Youth in the data deluge: how can the GDPR protect their privacy while fostering their autonomy

Prof. dr. Eva Lievens – Privacy Camp, 24 January 2017
CHILDREN ARE DATA SUBJECTS
CHILDREN HAVE A RIGHT TO PROTECTION
Article 8: parental consent
Article 12: transparent information
Article 17: right to erasure
Article 25: data protection by design and by default
Article 35: data protection impact assessment
Article 40: codes of conduct
Article 57: awareness
CHILDREN HAVE A RIGHT TO PROTECTION AND PARTICIPATION
Article 8: parental consent
• should legislators privilege a lower age?
• how will data protection authorities deal with the enforcement of the obligations?
• how will data controllers implement parental verification?
• is reliance on parents always desirable/possible?
• what about children’s freedom of expression, access to information and development of digital literacy?

Under age of ‘parental consent’

Between age of ‘parental consent’ and 18

• which level of protection / guidance / safeguards for adolescents, e.g. in relation to (very) privacy-intrusive measures?
IMPORTANT DECISIONS AHEAD
For national legislators
For DPAs
For data controllers
CHILDREN DESERVE AN EVIDENCE-BASED APPROACH

(existing) research on
• the reality of children’s use of online services
• their developmental / evolving capacities
• understanding of data collection practices
• the potential of technology to implement safeguards and strengthen rights
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