

5Rights welcomes Government commitment to children's rights

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For Immediate Release

The Government has today amended its flagship Trade Bill, moving to protect children's rights online, and keep children off the negotiating table in all continuity trade deals. In so doing, the Government has for the first time put children's protections on the same footing as workers' rights and the environment. This Government amendment follows a previous amendment to the Bill introduced by 5Rights Chair and Crossbench Peer, Baroness Kidron.

"We thank the Government for its recognition that trade deals can pose a risk to children's protections online, and congratulate our Chair Baroness Beeban Kidron on getting commitments from the Government that all continuity trade deals will at least maintain the UK's world-leading online protections for children and vulnerable user groups. We anticipate that this will set the standard for all future trade deals.

With the ongoing debate in the US about Section 230, the progress on the Online Safety Bill in the UK and the Digital Services Act in the EU, it is more important than ever that trade deals put children's rights first - above the commercial interests of the big tech firms."

Tony Stower, Director of External Engagement

5Rights led the calls for such protections, having previously drawn attention to the risks posed by trade deals which put the US tech lobby above children's rights. The US tech lobby has worked to ensure that special protections for their business models (written into domestic US law in Section 230 of the Communications Decency Act) is inserted into all US trade agreements. They had already been successful in US deals with Japan, Korea, Mexico and Canada. If they are similarly successful in any future UK/US deal it would have a chilling effect on all the advances the UK has made to protect children online.

This Amendment will protect the advancements made in recent months in the UK through the Children's Code, which has already prompted changes in the way TikTok operates with others expected to follow suit. The UK Government has reaffirmed its commitment to putting children and their safety online first, above the demands of the online services which grab children's data and put them at risk.

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NOTES TO EDITORS

About 5Rights Foundation

5Rights Foundation develops new policy, creates innovative projects and challenges received narratives to ensure governments, regulators, the tech sector and society understand, recognise and prioritise children's needs and rights in the digital world. In all of our work, a child is anyone under the age of 18, in line with the UN Convention on the Rights of the Child.

Our work is pragmatic and implementable, allowing us to work with governments, intergovernmental institutions, professional associations, academics, and young people across the globe to build the digital world that young people deserve.

5Rights is a registered charity. Charity number: 1178581.

Background

The UK has recently introduced the first child-centred data protection regime in the world - the Age-Appropriate Design Code.

This ground-breaking legislation fundamentally changes the way companies can collect and use children's personal data and requires that they put the child's best interests first. And after a long wait we have now received the Government response to the Online Harms White Paper, which sets out detailed plans to make the UK the safest place to be online in the world. But the US tech lobby has been working to ensure that US domestic legislation which protects big tech from liability for the harms they enable is written into all US trade agreements. They have already been successful in US deals with Japan, Korea, Mexico and Canada. It had threatened to have a chilling effect on all the advances the UK has made to protect children online.

Section 230 is already controversial and has been criticised for giving tech firms the latitude to ignore the law and the needs of users. Both Republicans and Democrats want change and the US Supreme Court has also criticised the way it lets online services off the hook for promoting illegal content, and for refusing to police their own platforms. The new US Congress is likely to agree reform and commentators are following UK and EU debates closely. All of which is why tech firms have been so keen to get it baked into trade deals now, before the US Congress can follow the UK Parliament in holding these mega services to account.

Spokespeople are available to comment on the Trade Bill.

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