the most marginalised populations in Europe, which imposes several barriers to education. Moreover, research shows that migrant children and refugees share similar needs in accessing the internet. The ITU's "Guidelines for Parents and Educators on Child Online Protection" (2020) explain how technology and the internet are vital tools for migrants to connect with others and be fully integrated in their new home countries. Some of the key functions include:

- Orientation: Digital technologies are specifically necessary while travelling to a new country.

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[103] UNHCR (1951). *Convention and Protocol relating to the status of refugees*. https://www.unhcr.org/media/convention-and-protocol-relating-status-refugees

[104] Bathke, B. (2023). *Ukraine war has caused largest refugee movement since WWII.* Infomigrants. Last modified March 18, 2023 https://www.infomigrants.net/en/post/45949/ukraine-war-has-caused-largest-refugee-movement-since-wwii#:~:text=The%20Russian%20invasion%20of%20Ukraine,Ukraine's%20population%20is%20reportedly%20displaced.

[105] European Commission (2020, October 7). *Roma people in the EU.* Last modified April 18, 2023 https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/combatting-discrimination/roma-eu/roma-equality-inclusion-and-participation-eu_en

- Appropriation: Appropriation is a necessary element in assimilating and getting familiar with the culture and society of a new host country. In 2016, a study was conducted at the London School of Economics (LSE) on the "Contexts and Contradictions of digital children's rights of unaccompanied minor refugees"[106]. It explains the importance of the internet as a way for them to cope in a new country and feel accomplished in being integrated into a new society.

- Connection: Being connected is a particularly important aspect of the internet for migrant/refugee children and young people, as a lot of them can be displaced from their families and must stay in contact. It is vital for those individuals to stay in contact with their families, which is recognised by Article 10 of the CRC: "a child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents."[107] Family acts as a necessary mental support and mental system for young refugees starting a new life in other countries. Furthermore, the Internet allows children and young people to stay informed but also to access information and communicate. The UN General Comment No. 25 defines such information as "life-saving information that is vital for their protection". They can be in contact with other migrants in similar situations, with authorities or with local NGOs helping them in their journey[108].

2.4.2 First focus on the Roma population

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[106] LSE (2016). *Contexts and Contradictions of digital children's rights of unaccompanied minor refugees.*

[107] OHCHR (1989) Convention on the Rights of the Child. https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child

[108] Save the Children International. (2020, November 30). *Safeguarding migrant and displaced children in a digital world*. Last modified April 8, 2023 https://www.savethechildren.net/blog/safeguarding-migrant-and-displaced-children-digital-world

2.4.2.1 Poverty a major factor

Roma children are more likely to live in poverty than the general population, which brings numerous challenges on the internet. In the European Union in 2022, UNICEF estimated that 85 % of Roma children are at risk of poverty against only 20 % of children in the general population[109]. The Council of Europe shares this statement by saying Roma children are one of the most deprived communities in Europe, and they suffer discrimination and human rights violations every day[110]. Those discriminations act as barriers to fully integrating into the countries, such as limiting their access to education. Like for children living in poverty, the biggest challenges for Roma children were linked to education and the substantial difficulties accessing the internet. During the COVID-19 pandemic, Roma children were among the groups most impacted by school disruptions. In 2020, Caritas Romania studied 400 Roma children attending Caritas' learning centres for marginalised groups to research their biggest barriers to accessing the internet and found that only 3 % of Roma children were able to participate in the online lessons provided by those learning centres during the March-June lockdown (compared to the 12 % of children in other marginalised groups)[111].

Some of the specific challenges Roma children face include:

2.4.2.2 No sufficient access to electronic devices

The research shows that 54 % of children must ask for their parents' mobile phones to do their homework (with only 1 % of children owning a computer and 3 % a tablet). In contrast, an average of 46 % of children of other marginalised groups depend on their parents' mobile devices (with 7 % of children owning a computer and 6 % a tablet). In cases where mobile phones were the only device available for education, the teachers sent worksheets and homework on Facebook Messenger's application, and the students submitted their homework by sending back photos of it. Many Roma children often must share devices with their siblings or family members, but that can

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[109] UNICEF Europe and Central Asia. European Child Guarantee: A unique opportunity for the social inclusion of Roma children. Last modified March 30, 2023

https://www.unicef.org/eca/european-child-guarantee-unique-opportunity-social-inclusion-roma-children

[110] Council of Europe. *Roma children.* Last modified March 30, 2023 https://www.coe.int/en/web/children/roma-children

[111] Hackl, T. (2021, April 13). *Roma children's education halted in COVID times - www.caritas.eu.* www.caritas.eu. Last modified April 8, 2023 https://www.caritas.eu/roma-childrens-education-halted-in-covid-times/

quickly become an issue once everyone needs to do homework or work. Another example comes from the BIK consultation with children and young people in 2021, in which a group of Roma children was consulted in a settlement in Greece. In this location, there was no internet connection available, and the only way to get online was to buy mobile data (which can be very expensive). This circumstance brought about significant problems for Roma children during the COVID-19 lockdowns.

2.4.2.3 Not enough space to study at home

79 % of Roma children live in housing with only one or two rooms for families between five and six members.

2.4.2.4 Family members unable to help them navigate the internet

Family members' lack of digital skills fosters a lot of risks as children cannot ask for help or advice from parents or carers on how to stay safe online.

2.4.2.5 Unequal learning opportunities from a very young age

Due to the high risk of living in poverty, Roma children and young people are already at a disadvantage compared to average students from a very young age. Amongst the families living in one or two rooms mentioned above, only 34 % earned income from formal employment. Hence, 38 % of Roma children work by themselves on the worksheets provided by teachers, compared to 19 % of children from other marginalised groups. Learning and studying without help from family can be particularly difficult for younger students. The research shows that 27 % of children between 6 and 8 years old and 54 % of 9–11-year-olds studied by themselves, which can potentially lead to long-lasting deficiencies affecting their whole school career. Their high state of poverty makes studying at home very difficult, and Roma children are, therefore, frequently placed in schools for children with learning disabilities.

2.4.2.6 Right to education impacted

Moreover, those barriers to accessing education and training are also exacerbated by the strong negative sentiments towards Roma communities in Europe. Whether it is the lack of majority language skills or the limited access to early childhood education and care, Roma children show lower attendance and completion rates in school education. In the long term, this will affect their

labour market integration and social integration[112]. This social exclusion often leads to digital exclusion (as we can notice with other vulnerable groups such as migrants and refugees). DigiGen, an H2020 project focusing on developing knowledge about children and young people's activity on the internet, investigated digital deprivation for Roma students. Their research shows that they are left out as digital citizens; and, therefore, are not able to benefit from the values of digital citizenship based on respect, education and protection[113].

Overall, Roma children are also facing risks in the digital sphere related to discrimination, hate speech and bullying rooted in negative sentiments towards Roma communities. In the same 2021 BIK consultation, children reported feeling uncomfortable when reading hate speech and content against the Roma communities. The example linked to the death of a Roma man was particularly mentioned. However, the BIK consultation also shows some differences between the Roma population in different countries. For example, digital technology does not appear as a significant issue for the Roma children in the Czech Republic. They can easily communicate with their friends and do other activities on the internet without any problems.

2.4.3 Similar risks, challenges and opportunities for migrants and refugee

Moreover, migrant and refugee children also face struggles accessing technology and the digital sphere, which are similar to the ones Roma children may experience, as discussed above. The ITU's guidelines detail those challenges as[114]:

2.4.3.1 Infrastructure

One of the biggest struggles for vulnerable children and young people is finding safe spaces where they can freely access the Internet in a safe way. This can be particularly difficult for migrant children as finding the appropriate infrastructure is not always easy.

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[112] Hshorey. (2021, November 30). *Digital deprivation should not become a new obstacle for Roma students - DigiGen*. DigiGen. Last modified April 9, 2023 https://digigen.eu/digigenblog/digital-deprivation-should-not-become-a-new-obstacle-for-roma-students/

[113] ibid

[114] International Telecommunications Unit (2020) Guidelines for Parents and Educators on Child Online Protection . Last modified March 25, 2023 https://www.itu.int/pub/S-GEN-COP.EDUC-2020

2.4.3.2 Resources

Similar to Roma children and young people, a lot of migrants and refugees spend a lot of money on prepaid phone cards to access the internet or even to study. Research on the "Contexts and Contradictions of digital children's rights of unaccompanied minor refugees" also mentions the difficulty of accessing free Wi-Fi in institutions forcing young people to rely on public hotspots and sharing their data. Therefore, stakeholders must come up with solutions that allow migrant children to save their money on other vital necessities.

2.4.3.3 Integration

Being able to access the internet is one aspect, but a lot of migrant and refugee children might not know how to navigate the digital sphere to make the most use of it. The lack of media literacy education is often referred to as the second-level digital divide (van Deursen and van Dijk, 2011, 2014). With the Internet being the most important means of communication in modern society, digital skills should be recognised as vital assets; and in consequence, unequal access to digital skills education only worsens social inequalities. Children and young people in vulnerable groups are the most impacted by this second-level digital divide. A high-quality media literacy education is necessary for migrants, refugees, and the Roma population.

The H2020 project ySKILLS focused more specifically on refugees and researched the digital skills of vulnerable groups in at-risk situations[115]. The study allowed to answer three main questions:

- How do young refugees use digital technologies to navigate transnational life before, during and after migration?
- How do young refugees develop age-related skills and manage risks more generally through their use of digital technologies?
- How do digital technologies support or hinder wellbeing among young people with experience of forced migration?

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[115] ySKILLS. *Vulnerabilities and digital skills.* https://sway.office.com/un18yna6R9XlPEuV?ref=Link

The study conducted more than 90 interviews with young refugees (ages 14 to 18) in Belgium, Greece, and the United Kingdom. The findings show how young refugees acquire digital skills through doing and using technology. While some managed to rapidly develop high levels of digital skills, others had more obstacles in learning due to non-continuous education or social exclusion. However, the digital skills learnt enabled young refugees to meet certain fundamental needs, such as finding information for education or for learning languages. More importantly, the research shows social media even helped young refugees develop identity-related skills, which are crucial for their socio-emotional and cognitive development. An example of such skills can be seen as a way to embrace social control and overall achieve self-awareness.

All those challenges may make it more difficult for migrant, refugee children and young people to access the internet and can foster the digital divide (see also section II: Children living in poverty). In 2020, the NGO Save The Children published a report on "Safeguarding migrant and displaced children in a digital world"[116]. According to the authors, the digital divide can have disastrous consequences for migrant children and young people. Besides the risks of being excluded from online learning, not learning about vital information on reunification programmes with their families or mental health and psychosocial services, several ethical dilemmas and threats to the children's safety and wellbeing must be taken into consideration.

2.4.4 Specific threats for migrants and refugees

Migrants, displaced children, and refugee children are among the most vulnerable groups likely to suffer from these threats. Some of the specific risks include:

2.4.4.1 Risk of their personal data being sold and used by government agencies

Some agencies might share personal information with national immigration authorities or local governments in order to identify and track individuals and their families (potentially leading to deportation and death). Some NGOs have, for example, banned collecting and sharing sensitive data due to several ethical risks.

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[116] ibid

2.4.4.2 Social media and children

Unfortunately, social media can often be used by gangs to recruit young people in armed conflict or even by smugglers and traffickers selling them extremely dangerous getaways to Europe. In Serbia, there have often been occurrences of prostitution activity on WhatsApp. The UN General Comment No. 25 also mentions that such dangerous activities can even happen in chat services of online games.

However, the ySKILLS study[117] demonstrates that young refugees are now able to make less risky choices thanks to the new digital skills they have obtained. Only a minority of respondents said they were not aware of the dangerous risks and ways to manage them. Being aware of the risks above allows young refugees to feel safer. For example, some of the respondents explained how they turned off their phones during dangerous situations to avoid being tracked by authorities or trafficker networks.

2.5 Children with disabilities - Internet a way to feel equals with peers

In March 2021, the Better Internet for Kids initiative published a best practice guideline about "Children and young people with disabilities in an online world"[118]. It is a comprehensive account covering a range of topics, from the benefits and challenges of being online to the policy responses and the points of action for stakeholders. The below sections hence serve as a first introduction. For a more in-depth view, please refer to the focused good practice guide above.

UNICEF defines children with disabilities as "those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full

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[117] ibid

[118] Better Internet for Kids. (2021). *Children and young people with disabilities: best practice guide.* https://www.betterinternetforkids.eu/documents/167024/200055/Best-practice+guideline+-+Children+and+young+people+with+disabilities+-+March+2021+-+FINAL.pdf/1dab1ba7-0437-d04a-e5b0-f4a60420112d?t=1617107094923

and effective participation in society on an equal basis"[119]. The numbers are not very clear, but Eurostat estimates that "5% of EU families with children had a child or children with disabilities (ilc_hch13, 2017) and 9.4% of girls and young women and 7.5% of boys and young men (ages 16-24) had a disability (EU-SILC, 2017)"[120].

2.5.1 The digital sphere - A space to enjoy all their rights

Article 7(1) of the UN Convention on the Rights of Persons with Disabilities (UNCPRD) notes that "children with disabilities have a right to enjoyment of their rights on an equal basis with other children; as well as the right not to be discriminated against for the enjoyment of their other rights.[121]" Particularly the digital sphere can give children with disabilities a sense of normality, allowing them to access information, communicate, learn, and play. More generally, the digital sphere can help to put children and young people with disabilities on an equal footing with those without disabilities. The ITU's "Guidelines for Parents and Educators on Child Online Protection" (2020) explain how the internet provides many opportunities to socialise and engage with special interests for children with autism spectrum disorder (ASD) that are not necessarily available offline. It furthermore allows children and young people to develop the necessary skills and tools for future employability[122].

Moreover, it is important to mention that children with disabilities live very similar digital and online lives to children without disabilities, mainly because they rarely or never talk about their disabilities. In 2019, the Council of Europe published the report "Two clicks forward and one click

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[119] UNICEF Data (2023). Children with disabilities. Last modified March 18, 2023 https://data.unicef.org/topic/child-disability/overview/#:~:text=According%20to%20the%20CRPD%2C%20children,society%20on%20an%20equal%20basis%E2%80%9D.

[120] Naomi. (2021). The EU must protect the rights of children with disabilities. *European Disability Forum*. Last modified March 18, 2023 https://www.edf-feph.org/newsroom-news-eu-must-protect-rights-children-disabilities/#:~:text=Children%20with%20disabilities%20in%20Europe&text=According%20to%20Eurostat%2C%20about%205,EU%2DSILC%2C%202017).

[121] United Nations Convention on the Rights of Persons with Disabilities (CRPD). (2006). *Article 7* https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-7-children-with-disabilities.html

[122] CO:RE Knowledge Base. *Digital technologies in the lives of children and young people. Last modified April 17, 2023. https://core-evidence.eu/posts/children-and-disability*

back - Children with disabilities in the digital environment"[123]. Respondents to the study either believed their disability was a private matter or that bringing it up never occurred to them. However, for some, it came from a fear of being rejected, bullied, or put in danger by disclosing it. For example, in schools, although using technological devices make their learning easier, children and young people often do not appreciate being the centre of attention as they appear different from their classmates. The report "Our Europe, Our Rights, Our Future" shows 21 % of children with disabilities received different treatment once they disclosed their disabilities. The Council of Europe puts forward three main barriers for children with disabilities online[124]:

2.5.2 Technological barriers

One main barrier lies in the limited access to some devices, applications, and websites due to a lack of appropriate technology useful for disabled individuals. These include:

> a lack of subtitles on videos for deaf children; the inability to magnify text/ images
> or lack of spoken explanations for children with visual impairments; the absence
> or limits of adaptations for children with physical impairments; and additional
> levels of security like the 'CAPTCHA', a type of challenge-response test used in
> computing to determine whether or not the user is human, that creates barriers and
> makes it 'hard to get on' for children with intellectual disabilities. (p.12)

Respondents from the BIK consultation with children and young people in 2021 expressed that opportunities online are not sufficiently inclusive and accessible for children and young people with disabilities. Other respondents also mentioned the struggles of keeping up in remote learning, where the audio was often of poor quality.

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[123] Council of Europe. (2021). *Two clicks forward and one click back: report on children with disabilities*. Last modified April 6, 2023 https://rm.coe.int/two-clicks-forward-and-one-click-back-report-on-children-with-disabili/168098bd0f

[124] ibid

2.5.3 Financial barriers

Families raising children with disabilities have substantially more expenses than other families. Data from the Council of Europe mentions around an extra quarter above average expenditure. According to Article 20 of the UNCRPD[125],

> States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by: (...) (b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost.

2.5.4 Linguistic barriers

Overall, the digital sphere offers more opportunities in English, which is a barrier for all non-English speaking children.

The research also expands on the particular risks children with disabilities face. For instance, children with disabilities are 12 % more likely to experience cyberbullying than other children. Furthermore, they might find it more difficult to distinguish between true and false information or be less skilled in managing their interpersonal relationships online. Therefore, they might be more easily manipulated into sharing inappropriate information or spending money, for example. Beyond that, children with disabilities are more likely to experience exclusion, stigmatisation, and other barriers (such as physical, economic, societal, and attitudinal). Particularly, the risks of grooming, sexual harassment and online solicitation affect children with disabilities disproportionally. In fact, some people online are specifically targeting children with disabilities for sexual purposes[126]. Such people are called "devotees", who are people without disabilities sexually attracted to people with one; some would even pretend to be disabled to attract children.

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[125] United Nations Convention on the Rights of Persons with Disabilities (CRPD) (2006). *Article 20* https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-20-personal-mobility.html

[126] International Telecommunications Unit (2020). Guidelines for industry on online protection. https://www.unicef.org/media/90796/file/ITU-COP-guidelines%20for%20industry-2020.pdf

Notably, children who are on the autism spectrum frequently face social challenges, and having difficulties understanding other people's intentions makes them vulnerable to people with bad intentions online. Those challenges may directly be linked to their autism characteristics. In fact, overall, a limitation of personal skills appears as one of the biggest barriers to children with disabilities online (Sorbring et al.,2017)[127].

While children generally seek out positive social interactions and friendships in the digital sphere, which help to build self-esteem or foster support networks, the above-mentioned risks can negatively impact their experiences. Some children might feel less autonomous in navigating the internet and might require more guidance and advice on how to deal with negative experiences online. However, what is currently lacking online are forums and social media pages for children with disabilities dedicated to addressing ways to deal with such incidents. Finally, another key issue is that many parents or guardians often lack knowledge about parental control tools and measures. The only exception applies to children with intellectual impairments, who are frequently overprotected by their parents and are less likely to be online as their parents feel it is too dangerous for them.

2.6 Children in care - Improvement of their wellbeing

UNICEF and Eurochild estimate 758,018 children being in alternative care (302,979 in residential care, 421,810 in formal family-based care and 33,228 in other alternative care) in the European Union[128]. However, as there are no consistent definitions of care across the EU, numbers can vary greatly from country to country.

2.6.1 The digital sphere: A space of support

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[127] Sorbring, E., Molin, M., & Lofgren-Martenson, L. (2017). *"I'm a mother, but I'm also a facilitator in her every-day life": Parents' voices about barriers and support for internet among young people with intellectual disabilities.* Journal of Psychosocial Research on Cyberspace. Cyberpsychology https://cyberpsychology.eu/article/view/6758

[128] Eurochild. (2021). *Children in alternative care – Comparable statistics to monitor progress on DI across the EU.* https://eurochild.org/uploads/2021/12/Children-in-alternative-care_Comparable-statistics-to-monitor-progress-on-DI-across-the-EU.pdf

The digital sphere can bring children in care and in institutionalised environments the mental and social support they lack in their offline lives[129]. Accessing the Internet gives them opportunities to be part of a community, meet people online, receive support and stay in contact with their friends and families. Article 9.3 of the Convention of the Rights of the Child recognises that: "State Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.[130]" Therefore, staying in contact with families is a fundamental right for children in alternative care. For these children, being vulnerable can mean a lot of different things and a one-size-fits-all policy cannot be effective. Any child can become vulnerable at some point in life, and therefore it is important for policymakers to consider all factors of a child or young person's life in general.

2.6.2 Two major risks faced online

This part tackles a wide range of vulnerable children including but not limited to children living away from home, children in need, children who ran away from home as well as the ones missing from school[131]. The study also included the children falling within the UK Council for Child Internet Safety[132] (UKCCIS) which include: "children experiencing family difficulties and brought up in chaotic family/home environments, children with disabilities, children with emotional/behavioural difficulties and children experiencing 'exclusion of access.'"

2.6.2.1 Less media literacy education

Children who are in out-of-home placements are less likely to have the digital literacy and skills for a safe online experience and hence are more likely to encounter risks online. Being vulnerable and away from their homes can lead them to share too much personal information and be more

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[129] Corambaaf. Foster care and social networking https://corambaaf.org.uk/books/foster-care-and-social-networking

[130] OHCHR (1989). *Convention on the Rights of the Child.* https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child

[131] Simpson, J. (2020). *Children in care and their use of mobile devices and the internet for contact.* Iriss https://www.iriss.org.uk/resources/insights/children-care-and-their-use-mobile-devices-and-internet-contact

[132] UK Council for Internet Safety. GOV.UK. Last modified April 14, 2023 https://www.gov.uk/government/organisations/uk-council-for-internet-safety

prone to cyberbullying and unsolicited sexting. Being in contact with unsafe people on the internet can bring potential psychological harm. The EU Kids Online study (2011) estimates around 10 % of the discriminated or psychologically disadvantaged children between 9 and 16 years old have been cyberbullied[133].

2.6.2.1 *But technologies also helps to improve children's wellbeing*

An example from the Child Welfare system in the United States of America lists some of the reasons why an internet access is important[134]:

- For the families: a lot of the family resources and services are accessed online (including childcare subsidies and relevant government assistance programmes)
- Similar to other children: to not disrupt their studies and keep in touch with their relatives and friends.

Results from a study on youth in foster care in California show that children with access to technologies improved their academic performance, their social connectivity and overall, their life satisfaction[135]. However, most young people in foster care do not have access to technology. The numbers are very low: from 5 % in rural foster care to 21 % in urban areas having daily access to a computer.

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[133] Livingstone, Sonia and Haddon, Leslie and Görzig, Anke and Ólafsson, Kjartan (2011) EU Kids Online: final report 2011. EU Kids Online, Deliverable D8.3. EU Kids Online Network, London, UK.

[134] Casey family programs. (2020). *How can youth and families involved with child welfare access needed technology?* https://www.casey.org/media/20.07-QFF-SF-Access-to-tech-resource-list_fnl.pdf

[135] Goldbach, J., T. (2016). *1 Laptop Program for Foster Youth: Evaluation Report.* University of Southern California http://placercf.org/wp-content/uploads/2016/06/iFoster_2016_1_Laptop_FCC_Evaluation_Report.pdf

CHAPTER III: FINDINGS - SURVEY

After defining child vulnerability from an academic and non-governmental organisations' point of views as well as identifying all the risks and opportunities for each vulnerable group; this following chapter will focus on analysing the findings from the survey. As mentioned in the Methodology, in order to map the best practice examples of initiatives improving child rights' online as well as to understand how child vulnerability is perceived, a survey was sent out to all European Safer Internet Centres working in partnership with European Schoolnet. Seventeen answers were received which help to give a good understanding of the European context.

3.1 Analysis of vulnerability

To start with, the first part of the survey focused on definitions. The questions included their personal interpretation of child vulnerability, their opinion with the list chosen for the BIK initiative, the most vulnerable children and young people from an online point of view in their country as well as their risks and potential examples of government measures addressing the needs of such vulnerable groups. The answers received enabled me to understand the context of child vulnerability in various European countries.

3.1.1 Definitions of vulnerability

To start with, overall, the majority of SICs stated in the survey that it is very difficult (and even impossible) to list all (or most) vulnerable groups of children and young people for various reasons. For example, Croatia explained that it is due to people and societies constantly changing. Five country respondents gave their own interpretations of vulnerable groups as seen below:

Country	Survey responses
	Their interpretations of vulnerable children and young people
Czech Republic	Children facing additional challenges due to their physical, mental and intellectual conditions, disabilities, socio-economic, ethnics, religious or

	other specific backgrounds. Therefore, this category also includes children from LGBTQIA+ community, those exposed to discrimination and segregation or kids and youth who simply stand out from their surroundings in some (even positive) way.
Estonia	Prefers to use the term "at-risk children" to define those with special needs due to development, health, social, cultural background, personality or other circumstances in which case the children need support and help.
France	Defines vulnerable children as those in a situation making them more vulnerable (economic, health or simply by being a minority). It is also the only organisation which defines young people as minors but also young adults (from 18 to 21 years old).
Germany	Does not use a standard definition but uses the following definition of the Federal Ministry for Economic Cooperation and Development (BMZ) as guidelines: the factors making people vulnerable include poverty, political and social disadvantages, and lack of access to equal participation.
Luxembourg	Similar to Germany, it currently does not have a precise working definition but uses the definition of OECD as a guideline: "Child vulnerability is the outcome of the interaction of a range of individual and environmental factors that compound dynamically over time."[136]
Greece	Defines vulnerable children and young people as those with a higher risk of harm or disadvantage due to their individual circumstances or environment; due to various reasons such as poverty, disability, mental health issues, abuse or neglect, family breakdown, homelessness, discrimination, and social exclusion.

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[136] OECD iLibrary (2019). *What is child vulnerability and how can it be overcome?* https://www.oecd-ilibrary.org/sites/23101e74-en/index.html?itemId=/content/component/23101e74-en

Malta	Similar to Greece, the country defines them as individuals at a disadvantage either because of their family situation, their physical or mental wellbeing or due to situations happening in their community or in their country.
Italy	Defines a vulnerable child as someone below the age of 18 who is currently or is likely to be in adverse conditions thereby subject to significant physical, emotional, or mental stress resulting in inhibited development.

The common factors in the definitions above are poverty, risk of harm or disadvantage because of individual circumstances of environment (family, community, or the country), mental health and stress as well as disability.

However, Denmark is the only organisation which decided to no longer use the term "vulnerable young people" due to its stigmatising consequences. The organisation also explains that anyone can experience vulnerability since it can occur on a great number of risk factors in someone's life, which may occur in various periods of time. Today, they prefer using the term "young people in vulnerable situations".

The other countries who did not give their own definitions, instead gave a list of groups they identified as vulnerable. Below are the most common groups found in the survey responses:

Survey responses Vulnerable group	Countries
The Roma community	- Croatia, Romania and Spain - Slovenia (children from ethnic or national minorities)
Children living in care or with family difficulties	- Croatia (the ones without adequate parental care ones with developmental difficulties, ones in the healthcare/justice/asylum systems)

	- Denmark (ones with family difficulties including failure and in some cases in care) - Romania and Spain (the ones covered by some form of the child protection of public administrations)
Children with disabilities	- Denmark (ones with functional impairments or emotional /behavioral difficulties such as self-harm, suicidal thoughts or psychiatric diagnoses), - Latvia (children with special needs and the need for specific extra attention), - Romania and Slovenia (children with special needs, specifically children with intellectual disabilities, blind and partially sighted children, children with visual impairment, deaf and hard of hearing children, children with emotional and behavioural disorders, children with physical disabilities, and children with long-term illnesses)
Children living in poverty and/or isolated areas	- Croatia - Denmark (the most marginalised) - Romania (the economically disadvantaged ones, the ones living in rural areas, the ones who are left alone as a consequence of their parents working abroad) - Slovenia (children from weak financial, social and cultural backgrounds)
Refugees	- Croatia - Denmark (who experience being outside communities that are accessible to other children such as asylum seekers and certain immigrant communities)

	- Slovenia, Romania and Spain (as a consequence of the war in Ukraine). Spain also gave examples of significant immigrant populations which are Ecuadorian, North African and sub-Saharan.

3.1.2 Safer Internet Centres' identified vulnerable groups

Moreover, the following survey question focused on the SIC's list of the most vulnerable children and young people online according to the organisation's country. Below are the most common categories mentioned by the organisations:

Survey responses Most vulnerable children and young people (from an online risk and opportunity point of view) in the organisation's country	Survey responses Countries mentioning them and the biggest risks attributed to such groups
Children and young people living in poverty and/or living in isolated areas	- Croatia explains that the ones living in poverty are at risk of being exploited for profit and those living in isolated areas grow up with adults who often believe that child exploitation does not happen in smaller communities. Their biggest risks are sextortion and suffering from predators due to a non established relationship of trust with a significant person in their environment such as parents or close family members. - Cyprus adds children coming from disadvantaged backgrounds and the ones who are marginalised.

	- The Czech Republic, Germany, Italy, Spain and Sweden mention those who are at risk of poverty and social exclusion. The Czech Republic identifies the main risks to be vulnerabilly as a trigger for negative behaviours directed at them (such as cyberbullying), loss of trust in society as well as radicalisation of opinions and attitudes of children. - Moreover, Germany mentions children living with parents that have special psychological conditions such as depression or addiction. - Estonia also talks about children living in families with social problems such as poor parenting skills or economic problems. The lack of a supportive family relationship and feeling worthless only increase the risks of cyberbullying or exploitation such as blackmail or sexual abuse. - Another example is Slovenia mentioning children from weak financial backgrounds, especially economic immigrants from former Yugoslavia. - France explains children living in poverty are vulnerable because of the fewer resources to ask for help. - Greece talks about those coming from socio-economically disadvantaged backgrounds or migrants.

	- Finally, Malta also adds children coming from minority ethnic backgrounds (more specifically children of migrant families) since they are often isolated due to their non-registered status in the country.
Children coming from minority ethnic backgrounds, migrants, refugees	Italy, Greece, Sweden and Spain mentioned children from ethnic or national minorities or minority ethnic backgrounds (such as the Roma children for Sweden and Italy). Greece explains that the challenging situations migrants are in only reinforces the difficulty of accessing the digital world safely and increases the risk of becoming victims of cyberbullying, hate speech, fraud, grooming, blackmailing, sextortion, and being exposed to inappropriate content. Spain recently added refugee children as a consequence of the war in Ukraine. The organisation explains that some of their biggest difficulties include a lack of access to devices or the Internet (or even adapted devices for specific personal circumstances) and a lack of income. However, if or when they do gain access to the Internet, they would also lack digital literacy education and a personal accompaniment which only contributes to increasing the risks of suffering harassment and hate speech. Cyprus states that migrant children are more at risk of cyberbullying.
LGBTQIA+ children and young people	Cyprus, Estonia, Italy and The Netherlands since this group is at risk of cyberbullying, discrimination and outing.

Children lacking digital literacy skills	- Cyprus explains this lack prevents children and young people from using the Internet in a safe way and might be more vulnerable to online risks such as cyberbullying, online harassment or exposure to inappropriate content. - Romania mentions children who live in rural areas as their parents might not have sufficient knowledge about risks their children might face on the Internet. - Similar to this group, Cyprus, Denmark, Estonia, Latvia, Slovenia, Sweden and The Netherlands mention individuals with high levels of developmental disabilities, a low IQ and inadequate cognitive abilities and the ones with autism spectrum disorder (Germany). According to these organisations, such individuals might not be able to build necessary digital skills to understand potential hazards or to protect themselves from potential online risks, hence preventing them from building resilience. - For example, Latvia explains that children with intellectual disabilities often "uncritically post information about themselves on the internet", believe strangers and do what they are told without necessarily thinking twice; which increases the risk of becoming cyberbullying victims. - Germany adds that such vulnerable groups are very likely to have fewer resources to cope with difficult

	situations and therefore would need more easy to find and accessible support services for all online risks - France also explains that children with intellectual or mental disabilities might face dangerous situations online without realising it and suffer manipulation. - Estonia goes even further by saying abuse of their trust is a significant risk factor. - Greece reinforces by mentioning children with disabilities and special needs as they face significant challenges regarding online risk and opportunities. - Malta explains that children of migrant families might also not receive adequate education due to their non-registered status in the country. - Moreover, SIC Spain also includes the Roma community as they were the ones with the most difficulties accessing the Internet and using technologies.
Victims of abuse or neglect	Cyprus explains that this group is more vulnerable to online risks such as sexual exploitation or grooming
Children with mental health issues	Cyprus states that this group is more vulnerable to cyberbullying and online grooming
Children with parents living abroad	Romania
Children living in care facilities	Romania and Latvia. Latvia explains that children in care have limited resources to receive support from adults

Bi-cultural children	The Netherlands is the only organisation who mentioned bi-cultural children and young people as a vulnerable group who are at risk of suffering from cyberbullying, discrimination, outing and exposure

For all the vulnerable groups mentioned, Cyprus mentions the biggest risks online are engaging with and/or exposure to potentially harmful content. Main risks include hate speech, cyberbullying, sexual exploitation, hacking, trolling and online grooming. Sweden is the only organisation who mentioned mental illness as a significant risk for vulnerable children and young people.

3.1.3 Opinions about the chosen list of vulnerable groups by European Schoolnet

The following question focused on the organisation's opinion regarding the chosen list of vulnerable children and young people for the BIK Initiative. As a reminder, this list was decided in line with the European Commission's own list according to five child rights' organisations experience. According to them, this list is able to reflect the true reality of the children living in Europe and is as inclusive as possible. Ten out of seventeen respondents to the survey agreed that this list covers the various vulnerable groups SICs can and should target as part of their awareness, youth participation, helpline and hotline work. Seven respondents however explained that this list lacked a few relevant groups mentioned below:

Country	Survey responses Additional Vulnerable children and young people
Croatia	- Children who are victims of criminal offences - Children with behavioural problems - Children whose parents are in conflict with the law
Cyprus	Orphans

Czech Republic	- Children whose parents do not have basic digital skills.
	- Children living in rural and remote areas.
	- Digitally deprived children.
	- Highly talented children who in many aspects surpass their peers or adults.
Germany	- Children who must care for their relatives (due to disease, addiction, disabilities)
	- Children from different religious background
Slovenia	Economic migrants in regards to Slovenia's history of being a target destination for immigrants coming from former Yugoslavia. These immigrants have left their country of origin purely for economic reasons such as: seeking for better job opportunities, higher living standards and educational opportunities. However, they are not entitled to benefit from international protection as refugees. This is why Slovenia, as a host country, gives them significant support in their process of social integration
Sweden	- Children suffering from mental illness
	- Girls and young women. The organisation was not sure about this one as it does not consider them a vulnerable group per se but it is proven that girls and young women often suffer more risks than boys offline and in the digital world.

The survey answers only help to show how the concept of child vulnerability can be interpreted in a great number of ways. Sweden, following an intersectional and non-discrimination approach in their line work, raised important questions regarding a set list of vulnerable groups. Indeed, although they did not want to define girls and young women as a vulnerable demographic group per se, they did agree that this group is often more at risk offline and online than boys and young men. This argument is very interesting as it helps to understand the reasoning behind various organisations working to improve and protect children's rights online.

3.1.4 Governmental measures

Finally, the last question of this first section focused on the organisation's government approach and politics towards addressing the needs of vulnerable children and young people in the digital environment.

Country	Survey responses - Type of initiative
Cyprus	- Establishment of a national strategy protecting children from abuse, violence, and exploitation (including a section on the protection of children online). The strategy outlines several actions to be taken to ensure the safety and well-being of children and young people in the digital environment, such as developing guidelines and educational materials for parents, teachers, and children. The strategy enables relevant stakeholders to work together such as NGOs, industry and academia. - Additional school lessons of "The New Technologies" and "Health Education - Home Economics / Design and Technology - New Technologies" for the 5th and 6th Primary education grades; part of the "Digital Competence" module. Those courses teach students on becoming responsible Internet users.
Denmark	The Danish government is waiting on the European Commission to roll out the Digital Service Act as a standard for increased regulation regarding children and young people's digital lives, including work aimed at more vulnerable target groups. A series of recommendations has just been developed to enhance online safety through the Nordic Council of Ministers. The recommendations are now awaiting assessment before potential concrete actions are rolled out.

Estonia	- Creation of a school module on Digital Competence established during the 2014 national curriculum of Estonian elementary and high school. - Learning and play activities for kindergartners focused on digital competence with children. - Governmental support of initiatives creating sets of educational materials for children with special needs
France Italy	Update of law enforcement focused on protecting vulnerable children and young people against cyberbullying
Germany	Public bodies' information and services online must be accessible and easy-to-use for anyone with a disability. This regulation is part of the Disability Equality Act[137]
Latvia	"Digital Transformation Guidelines 2021-2027" by the Ministry of Environmental Protection and Regional Development. They focus on providing training and improving digital skills of all people, specifically targeting children and young people, seniors, people with special needs.
Luxembourg	A Hotline called BEE SECURE for anyone to report child sexual abuse material, discrimination, racism and other illegal content posted online anonymously. Mandatory awareness training about this hotline is now part of the 7th grade curriculum.
Malta	"Digital Literacy" and "Online Safety" classes
Romania	Reporting line helping to fight against online child abuse material and a counseling line for children and teenagers as well as parents and

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[137]Bundesministerium der Justiz. *Ordinance on the creation of barrier-free information technology according to the Disability Equality Act (Barrier-free Information Technology Ordinance - BITV 2.0).* https://www.gesetze-im-internet.de/bitv_2_0/__1.html

	teachers. It is run by Save the Children based on a cooperation protocol with the Romanian police
Slovenia	A national programme for children for the 2020–2025 period adopted by the Slovenian government. According to this document a special attention should be given to digital literacy or training and education of vulnerable children (e.g. children with disabilities). It is necessary to adapt the type of work and training according to the children's comprehension skills. Children should have access to appropriate media to complain, report abuse or ask for help.
Spain	- State Strategy for the Rights of Children and Adolescents (2023) will dedicate 8 sections on the digital environment - Digital Spain Strategy (2026) will enable the adequate execution of such programmes mentioned in the strategy above
Sweden	The SIC organisation is in fact a governmental organisation (but children in poverty is not a specified vulnerable target group).
The Netherlands	- Various tools for children, young people and their parents to regulate social media use - Financial aid for low-income families to buy a computer device for their children

The Danish SIC team also mentioned an interesting governmental approach focused on child vulnerability overall (not only online). It is currently working on setting up a commission for the well-being of children and young people. The main tasks will be to give recommendations on how dissatisfaction and vulnerability can be prevented and remedied, as well as how resilience and empowerment can be strengthened. The commission must also look at the influence of social media and other larger societal trends. For the moment, a working group is already mapping new and existing initiatives on children and young people's well-being.

Finally, SICs from Croatia, Czech Republic and Greece explained in the survey that their governments are currently not implementing any specific measures addressing the needs of vulnerable children and young people in the digital environment. Regarding Croatia, since the government does not fully understand the high risks which vulnerable groups face online, it does not find it relevant to create initiatives on the topic. For example, the government officials meeting SIC's representatives are often shocked to hear about the traumatic experiences children and young people go through online. For Greece, although children and young people's Internet safety has become a serious problem in recent years, the Greek government places little emphasis on training vulnerable groups about online safety (while they do for the general public). The Czech Republic expressed the necessity to follow the principles of equality and balance when creating new initiatives. They believe that a too narrow or mandatory focus of SIC's activities on vulnerable groups may, as a result, limit the availability of quality content and activities for other parts of society. Luxembourg also highlighted how important it is to make sure there is no inherent discrimination in the way data is collected, specially for specific vulnerable groups.

3.2 Current practices within the European network of Safer Internet Centres

The following part focuses on the initiatives described in the survey by Safer Internet Centres. While the majority of initiatives are thoroughly explained and often illustrated with links, we are missing a few details on some of the initiatives. When going through the responses, I decided to leave some examples as they focused on all children and young people and not specifically for the ones identified by The European Commission.

3.2.1 Children living in poverty

Spain

In 2018, the Spanish SIC team was interviewed as an expert entity for UNICEF Spain's study on Children of the digital divide in Spain[138]. The study targeted all vulnerable children and young

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[138] UNICEF España (2018). *Los niños y niñas de la brecha digital en España (The boys and girls of the digital divide in Spain)* https://www.unicef.es/publicacion/estado-mundial-de-la-infancia-2018-los-ninos-y-ninas-de-la-brecha-digital

people and analysed the opportunities and risks of the internet. Using a child-rights' approach, it delved into the most vulnerable groups in Spain by taking account of their reality of the digital world. It was also the first study to consider the digital environment as a vulnerability factor. Thanks to the study, evidence in qualitative terms for the planning of consequential awareness and training actions was provided.

Croatia

In collaboration with Erasmus+, the Croatian SIC team put together a project called "Legos have an attitude" (or "Legosi imaju stav"). The main goal was to improve mental health services for children and young people in the social care system and overall, children with fewer opportunities. Improving such services came from increasing their participation and sensitising the public and decision-makers about the problems faced by young people. Some of the activities included: the establishment of a Youth Council, the organisation of 102 workshops on 16 different topics directly chosen by children and young people, as well as the organisation of 5 round tables and a press conference. Leading from the project, all conclusions were written in a publication and presented to decision-makers. The main outcome of the project was the learning that children and young people hitherto are not invited to discussions often enough. Furthermore, and unfortunately, not many decision-makers attended the project events. However, thanks to its success and the priority to focus on children and young people, the Youth Council will continue its work, and the SIC team will continue to focus more on topics that the members of the Youth Council find important.

Belgium

Child Focus, the Belgian Safer Internet Centre, has made an intensive investment in the last few years in targeting children in disadvantaged settings. Among other initiatives, the SIC developed training for parents living in lower socio-economic status[139]. The training discusses "peer-to-peer"

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[139] Veiligonline. Last modified April 20, 2023. https://www.veiligonline.be/

with other parents on how they manage the online lives of their children. Secondly, they also created Jungle Web, a game for parents and their children living in poverty, focusing on e-safety[140].

Italy

Initially for the Safer Internet Day 2020, the Italian SIC team Generazioni Connesse created a communication campaign called "#WeAreFearless"[141]. The miniseries of 10 episodes aimed at educating children and young people about respecting diversity and the most vulnerable individuals. This year, the team released the second season, "#WeAreFearless 2.0"[142].

Slovenia

The Slovenian SIC team welcomes many children and adolescents in situations of vulnerability to participate in their Youth centre platforms to learn about online safety[143]. Examples of children include children with an immigrant background (economic immigrants), children living in material deprivation/poverty, children victims of violence, neglect, abuse and inappropriate parental methods, children with disruptive behaviour and/or emotional problems and many more; all ages from 6 to 13. The SIC team works in collaboration with Zavod MISSS, the Youth Information and Counselling Centre of Slovenia[144]. For this initiative, around 100 children will participate in 7 youth centre platform meetings. The SIC team collaborated with Centres for social work, school counselling services, youth homes for at-risk youth as well as youth organisations. The main goal of those platforms is to actively, and in the long term, involve the young target group in the online safety activities. Sharing experiences and knowledge with peers and other vulnerable groups will

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[140] Childfocus (April, 8 2022). *Jungle Web.* Last modified April 6, 2023 https://childfocus.be/nl-be/Pers/Publicaties/Educatief-materiaal/Post/9630

[141] We Are Fearless (2022) (Video) Youtube.com. Last modified April 13, 2023 https://www.youtube.com/playlist?list=PL43P0iKGmv1cqCLkGMFrYWTPPDzgV90z5

[142] ibid

[143] Please note that this good practice example can apply to many different vulnerable groups.

[144] European Commission (2023) *Youth Wiki: Slovenia, raising awareness about youth work.* Last modified April 8, 2023 https://national-policies.eacea.ec.europa.eu/youthwiki/chapters/slovenia/107-raising-awareness-about-youth-work

be highly encouraged. For example, engaging with the elderly population will enable them to become more confident when using new technologies. However, the uncertain funding of the Estonian SIC affects the long-term planning for activities focused on target groups.

Latvia

The Latvian SIC team promoted the "OPEN" Creative Centre for all young people between 13 and 19 years old[145]. Those centres are places where children and youngsters who have experienced difficulties in their life, can stay. They are warm safe places where they can prepare school homework, get food, clothes etc. The SIC team shared with young people a set of materials which included: information about online privacy, security, and privacy setting on social media sites, what to do if naked images of a minor have been disseminated publicly, information about grooming risks etc. This set of material was also disseminated to children in hospitals. The centre allowed the SIC team to have a good channel to reach children who might not go to school and who do not receive information and help from parents due to difficult family circumstances.

Denmark

Since 2019, the Danish SIC helpline has been running Gaming Groups for 200 participants[146]. The main targets are children and young people, from 12 to 18 years old, who have few or no friends in school, who suffer from conflicts at home or social isolation or who have an excessive gaming consumption. The goal of those gaming groups is to help them build skills and self-esteem and to transfer them from the digital arena to others. The gaming groups act as a safe, social training ground. The participants meet twice a week to play computer games together and to talk about their lives. Computer games and gaming universes are what bring them together. While some are challenged by ADHD, autism or anxiety diagnoses, others need help developing their social skills. At the beginning of the initiative, the main challenge was to ensure the young people's attendance. Thanks to the collaboration with Aarhus Municipality, local e-sports clubs, other professionals as

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[145] Open Creative Centres. Last modified April 7, 2023 https://www.openrc.lv/

[146] Center for Digital Pædagogik (Centre for digital pedagogy). Gaming gruppen. Last modified April 1, 2023 https://cfdp.dk/gaming/gaming-gruppen/

well as the young people's parents, the lack of attendance was no longer an issue. It was very important to collaborate with parents as they were often the first ones addressing the isolation and refusal to go back to school problem. Although the parents were happy to let their children participate in the beginning, another challenge was to convince them of the importance of continuing the work with the boys. However, over the years, the gaming groups have all been very successful in increasing the participants' social skills and providing them with positive experiences in supportive communities. This is why the helpline plans to spread the gaming groups initiatives to other municipalities. There has been great interest from the Ministry of Digitalisation and Equality and the Minister is planning on visiting the helpline. Finally, the Helpline also collaborates with the Danish YMCA on the dissemination of the gaming groups for their target group. Funding has been possible for the dissemination in three of the organisation's programs, including one for homeless young people.

3.2.2 LGBTQIA+ children

Sweden

The Swedish SIC team, in collaboration with three other public organisations and fifteen NGOs, organised and hosted three webinars in Swedish with the aim to prevent racism and LGBTQIA-phobia by identifying successful methods[147]. The webinars took place during the Spring of 2023, including one with another NGO.

The three methods are the following:

- Finding research and other studies to build a foundation of the current positive, successful methods used
- Collaborating and gaining knowledge with other authorities and civil society (among others)
- Compiling the findings and disseminating them

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[147] Statens medierad (2023) *Webbinarium del 1: Att motverka rasism och hat på nätet bland barn och unga* (Video) Youtube.com. Last modified March 20, 2023 https://www.youtube.com/@TheMedieradet

When starting the webinars, the major gaps in the knowledge and the methods' efficiency appeared as one of the biggest challenges. On top of that, it seems like continuous work, instead of individual methods and efforts, is more useful. In the end, the team identified education, awareness-raising and collaboration with youth as successful methods in preventing the normalisation of racism. However, it is yet difficult to clearly identify this young initiative's success.

Moreover, a report from ECPAT Sweden was published focusing on "Consent is KEY"[148]. It demonstrates how it is much more likely for boys identifying as LGBTQIA+ to be exposed to sexual crimes. More than five times as many, compared to children in the reference group, state that they sold sex – i.e., that an adult perpetrator has exposed them to the crime of exploiting children through the purchase of sexual manipulation. The report is now available in Swedish on ECPAT's website and will be launched in English in 2023.

The Netherlands

In collaboration with Swink (an organisation helping to increase digital accessibility), the Dutch SIC team has a new website focused on addressing issues for LGBTQIA+ children but also children from minority ethnic backgrounds, children with disabilities and children with religious and gender diversity[149]. The content is written in B1 level, gender neutral and only in Dutch for now, but translations are planned for the near future. Thanks to colleagues with autism within the organisation, the website better connects with this target group and overall people with functional disabilities.

The United Kingdom

The UK SIC team created a media literacy project to raise awareness of the current online safety issues being experienced by LGBTQIA+ young people aged 13 to18. On top of that, the project also explores media literacy knowledge and skills with the young people participating in the

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[148]ECPAT Sverige. (2023, August 15). *Rapporter - ECPAT Sverige.* https://ecpat.se/rapporter/#:~:text=%E2%80%9DConsent%20is%20KEY%E2%80%9D%20ECPATs%%2020nya%20rapport%20%E2%80%9DConsent%20is,grad%20%C3%A4n%20andra%20pojkar%20%C3%%20A4r%20utsatta%20f%C3%B6r%20sexualbrott.

[149] Swink. Last modified April 4, 2023 https://swink.nl/diensten/digitale-toegankelijkheid/

supporting focus groups. The session covered the aims of the project, the challenges (including recruiting young people in the LGBTQIA+ community), the shift to working with a specific school that had an existing LGBT+ group in place, and some of the key findings and learnings from the focus groups. The films have not been released yet, but images are now available. The messaging in the films around online hate, misinformation, sex education, pornography and unhealthy online relationships were also discussed.

3.2.3 Children from minority ethnic backgrounds

3.2.3.1 Roma children

Czech Republic

The Czech SIC team hosts seminars with Roma children in schools and in children's homes[150]. The schools are in two cities, Janov and Chomutov, where there are large Roma communities. The seminars target all members of the institutions from the youngest children (in the first and second grades of elementary schools) and older children to teachers and educators. The topics discussed in those seminars are usually risky behaviour on the internet and today's challenges in the digital world. For the younger children, they work with ONLINE ZOO (see section V: children with disabilities). Simultaneously, several awareness-raising and educational events are put together in regions where there are large Roma communities (often in structurally impaired areas). Finally, those schools and children's homes with a large community of Roma children and young people have significant educational programmes specifically targeted for this population supported by the Czech SIC team and other NGOs. Excluded localities are managed by regional prevention coordinators, pedagogical-psychological counselling centres and intervention programmes.

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[150] Children's homes are institutional care facilities for children whose mental and physical development are endangered in their families. Children are from 3 to 18 years old (and may stay until they are 26 years old if they decide to continue studying). Children are put in those homes if their parents cannot take care of them but can also be assigned a placement if no "substitute family" is found for them.

Croatia

The Center for Missing and Abused Children in Croatia works with Roma children in Podgorač (a small Roma village near Osijek) and has experience in working with this community in the field of online security. Ana and Martina presented some of the cases that were reported to the police and topics that the children themselves considered important related to their online lives.

3.2.3.1 Migrants, refugees, and children from minority ethnic backgrounds

Greece

The Greek SIC team put together an informational event addressing 8–15-year-old migrants and refugees in collaboration with Google Hellas and the Municipality of Thessaloniki. Its objective was to educate children and young people about the safe and responsible use of the internet and equip them with skills to handle any challenges or risks they may encounter online. Furthermore, the event provided an opportunity for migrant children to learn about their rights and ways to safeguard themselves from online threats, especially if they are in a vulnerable position due to their migration status. The event was held in Greek, but a direct translation to Arabic was provided. The biggest challenge with this event was overcoming the lack of access to technology and the internet for many immigrant families, which prevented their children from applying the information they learnt. The difference in cultures also impacted attitudes towards accessing technology and the way immigrant children perceived the information at the event. Finally, translation services were necessary as fluency in Greek was not very common. However, the event was a success and brought a lot of positive outcomes, such as increasing awareness, encouraging open dialogue and promoting positive relationships with technology. By becoming more informed about risks such as cyberbullying, online grooming, hate speech, and exposure to harmful content, children and young people could learn to take steps to protect themselves online and avoid potentially dangerous situations. Following up on this event, the SIC is working in collaboration with the Ministry of Education and Religious Affairs on a coordinated effort to inform children and young people of immigrant or refugee backgrounds and their teachers about online safety. Finally, parts of the SIC's resources are in the process of being translated into Farsi in cooperation with UNICEF Greece.

Estonia

The Estonian SIC team created a set of educational materials called "How to protect yourself and others on the Internet", specifically for native Russian-speaking children ages 12 to 16. The team collaborated with teachers from different schools and with the Estonian Police and Border Guard Board, whose web-police constable contributed to a welcome video. The set of materials focuses on the importance of reporting negative incidents happening online, ways of blocking, reporting, and taking evidence and places to get help. It can be used by older students and teachers to conduct an online lesson at their school. The main challenge in creating the material was finding appropriate methods to be used in the lesson/workshop plan. However, the team managed to create a well-structured set of materials which successfully enabled teachers to discuss these issues with their elementary school students and allowed them to collect students' feedback by including a Kahoot! test in the lesson plan[151]. Today, the set of materials is available for schools and youth centres via the Estonian SIC website.

Germany

The German SIC team created a helpline specifically for Ukrainian families in Germany, "Helpline Ukraine".

3.2.5 Children with disabilities

Greece

In 2017, the Greek SIC team created an informational video about excessive internet use specifically for the hearing impaired. In collaboration with the Hellenic Institute of Sign Language "Bridges of Communication", this video targeted children and young people from 10 years of age

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[151] Kahoot! Last modified April 4, 2023 https://kahoot.com/

to 25 and older[152]. Important information about the risks and consequences of spending too much time online is discussed in the video, and subtitles are provided. The video tackles topics such as the potential negative effects of excessive internet use on mental health, social life, and academic performance. It also encourages viewers to practise healthy digital habits, such as setting limits on screen time and taking breaks. One of the challenges was to make sure the video was accessible, understandable, and relevant to the hearing-impaired audience. When videos rely too heavily on visual content, it makes it more difficult for this audience to understand. This is why the SIC chose to focus on sign language instead. Today, the video has 7,2K views, and overall, viewers' feedback is very positive, mentioning how helpful it is thanks to the subtitles. This project is a fundamental step towards ensuring equal access to information for all. Thanks to its success, the SIC is aiming to create additional videos on other topics related to the safe use of the internet and problems in the digital world that are more often faced by the hearing-impaired. Moreover, the Greek SIC sets up bi-monthly online webinars for educators for children with special needs during the school year[153]. Those webinars illustrate good practices for safe internet navigation, increasing teachers' awareness and knowledge on how to support their students in using the internet safely. On top of that, educational materials (STAR TOOLKIT) are handed out, ensuring teachers have the appropriate resources to teach their students about safe internet use. This material is hosted on the platform "Skills 21+" of the Greek Ministry of Education and Religious Affairs, where educators draw material to teach in the classroom. One of the biggest challenges, again, was to create informative but also engaging educational material, particularly catering to students who struggle with attention or have difficulty processing information.

Estonia

In the framework of their survey on digital safety topics (KüberPähkel 2021), the Estonian SIC team set up a self-testing online event for students with special educational needs (SEND). The

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[152] SaferInternet4Kids (2017) *Εθισμός στο Διαδίκτυο (στη νοηματική γλώσσα)*(Video) Youtube.com. Last modified April 14, 2023 https://www.youtube.com/watch?v=RqJT62mVNb4&ab_channel=SaferInternet4Kids-%CE%95%CE%BB%CE%BB%CE%B7%CE%BD%CE%B9%CE%BA%CF%8C%CE%9A%CE%AD%CE%BD%CF%84.%CE%91%CF%83%CF%86%CE%B1%CE%BB.%CE%94%CE%B9%CE%B1%CE%B4%CE%B9%CE%BA%CF%84.

[153] Safer Internet for Kids, Greece. Last modified April 20, 2023 https://saferinternet4kids.gr/yliko-saferinternet4kids/special_learning_material/

event targeted students ages 11 to 16 (fourth to ninth grades) and took place in Estonian and Russian language. In collaboration with the Estonian Ministry of Defence and participating schools, the test enabled students to demonstrate knowledge of digital safety behaviour, technical knowledge and competences as well as to solve various cases. Taking part in the survey allowed students to understand how they assess their skills and competence, which in turn helps them to better solve challenging problems. Recommendations for schools were then drawn up thanks to the test's results. However, the tests are not available to the wider public as they were only used for the survey.

Luxembourg

A pedagogical material against cyberbullying was set up in German for individuals with intellectual disabilities ages 12 and up[154]. It is aimed at caregivers and other professionals who want to raise awareness of the issue. Additionally, a cyberbullying guide written in easy language, available in French and German, was put together as part of the BIK initiative[155]. Aimed at children and young people with disabilities ages 12 and up, the guide gives practical advice on how to react to cyberbullying. Easy language concerns all language that is easy and clear to understand. The only challenge setting up the guide was its length as easy language produces longer publications.

Germany

To start with, Klicksafe is currently developing a Cyberbullying First Aid App for children and young people with disabilities[156]. In collaboration with the "Landesarbeitsgemeinschaft Werkstätten für behinderte Menschen Berlin e.V."[157], the app will give advice and support online to find help in real life while staying anonymous for individuals ages 10 to18. Although the app is

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[154] Bee Secure. (2023). Cyber-Mobbing Kit. Last modified April 20, 2023 https://www.bee-secure.lu/de/publikation/cyber-mobbing-kit/

[155]Better Internet for Kids. *Are you a victim of cyberbullying? (Easy language)*. https://www.betterinternetforkids.eu/resources/resource?id=129627

[156] Klicksafe. Last modified April 4, 2023 https://www.klicksafe.de/en

[157] State Working Group of Workshops for Disabled People Berlin e.V.

still being developed, their biggest challenge so far is to meaningfully include children and young people with disabilities during the concept's creation.

Secondly, in 2022, the German SIC team, together with the German 116 111 helpline ("Nummer gegen Kummer") created an inclusive "school box" for teachers and schools to better address the needs of children and young people with visual impairments from 7 to 15 years old[158]. It was developed in cooperation with the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, the Representative of the Federal Government for the Interests of Persons with Disabilities and associations, as well as Competence centres and self- help associations for blind and visually handicapped people. Their biggest challenge in the development was to identify schools with inclusive classes (children with visual impairments in general classes) for the proactive shipment of the boxes. The box contains various materials, such as information materials adapted to the needs of children with visual impairments (flyer, poster, info cards) as well as giveaways (stickers). Additionally, a teaching concept can be downloaded on the helpline's website. Teachers and schools can order the box free of charge on the helpline's website. Although the project is still ongoing, a high number of orders have already been recorded.

Thirdly, an FSM hotline and general communication along with a social media presence is running, targeting children and young people from 12 years old and up[159]. The SIC communicates the FSM hotline, its work and the complaint form in plain language as well as through a video with subtitles and sign language interpretation. The team improved the general FSM communication on their website and social media to become more accessible and barrier-free (for example through basic information in plain language, provision of screen reader accessible PDFs and the use of barrier-free communication on social media (alternative texts for images, video subtitles)). The SIC team worked together with professional experts in the field and externally assigned the translation into simple language or sign language interpretation. Their biggest challenges were to learn how to implement accessibility without higher costs of realisation. Many web programmers, graphic designers, and such often claim much higher costs when asked to meet accessibility criteria. The ongoing challenge now is to reach specifically the target groups of these efforts.

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[158]   Nummergegen   Kummer.   Last   modified   April   13,   2023 https://www.nummergegenkummer.de/aktuelles/materialien/

[159] FSM - Hotline. Last modified April 13, 2023 https://www.fsm.de/en/fsm/hotline/

Finally, in April 2023, the SIC team published a media education magazine for children as a Turkish-German language version to reach the Turkish-speaking language minority in Germany in our media literacy efforts (together with German Children`s Fund and fragFINN).

The Netherlands

Together with another organisation (Leer zelf online), the Dutch SIC team created an online module for children and young people above 12 years old with intellectual disabilities and those struggling with functional illiteracy[160]. Steffie is an avatar that is specialised in explaining difficult subjects in an easy-to-understand way. The module, available in Dutch, provides information and gives advice in an understandable language about online flirting/ sexting. Individuals can learn all the signs to watch out for when flirting online, the types of messages to send when engaging in sex talk, and also actions to do when receiving a non-appropriate sex message. Today, this module is very widely used; there is a gap in the market, and it meets the demand. The demand is also increasing because caregivers have less and less time for this kind of topic. The focus is on everyday care, such as physical hygiene and feeding, because of a lack of time. Supervisors often refer to the module. There is certainly not always time to engage in conversation with the client as well, often, clients are referred directly to the site. One of the biggest challenges in setting up the module was to avoid making statements that would lead to victim blaming. However, thanks to the involvement of peer support groups, the module fits well with the target audience.

In terms of tips for developing similar resources, the SIC advises to make use of 'experts by experience'; without the people from the target group, you cannot make it an effective tool. If necessary, build a network for this purpose. In the Netherlands, some healthcare organisations provide experience experts. Also, Leer Zelf Online has a pool of people with intellectual disabilities who live (independently) on an outpatient basis. If consulting such experts by experience, it is important to consider several things:

- Provide a clear explanation of what their help is requested for.
- Ensure contact is made with their supervisors before help is needed.
- Arrange the logistics as needed,

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[160] Steffie. Last modified April 7, 2023 https://www.steffie.nl/

- Check how they are doing in the morning (due to possible overstimulation).
- Afterwards, ensure to take them home (because they might get exhausted after the intense day).

The Czech Republic

The Czech SIC team is currently creating 3D haptic models of characters from the book ONLINE ZOO (originally a SIC AT resource). The intention is to produce several teaching sets and make 3D production documentation available to schools and organisations that work with the visually impaired. Those models target all children aged 5 to 7, from preschool to the second grade of elementary school. The SIC team worked in collaboration with The Průša Research Company (winner of the tender for the supply of 3D models) alongside people around "The Invisible Exhibition" initiative, as well as the Austrian SIC team. The biggest challenges concerned the selection of colours that would reflect the perceptual capabilities of a large part of visually impaired children as well as making models close to the original graphic design. Documentation also had to be easily applicable for use in schools. Although the models are not published yet, being able to download 3D models and documentations for free will already be a success as it currently does not exist. They are also identified as great tools for helping teachers and the Czech SIC team when lecturing this specific vulnerable group.

Finally, the team has many ideas to further develop this initiative, as listed below:

- To establish cooperation with organisations dealing with visually impaired children and youth

- To promote 3D haptic models.

- To team up with "The Invisible Exhibition" (the plan is to give them one manufactured kit as well as supplementary materials).

- Thanks to new resources (3D models), the previously created audio version of the ONLINE ZOO book can be recalled

Furthermore, the Czech team also put together Tablexia, a modern educational application to support the cognitive skills development of children with dyslexia at the secondary school level[161]. It consists of 10 games, each of which focuses on training one cognitive ability. In each game, the player practices working memory, auditory perception, spatial orientation, visual memory, attention, visual and auditory seriality, visual discrimination, auditory memory and verbal skills. The aim is to cover all cognitive functions with which children with dyslexia may face difficulties. The development of Tablexia was a joint effort as the team collaborated with the following partners:

- 10 schools (including one specifically for children with disabilities)
- DYS-centrum Praha (An NGO focused on individuals with dyslexia and other specific learning disabilities)[162]
- The Ministry of Education, Youth and Sports (and other potential partners)

Although Tablexia is currently only available in Czech, it is planned to promote a German version as part of an overall plan to better focus on German-speaking countries. Overall, the application is a success as it has proven helpful for children with specific learning disabilities when properly trained.

Malta

The Maltese SIC team organised sessions with children with both physical and mental disabilities in groups and one-to-one settings. The team collaborated with Agenzija Sapport, a national agency focusing on providing professional and innovative services to improve the quality of life of persons with disabilities[163]. The main challenge of this initiative was to support children in overcoming their naivety about dangerous people online. However, their openness towards using and experimenting with technology allows them to express themselves without having to disclose their

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[161] Tablexia. Last modified April 20, 2023 https://tablexia.cz/en/about/

[162] Dyscentrum. Last modified April 4, 2023 https://www.dyscentrum.org/

[163] Agenzija Sapport. Last modified April 4, 2023 https://sapport.gov.mt/

disability. The team gave them advice on ways to be safe and showed them, in real-time, certain things to avoid. The sessions have been a success, and it is planned to further develop them.

Italy

In collaboration with INDIRE[164], the Italian SIC team created a "back-to-school campaign" focused on ways to enjoy social networks and the internet while respecting the most vulnerable individuals[165]. It targeted children and young people with disabilities as well as their teachers, parents, psychologists and educators. The webinars aimed at showing teachers and other professionals how they can support the most vulnerable children using digital tools.

Romania

The Romanian SIC team put together Logopedia, the first digital education platform for children and young people with hearing and speech impairments and the professionals supporting them. The target group is individuals from 14 to 18 years old. The goal is to support the speech therapy of people with language disorders. The team collaborated with many stakeholders, and each had distinct roles. Save The Children Romania and 10 educational institutions created the set of materials and the platform[166]. Orange Foundation provided the funding[167]. Ascendia[168] and Timlogo[169] promoted the platform and assured its sustainability. The good partners' collaboration and division of tasks fostered a great discussion about what are the specific needs teachers and children with impairments have. Accessible on the Timlogo website, Logopedia contains 7000 words and expressions in Romanian, 2,000 illustrations and 645 video materials. All the resources

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[164] Indire. Last modified April 3, 2023 https://www.indire.it/en/

[165] ETwinning Italia. (2023). *Il ruolo degli ambienti digitali nei processi di costruzione identitaria.* [Video]. Youtube.com. Last modified April 23, 2023 https://www.youtube.com/watch?v=wETmxQp-rHk&ab_channel=eTwinningItalia

[166]Save The Children Romania. Last modified April 17, 2023 https://www.salvaticopiii.ro/

[167] Orange Foundation Romania. Last modified April 17, 2023 https://www.fundatiaorange.ro/

[168] Ascendia. Last modified April 17, 2023 https://www.ascendia.ro/

[169] Timlogo Romania. Last modified April 17, 2023 https://www.timlogo.ro/

are easily hosted in order to be accessed and used by the new generation of children and teachers who need them.

Latvia

The Latvian SIC team developed a presentation in Easy language and provided lectures in special schools for children with mental disabilities, from 11 to 15 years old. Both initiatives helped to make sure that children with mental disabilities understand the information provided. This is why all information must be adapted to their special needs - less text, easy language, bigger fonts, more pictures etc. However, the biggest challenge for the team was to overcome their lack of knowledge about working with and reaching children with mental disabilities. Overcoming this lack of knowledge allowed them today to partner with pedagogues working in special schools to provide them all necessary information. They are the best equipped to use this information in their daily work with children.

Denmark

The Danish SIC team created a common language for media literacy project among both children and young people as well as their parents. It is the first time an initiative in common language is created in Denmark. It is very important as common language has become a shared responsibility and concern for all stakeholders. The aim is to engage at eye level and in an action-directing way to strengthen the conversation, change norms and thereby create lasting changes for children and young people. Overall, this allows to strengthen the media literacy of children and young people in Denmark from primary school to upper secondary school and Business College, including schools for children and young people with special needs/disabilities. The project is financed by the Ministry of Children and Education. The project will be running from March 2023 to June 2026. The target groups are all children and young people, including students at schools for special needs or with disabilities.

3.2.6 Children in care

The Czech Republic

The Centre for Prevention of Risky Virtual Communication at the Palacký University in Olomouc (UPOL) published the research "Online world in children's homes", both in Czech and English[170]. Since children and their carers can experience risky forms of communication online, the goal of the research was to map the environment of children's homes in institutional care facilities. A total of 166 children's home workers and 197 children from all Czech regions participated in the 2021 survey. Although the survey targeted all individuals from 9 to 25 years old, 76.69 % of the sample were under 18 years old. The biggest challenges of the survey were to prepare two sets of interrelated questionnaires that would allow for mutual confirmation of the questioned facts. At the same time, the research should reach and interest the management of children's homes, carers and children to get relevant inputs into the research.

Overall, the research was a success. It allowed to:

- Better map the situation of two reference groups (carers and clients)
- To find out what preventive measures children's homes implement, what topics they solved with children, how work with the Internet is regulated in children's homes, and what risky situations children from children's homes experience
- Have an open debate among the management staff of children's homes

Finally, all outcomes were transformed into online video tutorials and presented at various events. In the future, the Czech SIC team will run seminars and courses for children's homes, aims to continue working with the children's homes management and is working on a new automatic tool to test the vulnerability of the homes' websites.

Malta

The Maltese SIC team organised a full day of activities for children in care, aged 7 to 16, in different residential homes around Malta and Gozo during the summer. Outdoor activities and awareness-raising sessions on the topic of online safety were part of the programme. The main

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[170] Better Internet for Kids. *Research: Online World in Children's Homes (residential childcare communities).* https://www.betterinternetforkids.eu/resources/resource?id=129485

challenge for SICs was to find the best ways to approach and engage children with difficult backgrounds, especially in cases where children have been victims of (sexual) abuse. However, children took the opportunity to share their online experiences and difficulties that they may have encountered, to which the team responded with online safety tips according to their age bracket. The day was a success, and they are planning to repeat this activity the following summer.

Spain

Internet Segura for Kids (IS4K) and the Children's Observatory created a guide in Spanish about the safe and responsible use of the internet for professionals at Child Protection Services[171]. It is especially designed to help children from vulnerable backgrounds, especially those who live or attend care centres, targeting those professionals and workers at such centres. The guide was developed through a collaboration setup between the Spanish Cybersecurity Institute and the National Childhood Observatory, a body depending on the Ministry of Social Services, in order to give information and train professionals about online safety and security issues. The guide also covers the 4 Cs of online risk, or key areas regarding child online protection: content, conduct, contact and contract (consumerism), giving tips and recommendations for workers about the riskiest situations those children and youngsters may face when they go online. It also includes didactical activities in order to work with children on how to prevent and react against threats on the internet, as well as strategies (security measures, secure IT systems, training courses…) for managers of care centres to ensure that their organisation's digital environment is safe for children. In terms of results, this guide has achieved remarkable visibility so far, reaching a network of more than 60 associations within the working group of the Childhood Observatory and being downloaded more than 6,000 times. From now on, and most significantly following the pandemic, the resource should be considered as an initial approach to online safety and security. The Spanish Safer Internet Centre is exploring other complementary initiatives to continue to make a positive impact on the lives of vulnerable children through its work on online safety and security.

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[171] Incibe. Last modified April 18, 2023 https://www.incibe.es/menores/

Latvia

Several years ago, the Latvian SIC team cooperated with the NGO SOS Children's Villages to provide workshops for all children of different ages who have been left without their parental care and who currently live in SOS families[172]. The workshops included information about main risks online such as privacy, cyberbullying, grooming, sexting etc. Children and young people targeted are from 7 to 18 years old. At the beginning, some of the children were not open to any activities due to the psychological trauma they suffered in their lives. However, the SIC team and the stakeholders at SOS Children's Villages shared with them some useful knowledge and helped them to feel protected. Thanks to the initiative's success, it is planned to resume cooperation with the NGO.

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[172] SOS Children's Villages. Last modified April 17, 2023 https://www.sosbernuciemati.lv/en

CHAPTER IV: FUTURE PERSPECTIVES

The outcomes of this research have provided insight into one example of interpreting child vulnerability on the digital sphere by a European NGO working on behalf of a European institution and in partnership with local internet centres. Those centres, among other activities, work to address the needs of children and young people in vulnerable situations through the implementation of initiatives. This final chapter will now discuss many of the significant features of child vulnerability online, thanks both to the empirical findings and the literature review. Although the centres all gave relevant and detailed answers, the results should however be interpreted with caution since it does not give a complete mapping of initiatives throughout Europe, twelve respondents being left out.

4.1 Analysis between the literature review and the practical application of child vulnerability online

4.1.1 Various interpretations of child vulnerability online

To start with, the main takeaway for this thesis is that there are several (and countless) interpretations and definitions of child vulnerability (both offline and online). As explained in the literature review, vulnerable children and young people offline will often face the same challenges online. Many SICs explained how difficult it is to list all (or even most) of vulnerable children and young people due to the loose interpretation of the concept. For example, many survey respondents explained how they do not work with a standard (or any) definition of vulnerable children and young people. Some use a definition by their governments (Germany with the Federal Ministry for Economic Cooperation and Development - BMZ[173]), others use the one determined by a European institution (Luxembourg with the OECD definition[174]). Estonia works similarly to

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[173] See chapter 3, section 3.1.1, Germany: "the factors making people vulnerable include poverty, political and social disadvantages and lack of access to equal participation." Reference: Bundesministerium der Justiz. *Ordinance on the creation of barrier-free information technology according to the Disability Equality Act (Barrier-free Information Technology Ordinance - BITV* 2.0). https://www.gesetze-im-internet.de/bitv_2_0/__1.html

[174] See chapter 3, section 3.1.1, Luxembourg: "Child vulnerability is the outcome of the interaction of a range of individual and environmental factors that compound dynamically over time." Reference: OECD iLibrary (2019). *What*

Denmark as it prefers to use the term "at-risk children" instead of "vulnerable children". Moreover, their interpretations and definitions of child vulnerability are quite different to academic research. The academic research focuses on children's capacities simply for being children and the constant need for protection by adults. Some of those capacities include their less developed cognitive skills, intellectual abilities, knowledge and ability for reasoning (Norozi and Moen, 2016). Other researchers mention innate characteristics such as weaker and smaller bodies than adults (Meyer, 2007) or products of society such as asymmetrical power relations between children and adults. This vulnerability analysis reinforces the idea of not seeing children and young people as serious Internet users. While the major vulnerability characteristics of risk, capacity and autonomy/dependency have been found in research and the survey findings, it was impossible to find a common list of vulnerable people.

However, the similarities between academic research and the SICs' interpretations focus around children and young people's higher risk of harm or disadvantage due to any personal circumstances, whatever they might be. Aristotle's definition of children being "imperfect, unfinished adults" and Gheaus' childhood definition of "a state of lacking" only reinforce the idea that children are constantly at risk and in need of constant protection. All SICs also expressed that vulnerable children and young people require support and help.

4.1.2 Future perspective - the need for an intersectional approach

Therefore, the need for an intersectional approach when addressing the needs of vulnerable children and young people is the most fundamental feature to take into account for the future. A one-size-fits all approach is not the correct strategy in this field of research. Since the concept of child vulnerability can affect all children and young people, many vulnerabilities in fact overlap with one another. The risks, needs and opportunities put forward in chapter two emphasise the idea that many children and young people, from one group to another, face similar situations online. For example, the low accessibility of the Internet and its impact on children's right to education (specially during national emergencies) have been identified in various groups. This aspect is similar to the UN General Comment No.25 showing that a wide range of vulnerabilities can (and

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is child vulnerability and how can it be overcome? https://www.oecd-ilibrary.org/sites/23101e74-en/index.html?itemId=/content/component/23101e74-en

should) be considered when addressing their needs. The importance of an intersectional approach when implementing initiatives addressing vulnerable children and young people has also been expressed by the Swedish SIC team; and we can identify some examples of intersectionality in the survey responses. Below is one example:

- The Youth centre platforms, created by the Slovenian SIC team, welcoming children and adolescents in situations of vulnerability to teach them about online safety can apply to many different vulnerable groups. The groups mentioned included children with an immigrant background (economic immigrants), children living in material deprivation/poverty, children victims of violence, neglect, abuse and inappropriate parental methods, children with disruptive behaviour and/or emotional problems and many more.

However, although intersectionality is present in various initiatives, there have not been any initiatives solely focused on girls and young women. The Swedish SIC team is the only one which considered adding girls and young women to the list; even though this group has been identified as more vulnerable than boys and young women on the digital sphere. I believe girls and young women online should be identified as a vulnerable demographic group on its own. We can relate it to Kimberley Crenshaw's intersectionality approach in which women of colour faced multiple discrimination rooted in racism and sexism. Therefore, we can wonder if SICs did not specifically mention girls and young women as a separate vulnerable group since they can belong to various groups. However, for future research, I believe this group should not be forgotten.

4.1.3 Future perspective - the need for a non-discrimination approach

Moreover, applying a non-discrimination approach is also a major takeaway for future research and initiatives. The Luxembourg SIC team highlighted how important it is to make sure there is no inherent discrimination in the way data is collected, specially for specific vulnerable groups. This aspect of non-discrimination relates to the UN's General Comment No.25 on "Children's rights in relation to the digital environment" which reaffirmed principles of non-discrimination on all children. The General Comment also mentions specific measures to be implemented such as access, digital literacy, privacy and online safety. The Swedish SIC team has also mentioned that

they work with a non-discrimination approach when implementing initiatives for children and young people. They aim to target groups of children specifically in certain efforts when needed, or when they hear the demand for it.

This non-discrimination approach can also be adopted simply by changing the term "vulnerable children and young people". The academic research and certain survey findings agree that using the term "vulnerable young people" can have discriminating and stigmatising consequences. One interpretation of vulnerability explains that vulnerability can occur due to a change in someone's personal situation and which can happen to anybody (situational vulnerability). Therefore, using other terms is one solution to stop stigmatising and discriminating against certain individuals. For example, in the survey, the Danish SIC team explained how they prefer to use the term "young people in vulnerable situations" since vulnerability can occur in various periods of time. The Estonian SIC team completely replaces the term "vulnerability" with "at-risk children" to define those with special needs due to development, health, social, cultural background, personality or other circumstances in which case the children need support and help.

4.2 Future perspectives for initiatives addressing the needs of vulnerable children and young people

4.2.1 Continuing the creation of initiatives to target all risks

The survey findings broadcast the tremendous work done by SICs targeting many children and young people in vulnerable situations. From awareness campaigns, to seminars, gaming groups and helpline/hotline, the SIC teams have implemented various initiatives involving individuals from all ages and backgrounds. The most common initiative is educational programmes with twelve measures reported, followed by youth centre platforms and communications/awareness campaigns (five for both). The survey findings show how SICs work in different ways depending on their countries' politics, their priorities but also their budget which is a major factor. The example of the German SIC team recently creating a helpline specifically for Ukrainian families in Germany is one example of a SIC adapting to its country's current needs.

However, most of the initiatives mainly address children and young people with disabilities and children living in poverty. A key takeaway for future research and initiatives is to implement further initiatives targeting other vulnerable groups of children and young people. For example, the research does not show many initiatives to support LGBTQIA+ children and children in care. Chapter two of this thesis highlights the various and numerous risks and challenges identified vulnerable children and young people face online. The most common ones being sexual exploitation, the Internet being a dangerous space overall, financial barriers preventing access to technology and impacting the right to education; and mostly a lack of a high-quality media literacy making it difficult to understand the digital sphere. Working on continuing addressing the needs and risks online of children and young people in vulnerable situations should go even further and leave no child behind.

Finally, in the future, I hope that the good practice guide written during my internship and this Master thesis will contribute to the knowledge sharing between SICs and other relevant stakeholders. For the future, it would be interesting to analyse the other initiatives implemented by the remaining SICs missing in the survey responses. Currently, this research does not fully map the European situation of initiatives addressing the needs of children and young people in vulnerable situations. Therefore, knowing about initiatives in other SICs could help to broaden the scope of activities for the ones in this research.

4.2.2 The partnership between SICs, governments and relevant stakeholders's responsibility in creating meaningful initiatives

Another interesting finding is the many relevant government policies and initiatives to help and support vulnerable groups. Those measures demonstrate the importance of some governments to focus on improving the digital sphere for all by making sure everybody has access, feels safe and receives the necessary digital literacy education. We can connect those recently created measures with The European Commission's EU Strategy on the Rights of the Child and the European Child Guarantee which lead to the implementation of the new European strategy for a Better Internet for Kids. Many countries added new school lessons to the curriculum focused on digital competence or digital literacy, new technologies and online safety (Cyprus, Estonia and Malta). Other countries updated law enforcement in order to protect vulnerable children and young people against

cyberbullying (France and Italy). Other governments went even further by establishing new State strategies protecting children and young people from harm online or educating them about digital literacy or online safety.

However, in the future, it is important to emphasise avoiding using a one-size-fits-all approach when implementing such policies and initiatives. It is necessary for governments to tailor their measures to more children and young people in vulnerable situations. This is why the ongoing partnership between SICs and governments is necessary to make sure government officials fully understand what children and young people in vulnerable situations are suffering from online. Once the government officials are trained on the high risks such demographic populations face, only then will they understand the importance of addressing such risks and react by implementing much more relevant and impactful laws and policies. One example from the research is the Croatian government officials not recognising the relevance of creating such initiatives and the same officials being shocked to hear about the traumatic experiences children and young people go through online during their visit to the SIC team. This example highlights the importance of introducing a constant partnership between all stakeholders.

Finally, survey findings highlight the various partnerships with different local, national, and European stakeholders to develop new initiatives. We can mention Ministries of Social Services, schools, Ministries of Education, telecommunications companies and even research institutes and the corporate sector. Technology companies are perhaps some of the most significant stakeholders to work with as such companies have a strong responsibility in securing children's rights online, and more specifically vulnerable children and young people's rights. The Internet will remain a dangerous space if such harmful content exists online; no matter how many initiatives are being implemented and how many children, young people, parents and carers are taught to use the Internet in a safe way. It is fundamental for all stakeholders to work together to better implement relevant initiatives and control what happens on the Internet. Working with different stakeholders helps to raise awareness, to increase the reach to the groups SICs are targeting and contribute to an ongoing exchange and knowledge-sharing between different actors.

4.2.3 International Courts' responsibility to better interpret child vulnerabilities in cases

Finally, the findings of this research reiterate how Human rights organisations and governments must reinforce their efforts to protect all children's rights online. The literature review demonstrates how vulnerability is the foundation of the human rights regime, as humans can be vulnerable simply from the fact of being humans. It goes even further by saying that the institutions have a strong role in protecting human rights and humans will continue to be vulnerable if such institutions do not protect them. The literature review cites many examples of the United Nations and International Law as failures to build a strong system of solidarity and protection of the most vulnerable. But the literature review also demonstrates a shift in recent years with the European Court of Human Rights finally addressing the concept and definition (s) of vulnerability to interpret cases. Various court cases around Europe focused on discrimination against Roma children impacting their right to education. Some of the most noteworthy cases include *D.H. and Others v. the Czech Republic (GC) (2007) X and Others v. Albania* (2022) as both highlight the only two times the European Court has fought against segregation of the Roma population in education. Other similar cases include *Sampanis and Others v. Greece (2008), Oršuš and Others v. Croatia (2010) and Horváth and Kiss v. Hungary (2013).* Those cases were the first ones interpreted by the European Court of Human Rights. Even more recently the Court has dealt with various segregation and discrimination cases against the Roma population such as: *Ádám and Others v. Romania* (2020), *Elmazova and others v. North Macedonia* (2022). Although the Court mostly focused on the Roma population, it is slowly starting to define other populations as vulnerable as we can see in cases *Khan v. France* (2019) involving an unaccompanied foreign minor, *X and others v. Bulgaria* (2021) about sexual abuse on orphans and even *G.L. v. Italy* (2020) involving a non-educational assistance to a young girl with disabilities.

Moreover, in recent years, there has also been a lot of attention from civil society organisations and governments about children's rights online. For example, the case *K.U. v. Finland (2009)* involved a child being made a target for paedophiles online when someone used his identity to post an advertisement on an online dating site. This is one of the first times the European Court worked on a case fighting for a child's right to privacy and where the State is responsible to protect minors online. Those cases are good examples of the Court's openness to better protect children's rights everywhere. Using a vulnerability lens in court cases allows a more inclusive law and more focused on human rights. We have used the example of The European Court of Human Rights as

an international court as the case study of European Schoolnet only focused on European initiatives. But there are many other examples of Cases around the world in other international courts. Therefore, the same amount of protection must also apply to vulnerable children and young people's rights online. The growing literature on child vulnerability online by NGOs and civil society organisations highlight the importance of protecting children online as much as they are being protected offline. Still today, at best, vulnerable children and young people are receiving the same generic advice given to all children. The first step in better protecting all children and young people online is to recognise them as legal Internet users and better involve them in decisions impacting their activities online. The analysis in chapter two highlights how eager such children and young people are willing to learn and use technology to improve their human rights and lives. For example, the usage of the Internet for refugee children and young people is crucial for them to travel to a new country but also to receive accurate information from NGOs about their rights in host countries (for example right to asylum). Connecting with policy, tech companies and governments must also make sure the Internet is a safe space to use to avoid harmful risks to children and young people (for example, being a victim of human rights trafficking through social media). Therefore, if governments and NGOs reinforce their cooperation with children and young people to better understand their needs and risks, their human rights will be better protected. This significant cooperation can be linked with the previous future perspective about the partnership between SICs and governments.

CONCLUSIONS

The biggest conclusion for this thesis is that child vulnerability on the digital sphere remains a paradox. As a broad, yet narrow concept, it can be interpreted in a high number of ways. Conclusions to the research are hence quite difficult to highlight as they depend on which point of view stakeholders decide to focus on. The example of vulnerable children is very interesting as in the end, all children are vulnerable to harmful risks on the digital sphere, and all should be protected against such risks, but we can also state that some children and young people are more vulnerable than others. There is countless research on specific factors contributing to child vulnerability online and hopefully research will continue to be done but overall, most of those factors can encompass all children. It is important to reiterate that this case study is only one interpretation of child vulnerabilities giving detailed examples of the groups identified. It is impossible to have one similar research as again it depends on which vulnerabilities stakeholders decide to focus on. Moreover, using the term "vulnerability" can have negative consequences on such groups. Although it has become a buzzword in recent years, it has also received much criticism as it appeared to bring more harm than protection to everyone identified as vulnerable. This is why vulnerability is slowly becoming an important aspect of Human Rights Law. It is a major progress for an International Court to finally use vulnerability as a significant criterion in interpreting cases, especially for children.

Chapter two is significant as it highlights and puts together in one place all the risks, needs and challenges the identified vulnerable groups of children and young people suffer from on the Internet. It brings together all information from civil society organisations' reports, consultations with children, surveys, and conversations with experts on child protection online. Having all the risks, challenges, and opportunities in one document could also be very meaningful for The European Commission's work. The BIK+ initiative implemented on behalf of The European Commission emphasises the need to pay careful attention to children with special or specific needs or those from disadvantaged and vulnerable backgrounds. As a reminder, its aim is to leave no children behind and to better protect, empower and respect all children on the digital sphere. Therefore, this thesis responds to the BIK+ initiative by setting the scene of child vulnerabilities (offline and online) and shows concrete examples of what can be done for all children. As opposed

to Safer Internet Centres who directly work on the field with children and young people, and hence understand their needs, European Schoolnet and The European Commission are stakeholders working "in the background" on policy and research. The end goal of everyone is ultimately to work together, including with the Insafe network members, to continuously find ways to provide support to vulnerable children and young people. As it seems that the group identified is one often used by other NGOs and governments, this thesis allows us to understand more easily what their highest risks are online and more importantly, what are the gaps in policies and opportunities. Having all the risks, challenges, and opportunities of those children in one place could save a bit of time for the institutions. The chapter is also very important for other stakeholders such as Safer Internet Centres and similar NGOs working to protect children's rights online, as they can use the information to better talk with those children and better address their needs. Although the research is mainly applicable to Europe (including in The United Kingdom), many of the risks and challenges are faced by children worldwide. For example, according to UNESCO, the impact of children's right to education during the COVID-19 epidemic has affected almost 90% of all children worldwide[175]. On the one hand, each identified vulnerable group faces specific risks/challenges online such as reading harmful hate speech for transgender people, facing technological barriers to understand certain websites for those with disabilities or even having difficulties of integration to host countries for refugees. On the other hand, many vulnerabilities are intersectional with shared risks and opportunities across different groups of vulnerable children and young people. The most common ones being a lack of access to technologies impacting the right to education and increasing isolation, a lack of a quality media literacy education, exposure to inappropriate content and online hate or even a risk of sexual exploitation. With the intersectional risks in mind, the challenge was to clearly separate each group of children and young people as many could belong to several categories. For example, Roma children are more likely to live in poverty than the general population.

However, while most of the chapter focuses on the negative aspects of the Internet for those children and young people, some opportunities are highlighted. This thesis helps to understand the various opportunities children and young people have on the Internet and how relevant

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[175] Iniciativa Por El Derecho a La Educación. *COVID-19 and the right to education: Collated resources*. (n.d.).. Last modified September 29, 2023 https://www.right-to-education.org/es/node/1151

stakeholders can make sure these opportunities are met. Children and young people being one-third of all Internet users globally, technology is omnipresent in their everyday lives and they often need it more than adults do. The Internet is a playground of learning, socialising, discovering new worlds and opportunities and growing as legal Internet users. Thus, NGOs, governments and the corporate sector have a compelling responsibility in making sure children and young people in vulnerable situations can fully access the Internet without suffering from various harmful risks.

For that reason, the illustration of child vulnerability on the digital sphere by an NGO, European Schoolnet and its Safer Internet Centres, is meaningful as it presents a good practice example on ways to implement further initiatives and policies. Various interesting examples of initiatives for other European centres and NGOs working on protecting and improving vulnerable children's rights online. As those Safer Internet Centres work in partnership with governments, the corporate sector, and other experts, they are lucky to be able to put together such meaningful initiatives. In a more global context, the research highlights their tremendous work to the European Commission which could hopefully give the institution ideas for policies and laws. The European Commission could also see the potential of such initiatives and increase all budgets to reach more children and young people everywhere. The survey findings helped to analyse how each Safer Internet Centre first understood child vulnerability online and with those definitions in mind, how do they use it to create tailor initiatives. The biggest takeaway is the impossibility to have one clearly defined list of children and young people in vulnerable situations. This fact is in agreement with the literature review stating there is no universal definition of vulnerability. While most of the Centres agreed with the chosen list for the BIK initiative, others argued for other groups to be added to the list. For some of them, the differences of definitions lie in their country's politics and social priorities. For example, Slovenia mentioned economic immigrants from former Yugoslvia as a specific vulnerable group of children and young people. Moreover, each Safer Internet Centre is doing tremendous work in creating tailored initiatives addressing the needs of vulnerable children and young people. The initiatives vary from educational programmes, gaming groups, safe spaces to awareness campaigns. No initiative is similar: some directly work with children, others exist to train parents about e-safety and managing online lives of their children; others even work with carers and relevant experts about child protection. Although not fully representative of the situation in Europe due answers missing, the research allows a detailed mapping of relevant initiatives. The

Safer Internet Centres have proved to be positive examples of organisations working to address the needs of various children and young people in vulnerable situations.

The final chapter identifies several future perspectives according to the literature review and the practical case study. The most significant ones are the importance of using intersectional and non-discrimination approaches when researching child vulnerabilities but also while creating initiatives or policies. As there is no universal definition of vulnerability and countless ways to interpret it, a one-size-fits-all approach does not fit for this field. Finally, initiatives would not be possible without the continuing partnership of organisations such as Safer Internet Centres with relevant stakeholders like governments and the corporate sector (more importantly tech companies); as well as the continuing responsibility of international courts to protect all human rights.

To conclude, this research is a good example of an NGO working to address child vulnerability online by working with Internet centres across Europe. Most importantly, the research is noteworthy as it brings all information together which makes it easier to find for relevant stakeholders such as The European Commission working with European Schoolnet and the Safer Internet Centres. Protecting children's rights on the Internet has become a major battle in recent years so this research topic could be helpful for future research and initiatives/policies.

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SIC vulnerable groups good practice guide survey

> Fields marked with * are mandatory.

About this survey

As part of the BIK Phase 4 project, EUN is developing a good practice guide on how European Safer Internet Centres (SICs) can help to protect, empower, and respect children and young people from vulnerable backgrounds in the digital environment.

This survey aims to collect more information on how SICs are addressing the needs of vulnerable children and young people in the digital sphere. The answers will feed into the good practice guide that will provide an analysis of existing expertise and success stories, and possible areas for future improvement.

We have compiled a list with different types of vulnerable groups for all children and young people until they are no longer minors. For your answers, please consider all age ranges and all vulnerable groups from the list below:

1. **Children living in poverty**
2. **LGBTQIA+ children**
3. **Children from minority ethnic backgrounds**
4. **Roma, migrant or refugee children**
5. **Children with disabilities**
6. **Children in care**

Please complete this form with as much detail as possible by the **close of business on Friday, 28 April 2023.**

In case of query, please contact emma.longhini@eun.org or karl.hopwood@eun.org.

Thank you for your time and support.

Section 1: Contact details

* First and last name:

> [   ]

* Organisation:

> [   ]

* Organisation's country:

- ○ Austria
- ○ Belgium
- ○ Bulgaria
- ○ Croatia
- ○ Cyprus
- ○ Czechia
- ○ Denmark
- ○ Estonia
- ○ Finland
- ○ France
- ○ Germany
- ○ Greece
- ○ Hungary
- ○ Iceland
- ○ Ireland
- ○ Italy
- ○ Latvia
- ○ Lithuania
- ○ Luxembourg
- ○ Malta
- ○ Netherlands
- ○ Norway
- ○ Other
- ○ Poland
- ○ Portugal
- ○ Romania
- ○ Slovak Republic
- ○ Slovenia
- ○ Spain
- ○ Sweden
- ○ United Kingdom

If other, please specify:

> [   ]

* Email

* Please indicate the strands that your organisation focuses on:

between 1 and 4 choices

☐ Awareness raising

☐ Youth participation activities

☐ Helpline

☐ Hotline

Have you consulted any other SIC colleagues to provide a response to this survey? If so, please detail their names below (ensuring you have their permission to name them).

Awareness centre colleague(s):

Youth participation colleague(s):

Helpline colleague(s):

Hotline colleague(s):

Section 2: Definitions

* How do you define vulnerable children and young people?

500 character(s) maximum

* For this good practice guide, we have compiled a list of different types of vulnerable groups, notably:

- **Children in poverty**
- **LGBTQIA+ children**
- **Children from minority ethnic backgrounds**
- **Roma, migrant or refugee children**

- **Children with disabilities**
- **Children in care**

Does this list cover the various vulnerable groups SICs can and should target as part of their awareness, youth participation, helpline, and hotline work?

◉ Yes ◉ No

If not, which groups are missing in your view?

500 character(s) maximum

[ ]

* In your organisation's country, from an online risk and opportunity point of view, who do you think are the most vulnerable children and young people?

500 character(s) maximum

[ ]

* What do you think are the biggest risks for these vulnerable groups on the internet?

500 character(s) maximum

[ ]

Is the government in your country already putting measures in place to address the needs of vulnerable children and young people in the digital environment?

◉ Yes ◉ No

If yes, please give additional details on those measures:

500 character(s) maximum

[ ]

If no, why do you think that is?

500 character(s) maximum

Your SIC strategy

* Does your organisation already put into practice activities addressing the needs of vulnerable children and young people in the digital environment?

○ Yes ○ No

Is there a reason why?

500 character(s) maximum

Please explain in general terms which vulnerable groups you are targeting. For each group, summarise the overall strategy you follow – try to clearly specify purpose(s), method(s) and envisioned outcome(s).

Please note: These good practice examples can cover all strands of work (awareness raising, youth participation, helpline, hotline). They will be at the core of the good practice guide and will help to place a spotlight on the important work that Safer Internet Centres are already doing. It is therefore important that you think carefully about the examples you provide, and provide sufficient detail for each of them.

Provide as much detail as possible:

1000 character(s) maximum

Your SIC good practice examples

Please provide three good practice examples from your SIC, ranking them in order of impact and performance. Provide as much detail as possible.

If you do not have any examples to share, feel free to move on to the next page.

Example 1

Name of initiative/resource/campaign/activity/service:

Vulnerable group targeted (multiple selections are possible):
- ☐ Children living in poverty
- ☐ LGBTQIA+ children
- ☐ Children from minority ethnic backgrounds
- ☐ Roma, migrant or refugee children
- ☐ Children with disabilities
- ☐ Children in care
- ☐ Other

For those groups, please specify which children, in particular, you are targeting:

Please indicate the language(s) in which the example is available:

between 1 and 25 choices
- ☐ Bulgarian
- ☐ Croatian
- ☐ Czech
- ☐ Danish
- ☐ Dutch
- ☐ English
- ☐ Estonian
- ☐ Finnish
- ☐ French
- ☐ German
- ☐ Greek
- ☐ Hungarian
- ☐ Irish
- ☐ Italian
- ☐ Latvian
- ☐ Lithuanian
- ☐ Maltese
- ☐ Polish
- ☐ Portuguese
- ☐ Romanian
- ☐ Slovak
- ☐ Slovenian
- ☐ Spanish
- ☐ Swedish
- ☐ Other

If other, please specify:

6

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Main target age range(s):

```
```

Brief description:

500 character(s) maximum

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```

Does (or did) the SIC collaborate with any other organisations on this initiative?

- ○ Yes
- ○ No

If yes, please provide details:

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URL (for further information or download of materials):

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What are (or were) the key successes of this initiative?

500 character(s) maximum

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```

What are (or were) the key challenges of the initiative?

500 character(s) maximum

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Do you have any plans to further develop the initiative?

500 character(s) maximum

[ ]

Optional - please upload a file visualising the example (screenshot, detail, etc., ensuring you have the copyright permissions to do so):

A second visual may be uploaded if needed:

Example 2

Name of initiative/resource/campaign/activity/service:

[ ]

Vulnerable group targeted (multiple selections are possible):
- ☐ Children living in poverty
- ☐ LGBTQIA+ children
- ☐ Children from minority ethnic backgrounds
- ☐ Roma, migrant or refugee children
- ☐ Children with disabilities
- ☐ Children in care
- ☐ Other

For those groups, please specify which children, in particular, you are targeting:

[ ]

Please indicate the language(s) in which the example is available:
between 1 and 25 choices
- ☐ Bulgarian
- ☐ Croatian
- ☐ Czech
- ☐ Danish
- ☐ Dutch
- ☐ English
- ☐ Estonian
- ☐ Finnish
- ☐ French
- ☐ German

- ☐ Greek
- ☐ Hungarian
- ☐ Irish
- ☐ Italian
- ☐ Latvian
- ☐ Lithuanian
- ☐ Maltese
- ☐ Polish
- ☐ Portuguese
- ☐ Romanian
- ☐ Slovak
- ☐ Slovenian
- ☐ Spanish
- ☐ Swedish
- ☐ Other

If other, please specify:

Main target age range(s):

Brief description:

500 character(s) maximum

Does (or did) the SIC collaborate with any other organisations on this initiative?
- ○ Yes
- ○ No

If yes, please provide details:

URL (for further information or download of materials):

What are (or were) the key successes of this initiative?

500 character(s) maximum

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What are (or were) the key challenges of the initiative?

500 character(s) maximum

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Do you have any plans to further develop the initiative?

500 character(s) maximum

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Optional - please upload a file visualising the example (screenshot, detail, etc., ensuring you have the copyright permissions to do so):

A second visual may be uploaded if needed:

Example 3

Name of initiative/resource/campaign/activity/service:

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└─────────────────────────────────────────────────────────────┘
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Vulnerable group targeted (multiple selections are possible):

- ☐ Children living in poverty
- ☐ LGBTQIA+ children
- ☐ Children from minority ethnic backgrounds
- ☐ Roma, migrant or refugee children
- ☐ Children with disabilities
- ☐ Children in care
- ☐ Other

For those groups, please specify which children, in particular, you are targeting:

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```

Please indicate the language(s) in which the example is available:

between 1 and 25 choices

- ☐ Bulgarian
- ☐ Croatian
- ☐ Czech
- ☐ Danish
- ☐ Dutch
- ☐ English
- ☐ Estonian
- ☐ Finnish
- ☐ French
- ☐ German
- ☐ Greek
- ☐ Hungarian
- ☐ Irish
- ☐ Italian
- ☐ Latvian
- ☐ Lithuanian
- ☐ Maltese
- ☐ Polish
- ☐ Portuguese
- ☐ Romanian
- ☐ Slovak
- ☐ Slovenian
- ☐ Spanish
- ☐ Swedish
- ☐ Other

If other, please specify:

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Main target age range(s):

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Brief description:

500 character(s) maximum

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```

Does (or did) the SIC collaborate with any other organisations on this initiative?

- ○ Yes
- ○ No

If yes, please provide details:

URL (for further information or download of materials):

What are (or were) the key successes of this initiative?

500 character(s) maximum

What are (or were) the key challenges of the initiative?

500 character(s) maximum

Do you have any plans to further develop the initiative?

500 character(s) maximum

Optional - please upload a file visualising the example (screenshot, detail, etc., ensuring you have the copyright permissions to do so):

A second visual may be uploaded if needed:

Section 4: Your knowledge about wider European good practices

* Are you aware of any good practices within the European network of SICs helping to protect, empower and respect children and young people from vulnerable backgrounds in the digital environment?

   ◯ Yes ◯ No

If yes, please give any inspiring examples you would recommend putting in the spotlight:

Are you aware of any particular European policies or programmes which aim to support children and young people from vulnerable backgrounds in the digital environment? Are there any existing EU projects or initiatives we should explore synergies with?

   ◯ Yes ◯ No

If yes, please give details:

Section 5: Other comments, questions or suggestions

Is there anything else you would like to mention that would be useful for the good practice guide?

* Would you be willing to be interviewed separately to talk in more detail about your projects and activities as they relate to vulnerable children and young people in the digital environment?

Please note: this would be approximately a 30-minute commitment during the week commencing 17 April 2023, either conducted over MS Teams or face-to-face at the Insafe Training meeting in Vienna.

   ◯ Yes ◯ No

Data privacy statement

The European Commission and EUN Partnership aisbl (hereinafter referred to as European Schoolnet or the data processor/contractor) are committed to protect your personal data and to respect your privacy. The Commission and European Schoolnet collect and further process personal data pursuant to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

13

This privacy statement explains the reason for the processing of your personal data for the management of the Safer Internet Centres (SICs) network, its governance bodies (e.g. Governance Working Group, Steering Committee) and subgroups (e.g. Assessment Working Group, Knowledge Management Working Group, Helpline Working Group, Safer Internet Day Working Group, and other working groups which may be formed over time) and your subscriptions to receive information, by European Schoolnet on behalf of Unit G.3.

It explains the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller (Unit G.3) with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

Please open and read the full privacy statement and confirm your acceptance below to proceed

☐ I accept the data privacy statement on the protection of my personal data.

Thank you

Thank you for your time responding to this survey.

Your responses will be reviewed and used to inform the development of a good practice guide on vulnerable children. We will be in touch if we have any questions.