Protection of children using the Internet and other communication technologies. Safer Internet programme 2009-2013

2008/0047(COD) - 23/06/2008 - Document attached to the procedure

OPINION OF THE EUROPEAN DATA PROTECTION SUPERVISOR on the Proposal for a Decision of the European Parliament and of the Council establishing a multiannual Community programme on protecting children using the Internet and other communication technologies.

The aforementioned proposal was sent by the Commission to the EDPS for consultation on 4 March 2008, in accordance with Article 28(2) of Regulation (EC) No 45/2001. This consultation should be explicitly mentioned in the preamble of the decision.

Recall that the new multiannual programme is presented in the continuity of the Safer Internet (1999-2004) and the Safer Internet Plus programmes (2005-2008). Four orientations are defined: (i) reducing illegal content and tackling harmful conduct online; (ii) promoting a safer online environment; (iii) ensuring public awareness; (iv) establishing a knowledge database.

Overall, the EDPS supports the proposal for a multiannual programme to protect children using the Internet and other communication technologies. He welcomes the fact that this programme intends to focus on the development of new technologies and on the elaboration of concrete actions to enhance the effectiveness of the protection of children.

The EDPS recalls that the protection of personal data is an essential prerequisite to the safety of children online. Misuse of children's personal information must be prevented, using the orientations proposed in the programme, and especially the following:

- ensuring awareness of children and other stakeholders like parents and educators;
- promoting the development of best practice by the industry;
- promoting the development of privacy compliant technological tools;
- favouring the exchange of good practice and practical experience amongst relevant authorities, including data protection authorities.

These actions should be developed without overlooking the fact that the protection of children takes place within an environment where the rights of others might be at stake. Any initiative of collecting, blocking or reporting information should only be taken in the respect of the fundamental rights of all individuals involved and in compliance with the data protection legal framework. In particular, the EDPS recalls that the surveillance of telecommunication networks, where necessary in specific circumstances, should be the task of law enforcement authorities.

Lastly, the EDPS notes that this programme constitutes a general framework for further concrete actions. He considers that some observations made in this opinion are a first step and could be developed in a practical way, by reference to the projects still to be put in place, in line with the orientations of the programme. He recommends that data protection authorities be closely involved when it comes to the definition of these practical projects.