POLICY PAPER
NEW MEDIA AND INTERNET GOVERNANCE

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1. INTRODUCTION

The constant development of the information society brings continuous new challenges for media and communication policy, especially in relation to young people. Youth, both as a target group and as producers of information, are among the most skilled users and have awareness of how to benefit from the potential that the internet[1] and new media bring.

The internet plays an important role in the lives of children, young people and young adults, and will become even more important in the future. Young people are using the internet for their education, work life, social communication, leisure and free time, or for information. However, far too often, the local, national and international decision-making and governance structures that impact the internet exclude young people from discussions and decision making. As the largest user group, with up to 95% of people under 25 in many countries using the internet, young people and youth organisations need to be actively involved in the process of internet governance. Young people and youth organisations should be equal partners in the internet community as the group most affected by changes in the world of internet.

The European Youth Forum sees new media policy and internet governance as a user-centred process, which should maintain a focus on democratic values, freedom and human rights, as well as giving equal web opportunities to all.

Therefore, the active involvement of young people and youth organisations should go beyond typical youth-related issues, like literacy or protecting the young from harmful online content. As the Youth Forum, we want more and meaningful youth participation to avoid victimisation. Young people have a very valuable contribution to make to discussions, debates and decision-making regarding internet governance and should be actively involved in all related policy-making and decision-making.

In this sense, the debate around new media and internet governance creates the demand of a new category of rights; digital rights, including accessibility, privacy, data protection and freedom of expression.[2] Young people, as the main users and producers of new media, should enjoy full access to these rights. The European Youth Forum takes a rights-based approach to new media and internet governance, in line with the idea that these tools have become indispensable for realising a wider range of human rights, combating inequality, and accelerating economic, social and political development in our societies.[3]

Building on the Policy Paper on the Youth Perspective on e-Society (2009)[4] and on

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1 Internet vs. internet. The issue of capitalising or not the "i" of the 'internet' is a long debated one. In this paper, we will use the version "internet", with a lower case. More recently, a significant number of publications have switched to not capitalising the noun "internet" with the motivation that the internet has increasingly become an everyday tool and shouldn't be differentiated from the radio or any other existing media. We will anyhow keep the specificity of the internet as the network of networks by using "the internet" rather than a generic "internet".

2 Mahidi M.; (2010) *The Young and the Rightless? The Protection of Youth Rights in Europe*. Brussels: European Youth Forum, p.75.

3 UN Human Rights Council, *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue*, 16 May 2011 A/HRC/17/27, available at: www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdf

4 0731-09 "Policy Paper on the Youth Perspective on e-Society", adopted by the European Youth

the Conclusions of the Youth Event prior to the 1st Council of Europe Conference of Ministers responsible for Media and New Communications Services (2009)[5], this policy paper defines the key concepts and addresses the priorities of the European Youth Forum work in the area of new media policy and internet governance, with a specific focus on the identification of the main relevant issues for young people.

2. BACKGROUND

We are currently witnessing an accelerated evolution of media, heading towards a digitalisation process that may transform media into a convergent media model, distributed on high-speed networks. All media are thus new-media-to-be[6].

Very few - if any - developments in technology have had such a revolutionary effect as the creation of the internet. The internet and new media have brought about profound impacts on the world economy, politics, culture and social progress and have promoted the transformation of social production, daily life and information dissemination.

There is a growing recognition of the need to develop or update policy for this renewed context, with the contribution of all stakeholders, including governments, the private sector and civil society. In the framework of this multi-stakeholder approach, youth organisations have increasingly gained presence and importance as key actors when it comes to policy-making in the area of new media and internet governance.[7] This policy paper thus represents a political follow-up on the participation of the European Youth Forum and its member organisations to different processes in the framework of the Council of Europe, the United Nations and the European Union.

This paper does not aim at being a comprehensive position of the Youth Forum towards all the challenges outlined, but it can be seen as a first step towards the definition of a set of core digital rights for young people that address the changes in the media and information landscape.

3. NEW MEDIA AND YOUTH FORUM

New media and internet tools have a big impact on many of the key policies of the European Youth Forum, including participation, human rights, education and employment and social affairs.[8] They play a substantial role in young people's lives and bring many opportunities, in terms of participation, inclusion, freedom of expression and accessibility.

New media and internet tools provide young people and youth organisations with

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Forum COMEM , Torino, Italy, 13-14 November 2009.

5 0511-09 "A New Notion of Media? A Youth Perspective", Conclusions of the Youth Event Prior to the 1st Council of Europe Conference of Ministers responsible for Media and New Communications Services. Reykjavik, Iceland, 26-27 May 2009.

6 Jakubowicz, K.; (2009) *A New Notion of Media?.* Strasbourg: Council of Europe.

7 Representatives of the European Youth Forum and its member organisations have actively participated at the European Dialogue on Internet Governance (EuroDIG) as well as in the Internet Governance Forum (IGF) since 2009.

8 See European Youth Forum Strategic Priorities 2007-2012.

unique opportunities to communicate, access, share and produce information. As a tool, it offers new ways of participation and more inclusive forms of dialogue and meeting formats that enable the full participation of all young people in discussions. As such it can help promote the values the Youth Forum stands for, especially in terms of inclusiveness and equal opportunities, the promotion and strengthening of democratic principles and human rights as well as the enabling of youth organisations to empower young people to get involved in decision-making processes and to be active citizens. In this sense, accessibility for all young people should be a priority, focusing on combating digital exclusion of young people with fewer opportunities, some disabilities, early school leavers and young people from disadvantaged backgrounds.

In terms of employment, new media and internet technologies are crucial in fostering innovation and youth entrepreneurship[9], whilst serving as instruments that can be used for public employment schemes, thus giving young people an effective tool to achieve their autonomy and contribute to the development and progress of the societies that they live in. Typically, youth organisations are great media for social digital entrepreneurship skills as many structurally integrate and some partly base their work and activities on the use of online collaborative tools, social media, and digital platforms.

Increasingly, education has been recognised as the crucial factor for integration of new media and the internet into our lives. However, access to internet is either non-existent or insufficient in many public schools across Europe. Therefore, the Youth Forum sees reforms, in terms of e-learning, digital access in schools, e-books and e-materials as well as integration of new media into curricula, as essential to ensuring that our current and future young generations are equipped to face the challenges of the society they live in. In particular, youth organisations should promote the development of both entrepreneurial and digital media skills for young people through non-formal education.

4. CORE ISSUES

Today's young people are *digital natives*. Born in the digital age, they are heavy users, consumers and producers of digital information. The internet plays a stronger role in the lives of young people and will become even more important in the future. Europe has entered the era of generalised use of the internet, particularly among young people.[10]

New media and the internet are breeding grounds of innovation in all areas of society. In terms of political participation, new media and the internet play a key role in promoting a culture of active participation, (re) connecting people – and young people in particular – with politics and policy-making by facilitating a two-way interaction. It also makes the decision-making processes more accessible and easier to understand and follow (e-participation[11]).

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9 For a more comprehensive European Youth Forum position on Youth Entrepreneurship, see 0451-11, Position Paper on Youth Entrepreneurship, adopted by the European Youth Forum COMEM in Braga, 18-19 November 2011.

10 See MediaAppro; (2006) *A European Research Project: The Appropriation of New Media by Youth.*

11 For a more comprehensive position of the European Youth Forum on e-participation see 0731-09,

At the same time, Europe's economic future depends on its ability to become a leading knowledge economy and an innovation society, as highlighted in the Europe 2020 strategy. This entails enabling its citizens to efficiently use new media and internet tools to their best effect in every area of their political, social and professional life.

In line with this, the European Youth Forum establishes five core issues to work on in the field of new media and internet governance:

- Universal access and net neutrality
- Transparency online: Open Data and Open Government
- Media digital literacy
- Privacy and data protection
- New patterns for intellectual property and copyright on the web

4.1 Universal access and net neutrality

Universal internet access and avoiding restrictions by internet service providers or governments on users' access to the net are fundamental prerequisites to respecting basic human rights of freedom of expression and information. Everyone should have equal access to the resources provided by the internet. In terms of access and its associated infrastructure we consider the public realm of the internet as any other public space. However, in terms of infrastructure, bridging the gap of the digital divide is an essential step towards the prevention of social and economical inequalities amongst young people.[12]

The Youth Forum believes that net neutrality is one of the most fundamental principles of the internet. Neutrality is key to the growth and universality of the internet: as long as no discrimination is applied by a private or governmental body regarding sender, recipient or type of transmitted data, every user has the right to access the same internet as everyone else. This also ensures that non-commercial users of the internet, such as youth organisations, enjoy the same access and quality of service as commercial users. Any efforts to change the net neutrality need to be prevented, because they will lead to discrimination and open doors for censorship.

Therefore, the European Youth Forum demands the recognition of universal access to the internet and net neutrality as fundamental digital rights and as such core principles of internet governance.

4.2 Transparency online: Open Data and Open Government

Universal access should be ensured regardless to infrastructure and should include access to all internet-based content, especially to form a strong and independent opinion on policy and effectively participate in society.

Open Data and Open Government help to transform the relationship between people and decision-makers in a simple and cost-effective way, provided that resources are

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p. 5-6.
12 For more details of the European Youth Forum position on e-accessibility, see also 0731-09, p. 4.

made available for distribution and communication.

In this respect, there is a need for a reinforced policy effort towards increased availability of public data online (Open Data) and transparency in the democratic processes (Open Government) in order to ensure more democratic participation, transparency and accountability.

4.3 Digital media literacy

However, infrastructural access and net neutrality are not sufficient to ensure that the digital divide is overcome. A new threat of social exclusion and discrimination is emerging where equal access to digital media literacy is not ensured for all young people. This calls for policies aimed at equipping young people with adequate skills and securing informed access to the internet and new media for them. It is important that digital media literacy is mainstreamed at all levels of formal and non-formal education, including a lifelong learning approach.

Digital skills showcase the importance of the right mix of generic competences and technical skills, ranging from informally acquired functional digital skills to specialist skills. Digital and media literacy will therefore be crucial both for private and professional life and, although it is almost universally true that any job will require some level of e-skills, the aim should be digital fluency. Thus, embedding digital and media literacy at all levels in education and training, and mapping competences towards a goal of digital fluency for all citizens is essential to make sure that higher skills match new jobs.

Furthermore, theoretical knowledge and practical media skills are key for young people to develop awareness about the rights, responsibilities, opportunities and risks related to the use of new media and the internet. In addition to basic skills training, digital media education modules should focus on the benefits of accessing information online and of the responsibilities of contributing information as producers. In this sense, the European Youth Forum believes that e-skills and digital rights skills form the basis for citizenship education and human rights education in the 21st century. As main providers of non-formal education and key stakeholders in training policies, youth organisations are well placed to support young people in enhancing their e-skills to respond to the challenges of the societies they live in.

We therefore urge European Union and Council of Europe Member States to provide youth organisations with political and financial support to make elements of digital media literacy core to their activities as well as to include media digital education in formal educational curricula, complemented by basic training for teachers and investments to provide schools with adequate, up-to-date technological equipment.

4.4 Privacy and data protection

Internet users' rights to privacy need to be protected by effective privacy and data protection laws in accordance with article 17 of the International Covenant on Civil and Political Rights.[13]

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13 "This includes "laws that clearly guarantee the right of all individuals to ascertain in an intelligible form whether, and if so what, personal data is stored in automatic data files, and for what purposes,

Data protection and privacy regulation have become increasingly central in defining individual rights online. Principles such as transparency, enhanced control of personal data, data portability, consent, clarification of the processing of users data, right to be forgotten and mandatory opt-in[14] are crucial elements to ensure privacy and data protection and should be taken into consideration at the design stage of information systems so that they comply with statutory and regulatory requirements in the field (*privacy by design*).

Furthermore, common European - if not worldwide - standards should be developed regarding privacy settings and personal data protection, and terms and conditions of websites and services online should be simplified and made available in the languages of the user to become more accessible. In particular, careful attention should be put into monitoring the collection by governments, private companies or any other actor of genetic and biometric data.

In this context, young people constitute a social group that is increasingly exposed to the risk of privacy breaches, especially related to specific cyber crimes ranging from cyber bullying, to uploading of illegal and harmful content, to hate speech, to child and youth pornography and abuse. In this regard, the European Youth Forum believes that empowerment of young people through education and awareness, combined with the implementation of self-regulatory measures (codes of conduct) should be preferred over censorship, protection or the creation of protected new media and internet environments for youth and children. Preventive strategies should always be preferred over reactive strategies when it comes to the internet.

4.5 New patterns for intellectual property and copyright on the web

Efforts to fight online piracy must not undermine the natural architecture of the internet and should guard against the risk of online censorship that would inhibit innovation, freedom of expression and social development. Copyright and intellectual property law enforcement has slowed down innovation and progress in the areas of software, art, medicine and science.

At present copyright laws are, in the most part, intended to balance between freely sharing information and creative materials on the one hand and the securing of revenue streams for content creators on the other. It is not clear that new media and the internet have caused any significant loss in revenues. Instead, freely accessible information and data have led to increased sales in creative industries with, inter alia, music sales being at an all time high.[15]

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and which public authorities or private individuals or bodies control or may control the files" La Rue, 2011, p. 22.

14 16 Opt-in is the preliminary agreement of user, while opt-out is subsequent resigning from services. An opt-in policy requires a potential user to self-select the services they wish to subscribe to, and how any information they provide may be used. In practice, an opt-in policy involves creating forms where services such as email newsletter subscriptions are unchecked by default. The benefit of this approach is that a user who has actively considered the offering before signing-up, is a more qualified potential user.

15 Kaye, L.; (2012) 'The industry is failing to deliver what customers want', The Guardian, published Friday 20 January 2012 18.23, http://gu.com/p/34qhb

Sharing intellectual and creative goods online is one of the benefits of the internet, especially for young people who are one of the major groups that comprise both creators and consumers of such shared culture online. Platforms to share content and commercialise it need to be created in a suitable framework with copyright regulations and flexible enough to facilitate the free flow of information.

New models of creation, distribution and acquisition of knowledge and culture must thus be safeguarded, balancing relative actions with the need to remunerate the work of young creators (e.g. by encouraging the use of new suitable regulations such as Creative Commons or a cultural flat rate).

We wish to introduce a culture of sharing, as an incremental measure that will accompany a shift of values that we adopt as European countries and citizens regarding the role of intellectual property and copyright.

The different understanding and interpretation of new patterns for intellectual property and copyright on the web by young people and cultural industries has to be taken into account when drafting relevant legislation. In this sense, the European Youth Forum believes that education, rather than legal prosecution is the most effective way to bridge these gaps between young people, cultural industries and legislators. Empowering young people, as actors in society, is important both in terms of their ability to contribute to cultural knowledge with creative practices and also to engage with the laws that govern society. That is why the European Youth Forum is calling on the European Parliament and the Member States not to ratify the ACTA treaty, which clearly violates digital rights and promotes censorship.

5. CONCLUSIONS

The European Youth Forum sees new media policy and internet governance as a user-centred process, focusing on the values of democracy, freedom and human rights and aimed at giving equal web opportunities to all. **New media and the internet are for everyone to share and use!**

In order to ensure promotion of access and net neutrality, both infrastructural and educational efforts should be pursued as a fundamental requisite for the promotion of a wide range of human rights as well as to close the digital divide and prevent social exclusion.

The Youth Forum and youth organisations, as representatives of young people and advocates of their needs and interests, have a crucial role to play in raising awareness about the importance of new media as inclusive tools to enhance the active participation of young people in society, equipping them with e-skills by including collaborative tools and social media in their non-formal education and volunteering activities and decision-making processes. However, we also have to raise critical questions relating to the impact that new media and the internet have on social relations and point out the negative consequences of over-usage of the internet. The internet and new media should, therefore, be used as a supplement to traditional forms of media, social relations and learning and not seen as cheap replacements.

New patterns for privacy, data protection, intellectual property and copyright on the web should be developed with the agreement of both creators and consumers to respond to the changed context of creation, distribution and acquisition of knowledge and culture. In this respect, the European Youth Forum believes that a comprehensive curriculum of digital media literacy should include elements of copyright, privacy and data protection laws.

We believe that by equipping young people with skills and providing them with relevant opportunities to effectively use new media and internet in ways that empower them to create and share their voice with others we will empower them to participate and take an active, meaningful role in shaping the laws that govern our society, online and offline.

The importance of this policy area should rise at a parallel pace to the growth of potential of the internet. Youth organisations and their representatives need to advocate for the rights of young people online and offline and should therefore be recognised as an important stakeholder in the process of discussing the rules governing the internet and new media policy bringing a specific youth voice to the on-going debates.