**Submission to the OHCHR for the Study on the solutions to promote digital education for young people and to ensure their protection from online threats - Human Rights Council Resolution 51/17**

**Office of the Public Defender (Ombudsman) of Georgia**

**February, 2024**

***The present submission of the Office of Public Defender (Ombudsman) of Georgia [Hereinafter: PDO] provides information about the selected questions 2,3,5, and 6 from the request for Study on the solutions to promote digital education for young people and to ensure their protection from online threats.***

Georgian legislation recognizes that a child should be protected from all forms of violence including those that happen online.[[1]](#footnote-1) To achieve this, legislation regulates the online publication of information that may pose a threat to children.[[2]](#footnote-2) The National Youth Strategy further underlines that children have very little knowledge of how to protect themselves from threats like cyberbullying and identity theft.[[3]](#footnote-3) To this end, the Personal Data Protection Service is tasked with conducting awareness-raising meetings and lectures for children on how to protect their privacy online.[[4]](#footnote-4) It conducted a competition for pupils to write blogs about data protection as well as organized campaigns on the same topic.[[5]](#footnote-5) The Personal Data Protection Service plans to conduct further lectures and create educational guidelines on the same topic.[[6]](#footnote-6)

Georgian legislation sets up laws protecting the personal data of people as well as criminal legislation forbidding disclosure of personal data or other information about persons’ private lives as well as criminalizing unlawful obtaining of the secret of one’s private life. [[7]](#footnote-7) The enforcement of personal data protection legislation is primarily monitored by the Personal Data Protection Service.[[8]](#footnote-8) It has the power to examine possible violations committed online as well.[[9]](#footnote-9)

Access to proper computers and other devices capable of connecting to the internet is a challenge.[[10]](#footnote-10) Strategic policy documents scarcely envisage aspects of the digital transformation of education.[[11]](#footnote-11) Those mainly pertain to a technological renewal of computers and support equipment in schools.[[12]](#footnote-12) As regards higher education, documents suggest amendments in the regulatory framework to ensure the digital transformation of the sector.[[13]](#footnote-13) Since 2017 National Communications Commission has been tasked with conducting awareness-raising activities about media literacy and online threats.[[14]](#footnote-14) It conducts educational competitions to enhance media literacy among youth and awareness-raising meetings about threats on the internet.[[15]](#footnote-15)

Integration of digital citizenship education issues in the general education system are important preventive tool against various threats online.[[16]](#footnote-16) To this end, in the wake of the COVID-19 pandemic, when the schools were closed, the Office of Public Defender assessed the level of integration of digital citizenship in the general education system.[[17]](#footnote-17) That assessment was necessary given the increased threats from the internet due to the nationwide lockdown. Throughout the assessment, the Office applied the Council of Europe and the UN standards on teaching digital citizenship. it also reviewed the experience of other NHRIs.[[18]](#footnote-18) Ultimately, it was revealed that digital citizenship education is only partially integrated into the system as a cross-cutting issue of the national curriculum and does not cover the entire 12 years of schooling.[[19]](#footnote-19) Consequently, the Office issued a recommendation urging the authorities to comprehensively integrate digital citizenship education throughout the entire period of the general education system and foster the knowledge of pupils’ parents on those issues.[[20]](#footnote-20) The Office of Public Defender has organized a number of awareness-raising activities, particularly with children about the importance of digital citizenship education in protecting their right to privacy.

1. The Code on the Rights of The Child, Adopted on September 20 2019 Article 53 Para.1 [↑](#footnote-ref-1)
2. The Act on Putting Online Information posing a Threat to Child. Adopted on February 28 2020; Available only in Georgian <https://rb.gy/x2i89y> [02/01/2024] [↑](#footnote-ref-2)
3. National Youth Strategy par. 2.6. <https://shorturl.at/fwLPY> [08/01/2024; Available only in Georgian] [↑](#footnote-ref-3)
4. ibid, Action plan para. 2.6.2 [↑](#footnote-ref-4)
5. Annual Report of Personal Data Protection 2022 p. 187-189 [https://shorturl.at/egtHI](https://shorturl.at/egtHI%2008/01/2024)  08/01/2024 [available only in Georgian]; [↑](#footnote-ref-5)
6. National Youth Strategy par. 2.6. <https://shorturl.at/fwLPY> [08/01/2024; Available only in Georgian] [↑](#footnote-ref-6)
7. Criminal Code of Georgia Article 157 para. 1, 2; ibid, Article 1571 para. 1, 2; <https://shorturl.at/gqu79> [08/01/2024]; Law on Special Investigation Service of Georgia Article 19 para. 1 <https://shorturl.at/kEUY2> [08/01/2024] Law on Personal Data Protection Article 1, <https://shorturl.at/kosuC> [08/01/2024] [↑](#footnote-ref-7)
8. Law on Personal Data Protection Chapter VII [↑](#footnote-ref-8)
9. ibid, Article 50. [↑](#footnote-ref-9)
10. Child Rights Impact Assesment of Covid-19 Related States Measures in Georgia Child Rights Impact Assesment of Covid-19 Related States Measures in Georgia p. 47, Tbilisi 2022 <https://shorturl.at/lyMVY> [02/01/2024]. [↑](#footnote-ref-10)
11. Action Plan for Unified Strategy on Education and Science 1.4.1.8; <https://rb.gy/y7yhjz> [08/01/2024; Available only in Georgian]; Action Plan of Human Rights Strategy Priority 2, <https://shorturl.at/fhlD3> [08/01/2024; Available only in Georgian]; Action Plan of National Youth Strategy, <https://shorturl.at/fwLPY> [08/01/2024; Available only in Georgian]. [↑](#footnote-ref-11)
12. Action Plan for Unified Strategy on Education and Science 1.2.2.2; <https://rb.gy/y7yhjz> [08/01/2024; Available only in Georgian]; [↑](#footnote-ref-12)
13. Action Plan for Unified Strategy on Education and Science 1.4.1.8; <https://rb.gy/y7yhjz> [08/01/2024; Available only in Georgian]; Action Plan of Human Rights Strategy Priority 2, <https://shorturl.at/fhlD3> [08/01/2024; Available only in Georgian]; Action Plan of National Youth Strategy, <https://shorturl.at/fwLPY> [08/01/2024; Available only in Georgian] [↑](#footnote-ref-13)
14. Law of Georgia on Electronic Communication Article 4 par. 2 (k); The Act on Putting Online Information posing a Threat to Child. Adopted on February 28 2020; Available only in Georgian <https://rb.gy/x2i89y> [02/01/2024] [↑](#footnote-ref-14)
15. Annual Report of Communications Commission 2022 p.69, 71 <https://shorturl.at/aMT16> 08/01/2024 [↑](#footnote-ref-15)
16. Comments submitted by the Children’s Rights Division of the Council of Europe on the UN Committee on the Rights of the Child concept note for a General Comment on children’s rights in relation to the digital environment drafted by CoE, 2019, გვ. 2; Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment. para. 43 <https://rb.gy/wdx4z6> 12/01/2024 [↑](#footnote-ref-16)
17. On the Situation of Protection of Human Rights and Freedoms in Georgia p. 261 <https://shorturl.at/cpqs2> [02/01/2024]; See also Recommendation of June 3 2020, N 17-1/5429 Available only in Georgian. [↑](#footnote-ref-17)
18. Comments submitted by the Children’s Rights Division of the Council of Europe on the UN Committee on the Rights of the Child concept note for a General Comment on children’s rights in relation to the digital environment drafted by CoE, 2019, გვ. 2; Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment. para. 43 <https://rb.gy/wdx4z6> 12/01/2024 [↑](#footnote-ref-18)
19. On the Situation of Protection of Human Rights and Freedoms in Georgia p. 261 <https://shorturl.at/cpqs2> [02/01/2024]; See also Recommendation of June 3 2020, N 17-1/5429 Available only in Georgian; National Curriculum of Georgia adopted on May 18 2016, As amended by November 17 2023. Article 17 par. A, Article 30. [↑](#footnote-ref-19)
20. On the Situation of Protection of Human Rights and Freedoms in Georgia p. 261 <https://shorturl.at/cpqs2> [02/01/2024]; See also Recommendation of June 3 2020, N 17-1/5429 Available only in Georgian; [↑](#footnote-ref-20)