| Chapter 7 |

Children in Digital Age – Czech Perspective

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ABSTRACT

This paper discusses the various rights of children that may be affected in cyberspace. These are the right to privacy, the right to self-determination, and the protection of personal data. It also seeks to contribute to the debate on the notion of digital adulthood (self-legitimacy). The issue of the child versus the Internet is nowadays vast and wide-ranging; it affects several levels, from criminal sanctions to the private law exercise of parental responsibility and the enabling of self-determination of the child or the protection of the child as a consumer. It also ranges from the proper legal context such as the provision of teaching in schools to systematic solutions at the ministerial level.

KEY WORDS

cyberspace, child rights, privacy, data protection, digital adulthood

1. Introduction

It is necessary to point out that with the wave of "informatisation" of the Czech Republic, unanticipated problems are surfacing, whereas the tools to solve these problems on the part of the wider society, transnational institutions, and above all the state are being strenuously sought. The problem of the relationship of the child versus the Internet is huge and one with a broad-spectrum these days, spanning several levels from the exercise of parental responsibility to the provision of education in schools to systematic solutions at the ministry level.

Considering the time of introduction and further rapid development of the use of the Internet in the Czech Republic, the issue of children's relationship to the Internet is a very "new" issue. The beginnings of the Internet in the Czech Republic date back to the 1990s. The Internet in the form we know today, which is accessible to young people, only became available around 1997. In that year, the largest internet portal in the Czech Republic – seznam.cz – launched its services. At that time, the Internet was not yet widespread in homes and schools. With the development of internet access, which is connected with the development of services not only of the Internet, but also

Lenka Westphalová (2025) 'Children in Digital Age – Czech Perspective' in Halász, Cs. (ed.) *Children in Digital Age*. Miskolc–Budapest: Central European Academic Publishing, pp. 129–151. https://doi.org/10.71009/2025.csh.cida_7.

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the media associated with it (computers, smartphones, tablets, laptops, etc.), there has been a development of services and applications provided to end users such as Skype, Facebook, Twitter, Libimseti, ICQ, and various other chat applications.

2. Definitions

2.1. Cyberspace

Cyberspace is a term introduced by the Cyber Security Act No. 181/2014 Sb. Section (§) 2. Sub-paragraph a) of this Act refers to cyberspace as a *'digital environment enabling the creation, processing and exchange of information formed by information systems, services and electronic communications networks'*. However, defining the Internet, which is undoubtedly a part of cyberspace, is more challenging, although everyone knows this phenomenon and uses and works with it daily. The Internet does not fall under the definition of a person according to the Civil Code; we cannot even include it in the category of things in the legal sense. The Internet is intangible and uncontrollable. The most understandable of technical definitions is the sense of the Internet as a vast global network that connects computer systems around the world.

Act No. 89/2012 (Civil Code) Art. 2389a regulates that (1) In a contract for the provision of digital content, the provider undertakes to make a thing in digital form (digital content) available to the user for his own use, and the user undertakes to pay remuneration for this. (2) If the use of the digital content requires the authorisation to exercise an intellectual property right, the relevant provisions on licensing shall also apply. This amendment to the Civil Code came into force on 6 January 2023, when, among other things, a new, previously unknown type of contract was introduced, namely, a contract for the provision of digital content. The amendment responds to the development of the digital economy and transposes into the Czech legal system two European directives concerning digital products, namely, Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects of contracts for the provision of digital content and digital services ("Digital Content Directive" or "Directive 2019/770") and Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects of contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC and repealing Directive 1999/44/EC ("the Sale of Goods Directive" or "Directive 2019/771"). Terms and conditions are part of contracts with consumers or other customers. These contracts

are usually concluded in an adhesive manner[1]. The terms and conditions regarded as "basic conditions" are set by the service provider without the weaker party (consumer, customer) having a real opportunity to influence the content of these terms and conditions.

Social network is another term whose definition cannot be found in the legal system. A social network may be defined as a computer program or web service that allows people to communicate and share information on the Internet via a computer or mobile phone. For example, according to data available in October 2023, the website statista.com,[2] indicates that Facebook is the most widely used social network. Users may create their own profiles, upload photos, create groups and establish friendships. The widely used Messenger, which is used for sending messages, is also a platform linked to Facebook, while YouTube, WhatsApp, TikTok, and Instagram are also other widely used networks.

Digital footprint is a term that includes all data created about a person when using the Internet. It includes websites visited, messages sent and received, and information provided about a person to online services. The footprint may be divided into active and passive. A passive digital footprint is left unintentionally. This includes the search history or IP address. This information may be recorded by internet search engines or web servers. The active component of the digital footprint, however, is created by the user themselves through their deliberate disclosure. It includes sent messages, shared posts or photos. The permanence of the digital footprint is its problematic aspect. In addition to being easy to spread, it is also difficult to remove. However, by leaving such information freely available without the person's consent, the right to privacy is violated. Therefore, in support of it, natural persons have also been granted the right to be forgotten and deleted. In the first instance, these rights were mentioned in the Judgement of the European Court of Justice No. C-131/12; subsequently they were also legally enshrined in the GDPR regulation, namely, in Article 17. Accordingly, the data subject is entitled to request the erasure of their personal data and the administrator is then obliged to do so without unnecessary delay if the conditions set by the regulation are met.

The following legislation can be mentioned in relation to the Czech regulation of digital services, which were adopted following Regulation (EU) 2022/2065 of the

1 An adhesion contract is a contract in which one party sets all the terms and conditions and the other party only has the option to accept or reject the contract without any real influence on its content. This can be summed up by the phrase "take it or leave it." Adhesion contracts are effective because they save time, e.g., by using pre-prepared forms, but the party that has no opportunity to influence the terms and conditions finds itself in a weaker position. They are therefore concluded where there is a high number of standardized contracts; from this point of view, it is a rational and economically efficient procedure. However, it may happen that in this way, the stronger contracting party imposes contractual terms that are advantageous for itself and disadvantageous for the other party. The Czech Civil Code regulates the conclusion of adhesion contracts in Arts. 1798–1801.

2 Dixon, 2025.

European Parliament and of the Council of 19 October 2022 on the single market for digital services and amending Directive 2000/31/EC (Digital Services Regulation).

Act No. 480/2004 Coll., on Certain Information Society Services and on Amendments to Certain Acts (i.e. the Act on Certain Information Society Services) regulates the liability and rights and obligations of persons providing information society services and disseminating commercial communications in accordance with European Community law.

Act No 132/2010 Coll., concerning on-demand audiovisual media services and amendments to certain acts (Act on on-demand audiovisual media services) regulates video-on-demand audiovisual media services that take the form of different business and technical models, which are privately binding. Technically, this may be through electronic communications networks or cable distribution (Netflix, Voyo). In the case of an on-demand audiovisual media service, the provider takes editorial responsibility for it and compiles a catalogue of programmes.

Act No. 242/2022 Coll., on the services of video-sharing platforms and amending certain related acts (Act on the services of video-sharing platforms) regulates a video-sharing platform service called Rajče, which is provided by MAFRA, a. s. In the case of this service, the provider does not bear editorial responsibility for it and does not compile a catalogue of video recordings, the arrangement of which is different in law. Although the provider of the latter service determines the arrangement of the video content, this may also be provided by 'automatic means or algorithms, in particular by displaying, tagging or ranking', to 'the general public for the purposes of information, entertainment or education via electronic communications networks'.[3]

However, from the perspective of copyright law, both services have the legal nature of providing an online content-sharing service if they meet all its conceptual characteristics as defined by copyright law. In this sense, it is significant that the online content-sharing service provider has the private law status of a user of a copyright work, artistic performance, sound recording, sound recording or television and radio broadcast under the Copyright Act. A consumer or customer using an online content sharing service (user of such a service) is a user of protected goods.

2.2. Legal Personality

Legal personality is the ability to possess rights and obligations within the limits of the legal order (Article 15, Sub-section 1 of the Civil Code[4]). The law stipulates that a person has legal personality from birth until death (Article 23 of the Civil Code). It is established that every person has innate natural rights, which may be identified upon reason and feeling alone, and therefore is considered a person. The natural rights associated with human personality may not be alienated and may not be waived; if this does happen, it is ignored.

3 Act No. 242/2022 Sb. Art. 2 para. 1 point a).
4 Act No. 89/2012 Sb. of the Civil Code.

After birth, each child shall be registered in the book of births kept by the Register of Vital Records (cf. Article 7 of the Convention on the Rights of the Child[5]). In particular, the name and surname of the child, date of birth, gender, names and surnames of their parents are entered in the Register (Article 14 of the Register of Vital Records Act[6]).

2.3. Legal Capacity

Legal capacity means that a person is a person in their own right (*sui iuris*), that is, they are qualified to acquire rights for themself through their own legal action and to commit to obligations, that is, to act legally.[7] Autonomy thus does not belong to everyone, in contrast to legal personality. Furthermore, it is established that every person is responsible for their actions, if they can judge and control them. Legal capacity means, among other things, the basis of a person's delictual liability, that is, the capacity to be a delictual debtor. Based on a person's intellectual and volition maturity, one may distinguish between full capacity and partial capacity.

Full capacity means that a person is capable of fully acquiring rights for themself through their own legal actions and fully committing themself to obligations (Section § 15, Sub-section 2 of the Civil Code). As a rule, the law stipulates that a person becomes fully legally capable upon: the age of majority, that is, upon reaching the age of 18[8].

Before this age, a person becomes fully legally capable upon: recognition of capacity[9], by entering into marriage; capacity is not lost either by the dissolution of the marriage or by declaring the marriage null and void.

Partial capacity belongs to children who are minors and who have not acquired full capacity yet. Owing to the nature of the matter, they acquire autonomy gradually in relation to their intellectual and volitional maturity. It is different for newborns, for early school age children, and for secondary school students. However, in contrast to historical legislation, the law does not establish any age categories of children, such as children under 7 years, from 8 to 15 years, or over 15 years. The general positive rule is expressed by a rebuttable presumption, according to which it is considered that every minor who has not acquired full capacity is capable of legal actions appropriate in nature to the intellectual and volitional maturity of minors of their age[10] It is an objective concept that admits counterevidence and thus allows the characteristics of a specific child to be taken into account owing to their intellectual and volitional maturity. The law thus guarantees certainty on the one hand, and respects the uniqueness and individuality of each child on the other. The general negative rule states that a minor who has not acquired full capacity is never, regardless of the content of other

5 104/1991 Sb. of the Convention on the Rights of the Child.
6 Act No. 301/2000 Sb. regulating Registries, First and Last Names.
7 Art. 15 Sub-section 2 of the Civil Code.
8 Ibid., Art. 30 Sub-section 1.
9 Ibid., Art. 37.
10 Ibid., Art. 31.

provisions, capable of acting independently in those matters for which even their legal representative would need the permission of the court.[11]

2.4. *Parents and Children*

The term "parental responsibility" shall be understood primarily in the form of partial legal and simultaneously moral rules. Furthermore, the child is the weaker party, especially because of their lower age and, as a rule, lower intellectual and volitional maturity. The private law concept of parental responsibility represents an order to take proper care of a child in accordance with the best interest of the child and their well-being, or for the welfare of the child.

The content of parental responsibility is defined as the duties and rights of parents, which (according to Article 858 of the Civil Code) consist of: the care of the child, including in particular the care of their health, physical, emotional, intellectual and moral development; child protection; maintaining personal contact with the child; ensuring their upbringing and education; determining their place of residence; providing their representation; managing their property.

3. Research on Children's Behaviour in Cyberspace

In the field of research on the behaviour of children in cyberspace, we must mention here the study "Czech children in the cyberworld", which was carried out in 2019 by the Centre for the Prevention of Risky Virtual Communication of the Faculty of Education of Palacký University in Olomouc and the company O2 Czech Republic.[12] It features research on the risky behaviour of children and adults in online environments carried out by the same team in the years 2015–2018. It is based mainly on the studies called "Risks of Internet Communication IV" (2014) and "Sexting and Risky Acquaintances Made by Czech Children in Cyberspace" (2017) expanded by new findings, which are completely unique in the Czech Republic. The research was funded from the resources of the O2 Czech Republic as part of the so-called contractual research, with neither the public funds of the state nor of the European Union used. An anonymous online questionnaire was chosen as the basic research tool, which was distributed to primary schools in all regions of the Czech Republic. The data collection took place in these schools, from 1 February to 1 May 2019. The statistics software Statistica was used for detailed data evaluation.

A total of 27,177 respondents aged 7–17 from all regions of the Czech Republic took part in the research, with boys constituting 49.83% of the respondents. The average age of the respondents was 13.04 years (median 13, mode 12, variance 4.34). The research group was representative of the age categories of 11–17 years (by age and gender, correlation with the Czech Statistical Office CSO data for 2018). The findings

11 Ibid., Art. 36 Sub-section 1.
12 Kopecký and Szotkowski, 2019.

of this research included, for example, that children are active consumers of all kinds of content in the online environment: social networks, YouTube videos, e-shops, online encyclopaedias, games, educational sites, news portals, as well as sites with pornographic content. The study found that 23% of children under the age of 13 use social networks, even though they do not meet the minimum age limit for their use.

In the study, the researchers also focused on the issue of active use of a mobile phone by a child. They were interested in whether the child has access to the Internet on their mobile phone without having to be connected to Wi-Fi (e.g. via 3G, 4G, LTE, etc.). More than half of the children (59.1%) confirmed that they have permanent access to the Internet on their mobile phone independently of Wi-Fi. The most common activity reported by children is calling (72%), followed by writing and sending messages via online services (Facebook Messenger, WhatsApp, etc.) (66%). Watching videos on YouTube and writing SMS messages follow.

A comprehensive study[13] conducted in 25 European countries with 25,000 participants produced the following statistics: 60% of children aged 9–16 use the Internet daily (88 minutes on average) and 59% of these children have a profile on social networks (26% aged 9–10; 49% aged 11–12; 82% aged 13–16). Simultaneously, in the terms of use, no social networks officially allow people under the age of 13 to create an account. Furthermore, in the same European study, 26% of children had their social network profile set to "public" (i.e. accessible to all known and unknown users), 14% reported that their address or phone number was listed on their profile, and 16% admitted that they did not enter their real age on their profile. Additionally, 30% of children surveyed stated they had an online connection with someone they had never met face-to-face, 9% stated they had actually met someone face-to-face with whom they only had had an online connection, 9% stated that they experienced abuse of personal data, 21% reported encountering one or more types of potentially harmful content created by other users, and 6% reported receiving harmful or offensive messages on the Internet. These findings confirm that young children and adolescents use social networks in their daily lives, which may result in the disclosure, misuse, and potential use of personal information. Interestingly, about a third of parents in this European study stated they filter their children's internet use, while a quarter specifically said they use monitoring tools. With the increasing use of social networks, many users are unknowingly exposed to threats to both their privacy and their security.

4. Protection of Children's Rights

4.1. Legal Framework in the Czech Republic

The Convention for the Protection of Human Rights and Fundamental Freedoms, which was adopted by the Council of Europe in 1950 in Rome, represents a key source in the wording of the additional protocols regarding protection of human rights in the

13 Livingstone and Haddon, 2011.

Czech Republic (published by Communication No. 209/1992 Sb.). The jurisprudence of the European Court of Human Rights is especially important with respect to family law related to Article 6 protecting the right to a fair trial for everyone; however, above all it is important to Article 8 guaranteeing everyone the right to respect for privacy and family life and Article 14 guaranteeing the prohibition of discrimination. The right to respect for family life is a relative right, that is, it may be subject to restrictions and interventions by the state; if it is not an intervention into the core of this right and further under the conditions that this intervention pursues a legitimate goal, it is carried out by proportionate means and is in accordance with the law.[14]

The Convention on the Rights of the Child, adopted by the United Nations in 1989, is dedicated only to children (published by Communication No. 104/1991 Sb., as amended by Communication No. 41/2000 of the Collection of International Treaties). It is a Convention that has an unusually high number of contracting parties, which testifies to its high acceptability not only by almost 200 states of the world but also by the international community as such. This Convention is often called the Magna Carta of Children's Rights. That is why we classify it as a contract of a general nature. It defines a general list of child rights, which may be divided into: protective rights; rights aimed at ensuring the well-being of the child; rights aimed at the liberation of the child, giving children the same rights as adults; the rights of the child in relation to their parents, as regards the self-determination of the child, or their independence in decision-making.

Foreign literature also talks about the three "Ps", that is, about: protection, provision, participation, or shared decision-making.

Whatever the classification of the rights of the child is, it is necessary to emphasise the application of the Convention to children under the age of 18 if the age of majority is not reached earlier, and especially the main principle of the Convention, which is the interest of the child, or the best interest of the child.[15] The child also has the right to be registered immediately after birth[16] and the right to the care of both parents, or the right not to be separated from them.[17] Finally, anchoring of the child's participation rights shall be underlined, which guarantees the child the status of an active individual who participates in decision-making in their affairs.[18]

It should be emphasised here that not all provisions of the Convention are directly applicable in national law (*self-executing*). Therefore, many of them are amended or paraphrased by legal regulation at the level of national law sources. A number of optional protocols have been adopted by the Convention in the matter of children's involvement in armed conflicts (Communication No. 45/2003 of the Collection of International Treaties), the sale of children, child prostitution, and child pornography (Communication No. 74/2013 of the Collection of International Treaties) and the

14 Art. 8, para. 2.
15 Art. 3 of the Convention on the Rights of the Child.
16 Ibid., Article 7.
17 Ibid., Article 9.
18 Ibid., Article 12.

misleading procedure for submission of notifications by individuals to the *Committee on the Rights of the Child* (Communication No. 28/2016 of the Collection of International Treaties). General commentaries were also issued (in particular, Commentary No. 14 of 2013 on the best interests of the child pursuant to Article 3, paragraph 1 of the of the Convention on the Rights of the Child).

The Constitution of the Czech Republic (Constitutional Act No. 1/1993 Sb., as amended), especially in its Preamble, expresses respect for the values of human dignity and human rights in general. It is stipulated that '*everyone may do what is not prohibited by law, and no one may be forced to do what is not required by law*'[19] and that fundamental rights and freedoms are under the protection of the judiciary.[20] The priority of application of international treaties is also enshrined.[21]

The Charter of Fundamental Rights and Freedoms promulgated as part of the constitutional order of the Czech Republic (under No. 2/1993 Sb.) recognises in its Preamble the natural rights of persons and the generally shared values of humanity. It establishes that all people are free and equal in their dignity and in their rights. Their fundamental rights and freedoms are inherent, inalienable, unlimitable, and irrepealable.[22] The charter prohibits discrimination based on sex, religion, social origin, property, or birth.[23] It states that everyone has the capacity to possess rights[24] and in particular that everyone has the right to life and that human life deserves to be protected before birth.[25] The human dignity of everyone, including children, is also protected and protection against unauthorised interference in private and family life is enshrined.[26]

The key source of family law is the Civil Code (Act No. 89/2012 Sb., as amended). Part Two of the Civil Code, entitled Family Law, is divided into three chapters devoted to marriage (Chapter I), kinship and affinity (Chapter II), and guardianship and other forms of childcare (Chapter III).

Act No. 561/2004 Sb. (regulating pre-school, primary, secondary, higher vocational and other education, as amended) regulates, among other things, the issue of enrolment and attendance of children in schools in connection with the obligation and right of parents to provide education and training as a component of parental responsibility.

The Act regulating Social and Legal Protection of Children (Act No. 359/1999 Sb., as amended) is the key Act that guarantees the protection of the rights and legitimate interests of the child by the state and sets rules and limits for state authorities. It is a public law regulation, of which it has already been stated that its interpretation

19 Art. 2 para. 4 of the Constitution.
20 Ibid., Art. 4.
21 Ibid., Art. 10.
22 Art. 1 of the Charter of Fundamental Rights and Freedoms.
23 Ibid., Art. 3.
24 Ibid., Art. 5.
25 Ibid., Art. 6 para. 1.
26 Ibid., Art. 10 para. 2.

and application is subject to the principle '*within the limits set by law and in a manner determined by law*' (Article 2, paragraph 2 of the Charter of Fundamental Rights and Freedoms). Social-legal protection is provided by social-legal protection bodies (abbreviated as OSPOD). They are the guardian and representative of the child in proceedings such as decisions about childcare, alimony, and so on. OSPOD looks after children at risk; it is responsible for preventive measures in families, mediates substitute family care, or prepares assessments and recommendations for the court. Regional authorities, municipal authorities of municipalities with extended powers, municipal authorities, the Ministry of Labour and Social Affairs, as well as the Labour Office of the Czech Republic are the bodies of social and legal protection. Social-legal protection is further ensured by municipalities with independent jurisdiction, regions with independent jurisdiction, commissions for social-legal protection of children and other legal entities and natural persons if they are entrusted with the performance of social-legal protection.

4.2. The Principle of the Best Interest of the Child

This principle is also an elaboration of the principle of protection of the weaker party. It is generally recognised that a minor child who is not fully autonomous owing to their age, immaturity, dependence, and so on shall enjoy increased protection not only in connection with private law but also with public law regulation.

International treaties use the broader term "*interest of the child*"; therefore, the term "*the best interest or interests of the child*" is the narrower one. The Civil Code uses the terminology "*interest of the child*" (e.g. Article 792 of the Civil Code) and "*obvious interest of the child*".[27]

The Convention on the Rights of the Child, as the *Magna Carta* of Children's Rights, stipulates that the child's interest shall be the primary consideration, or the main or primary point of view in any activity concerning children, regardless of who it is carried out by, even the legislator.[28] However, from the English text and other translations follows the superlative "*the best interest of the child*".

The best interest of the child belongs to the class of indeterminate, or open legal concepts. It is an objective legal term, which shall, however, be interpreted considering the specific circumstances of the case, that is, especially considering all the family ties of a certain child. The best interest of the child should be considered as the primary, priority, and key principle in all matters concerning the child, as the main rule of interpretation and application.[29]

Pursuing the best interest of the child should result in the child's well-being. Moreover, the well-being, or welfare of the child should be regarded as the desired goal towards which any activity concerning the child should be directed, with the

27 Art. 793 of the Civil Code.

28 Art. 3 of the Convention on the Rights of the Child.

29 For further analysis of the concept of the best interests of the child, see: Committee on the Rights of the Child General Comment No. 14 (2013) - The best interests of the child as a primary consideration, CRC/C/GC/14; also: Hofschneiderová, 2017.

child's best interest always being pursued. It is possible to consider the well-being of the child as a condition of positive social and mental feeling, that is, not only as a condition where the child lacks nothing but also as a condition accompanied by valuable experiences. This is a concept that is superior to the child's interest.

As already indicated above, children not only are passive objects of the parental responsibility of their parents, other persons, or the state, but they also have participation rights, which, in addition to partial legal capacity[30], are guaranteed to children in many places[31]. In any decision-making, their participation rights shall be considered and assessed in relation to the above-mentioned principle of the best interest of the child, even if there is a conflict with the principle of the best interest of the child, or interests of other persons.

4.3. Protecting the Child's Privacy

The right to privacy is one of the indispensable and basic human rights. As such, it is enshrined in the Czech legal system in the Charter of Fundamental Rights and Freedoms of the Czech Republic (Act No. 2/1993 Sb.), specifically in Article 7, which states: 'The inviolability of the person and of privacy is guaranteed'. It may be limited only in cases established by law. Furthermore, the right to protection against unauthorised interference in private and family life is also enshrined in Article 10, paragraph 2 of the Charter of Fundamental Rights and Freedoms. Given that the Charter is a universally valid document, the rights recognised in it naturally also apply to children. This fact is also confirmed by the Convention on the Rights of the Child, which in Article 16 grants children the right to a private life, without interference by other persons, and to be protected against such potential interference. The Commentary to the Convention states that we may either consider the right to private life and family life as separate and distinct rights, or prioritise the right to private life over the family; however, both rights should always be subsumed under the general term "right to privacy". Therefore, the child's privacy must be respected, both by their legal representatives and other persons. The protection of privacy is a right that is not absolute, because to a certain extent, the privacy of a person, including a child, is compromised during any contact with another person who has some information about them. Therefore, every intervention in it may not be considered illegal, and negative consequences may not be drawn from it. However, what is important is to what extent and in what way privacy is affected.

One of the possibilities of encroaching on a child's privacy may be, for example, taking a photo of them, but the photo does not have to be further shared on the Internet for the right to privacy to be violated, which was also confirmed by the ECtHR (European Court of Human Rights) in its judgement in the case of *Reklos and Davourlis v. Greece*. The applicants in this case were parents who had a child born in 1997 at a

30 Art. 31 of the Civil Code.

31 Especially Art. 12 of the Convention on the Rights of the Child, as well as Art. 867 of the Civil Code, specifically Art. 806 et seq. of the Civil Code.

private Greek clinic. After birth, the child was placed in a ward where only medical professionals and clinical staff were to have access. The facility also offered its clients newborn photography services, and as part of this offer, a photographer visited the baby and took a picture of them with their face visible. The parents were not satisfied with this approach, as they did not like the disruption of the sterile environment in which the newborn baby was supposed to be, but especially, they did not give consent to the photography. However, the clinic refused to hand over the negatives of the photographs. The parents therefore filed a claim for damages in the national court, but the claim was dismissed for alleged lack of basis, as was the subsequent appeal. The parents therefore brought the case before the ECtHR, where they filed a complaint about insufficient protection of the right to private life. The final judgement in the case was issued on 15 January 2009. The ECtHR recognised in it that the Greek courts acted in violation of the ECtHR, as they did not take sufficient measures to ensure the protection of the child's privacy, to which a photograph of a person undoubtedly applies. According to the Greek law in force at the time, the consent of the legal representatives was subject not only to possible publication of the photograph but also to its taking. As this consent was not obtained in this case, and moreover, the removal of the negatives, which could later be used against the will of those involved, was refused, the dismissal of the claim for lack of merit constituted a legal error on the part of the court.[32]

When applying the right to protect a child's privacy, however, it is probably the most difficult to define it in relation to the child's parent or legal representative. This is where the right to privacy comes into conflict with the parent's right to bring their child up. Strict application of the right to privacy could mean a weakening of the role of parents and thus problems in the functioning of the whole family. There is a generally valid opinion that some aspects of a child's privacy should be respected by parents (e.g. their correspondence), and with increasing age and intellectual maturity, the scope of their privacy should expand. It is about the exercise of parental responsibility, which changes with the growing age of the child.

4.4. Personal Data Protection

Personal data protection is an area that has received more and more attention in recent years, and today there is perhaps no area that is not at least partially affected by this issue. The adoption of the landmark GDPR regulation is the main reason for this.[33] This regulation changed and unified the view on the issue of personal data largely in all sectors and at all stages of their processing, storage, and manipulation. Owing to its wide dispersion, the area of protection of children's personal data was not neglected when creating the GDPR regulation. The importance of protecting

32 *Reklos and Davourlis v. Greece*, Judgement of the ECtHR of 15th April 2009. Complaint No. 1234/05.

33 Regulation (EU) 2016/679, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

children's personal data is already emphasised in the Recitals of the Regulation, where point 38 states the following:

> 'Children merit specific protection with regard to their personal data, as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Such specific protection should, in particular, apply to the use of personal data of children for the purposes of marketing or creating personality or user profiles and the collection of personal data with regard to children when using services offered directly to a child. The consent of the holder of parental responsibility should not be necessary in the context of preventive or counselling services offered directly to a child.'[34]

Furthermore, in the text of the Recitals, specifically in point 58, we also find recommendations for the processing of data relating to children. All information and any communication addressed to the public or to the data subject shall be concise, easily accessible, and easy to understand in a clear and plain language so that children have no problem understanding it. The necessity of transparency and accessibility even for minors is further emphasised in the text of the GDPR regulation itself, namely, in Article 12. Furthermore, it is possible to find a specific arrangement for children's data, for example, regarding the functions of the supervisory authority or the automation of processing. However, the most significant area where a special regulation for children's personal data had to be defined is the area of consent to the processing of personal data, which is necessary for the data to be processed, which is listed in Article 8 of the Regulation. For the ability to express this consent independently, the regulation sets a minimum age limit of 16 years, which the member states may lower based on their own legislation, but not to less than 13 years. Only their legal representative may give consent for children who do not meet this condition. The reason is, of course, that the child is not aware of the risks and consequences that their behaviour and sharing on the Internet may have. It is the duty of the processors of such personal data, such as providers of social networks or computer games, to try to verify as reliably as possible whether the consent was actually given by the legal representative and not by the child themselves.

The regulation faces criticism for the fact that very little attention is paid to the personal data of younger children whose protection is violated by their parents. The regulation, as stated in point 18 of its Recitals, does not apply to the processing of data within the household or of a purely personal nature. Recently, the leakage of personal data through sharing on social networks has been on the rise, while parents often do not even think that they should consider the protection of their children's personal data. This phenomenon is called "sharenting".[35]

34 Ibid., p. 9.
35 Citterbergerová, 2023.

4.5. The Child's Right to Self-Determination

Despite the greater or lesser degree of parental responsibility and powers of the parents, the child is an individual personality enjoying all basic human rights and freedoms. For that reason, they also enjoy the right to express themselves if they do not agree with the violation of their privacy, even if the violator is their parent. As already defined above, the sharing of photos and information on the Internet may also be classified as interfering with privacy. For that reason, if a child does not like any of the photos that their parent or anyone else has posted of them, they have the right to ask them to remove the photo. It is not a matter of course that the publisher will comply with the request. The next step may then be to request that the administrator of the social network on which the content was published to remove it. On most popular social networks, including Facebook and Twitter, the function of submitting a request to remove a photo published against the will of the photographed person is available nowadays. For example, with Facebook, the age of the child is crucial. Until the child is 13 years old, Facebook requires that such a request be submitted by the child's legal representative, which excludes requesting the removal of a photo that the parent has added against the child's will.

The United Nations Children's Fund – UNICEF – does not ignore the issue of sharing and children's rights to self-determination regarding the content that is shared about them on the Internet. Therefore, in 2018, it published a publication titled "Children's online privacy and freedom of expression", which is intended to serve as a kind of guide to the rights of children online, both for themselves and for their parents, as well as for companies that may come into contact with the processing of children's personal data.[36]

If it is a relationship between a parent and a child, there is an exception in the Czech Republic for the protection of personality. This was also confirmed, for example, by the Supreme Court in its justification of the Judgement No. 30 Cdo 3770/2011. It stated that the child has the right to protection against invasion of privacy by their legal representatives; however, this right is not realised through an action for the protection of personality, but through the means of family law regarding parental responsibility with possible interventions by the court. The fact that these rights are not time-barred or subject to preclusion is also specific to the rights and obligations in the relationship between parents and children. However, although there are theoretical options for a child to legally defend themselves against a parent's invasion of privacy, most experts agree that their possible practical application is very uncertain. Both in society and in legal regulations and case law, the opinion has not been anchored yet that the right to protect a child's privacy is a right independent of their parents' idea of where the boundaries of privacy are and that the parent does not always act only as a "protector and guardian" of this privacy, but also as its violator. The prevailing opinion is that legislative changes will be needed in the coming years, the creation of which will have to consider the change in society towards the digital age.

36 UNICEF, 2018.

4.6. The Right to Be Protected From Abuse

Many minors using social media are unaware of the security risks that exist in these types of communications, including privacy risks, identity theft, malware, fake profiles or social bots, as well as sexual harassment. They also reveal personal and confidential information about themselves, their friends and their relationships, whether by posting photos or directly providing information such as an address or phone number.

Misuse of personal data, shared photos and videos or information is considered a form of cyberbullying. Cyberbullying has taken the place of common physical bullying in today's modern, technological and advanced world. Keith[37] defines this phenomenon as follows:

> 'Cyberbullying includes the use of information and communication technologies, such as email, mobile phone, pager, text messages, personal websites or social networks, to encourage intentional, repeated, hostile behaviour by an individual or group that is intended to harm others.'

Černá et al.[38] describe it as intentional aggressive behaviour carried out either by an individual or by a group through electronic media against a person who cannot defend themselves against attacks at a given moment. Cyberbullying may be just as serious in its effects, if not more serious, than traditional physical bullying. Cyberbullying has the same intention as common bullying in the sense that the aggressor is concerned with harming and damaging the victim using force and taking control or dominance. It differs in the way it is executed, namely, by using modern technologies. Nowadays, children communicate through modern technologies and are thus away from the direct supervision of adults. Therefore, this form of bullying is even more difficult for parents or other adults to detect.

The organisation "People in Need"[39] states that, according to research, 15% of pupils and students across Europe have encountered or directly experienced cyberbullying, and 22% of pupils and students have directly experienced it in the Czech Republic. We distinguish between several types of cyberbullying.

One of them, sexting, is becoming a growing problem. Sexting means sending or sharing one's own photos, videos, or texts with sexual or erotic content through modern communication technologies. The user of the social network then places them on the Internet in a profile on the social network or sends them directly via chat, SMS, or email to a specific person. The sending of these photos and texts may take place between peers, partners, or strangers on dating sites and social networks. Children and teen users do not realise that by sending photos and texts with sexual content, they expose themselves to blackmail, abuse, or public ridicule later by the recipient.

37 Keith and Martin, 2005, p. 224.
38 Černá, 2013.
39 People in Need organisation. Program: Více našlich webü, 2009.

Sexting with children is considered a criminal offence of spreading child pornography and endangering moral education.[40] This type of erotically themed content is highly sought after on the Internet. Sexting is also associated with other phenomena, such as blackmail in the form of threatening to send photos to close people.

Another problem is cybergrooming. The goal of cybergrooming is to create false confidence in a child and lure them into a meeting where they can then be sexually abused. Most often, cybergrooming takes place in chat rooms (dating rooms, public chat). Grooming refers in a broader sense to several types of manipulative behaviour.

The very phenomenon of online sexual abuse is not defined in the Acts of the Czech Republic; however, it may be based on, for example, Article 186 of Act No. 40/2009 of the Criminal Code regulating the crime of sexual coercion. This is defined as 'forcing to sexual intercourse, masturbation, exposure or other comparable behaviour using violence, threats of violence or other serious harm'. Article 202 of the Criminal Code regulating the crime of seduction for sexual intercourse, while the perpetrator offers a child a payment, advantage, or benefit in exchange for sexual intercourse, masturbation, exposure or other behaviour for the purpose of sexual satisfaction of the perpetrator is also of importance here. For example, Article 193 of the Criminal Code regulating the abuse of a child to produce pornography or Article 193b of the Criminal Code regulating establishing illicit contacts with a child, which primarily includes personal meetings between an adult and a child are other relevant provisions.

Child pornography of course, existed before the creation of the Internet. It is not possible to say unequivocally whether the advent of the Internet has boosted the demand for child pornography and expanded the existing market, or whether it is merely satisfying the market in new ways that would certainly exist even without cyberspace. However, the Internet provides an environment for the dissemination of child pornography and the creation of an expanding market for its consumption. It allows offenders to easily produce, view, store, and distribute child pornography. The Internet also serves as a means of communication between perpetrators and acts as an intermediary for contact with potential victims. Child pornography is regulated in the Criminal Code as a ban on the production and other handling of child pornography[41], dissemination of pornography[42], and abuse of a child to produce pornography[43].

40 Spreading pornography according to Section (§) 191 of the Criminal Code, production and other handling of child pornography according to Art. 192 of the Criminal Code, seduction to sexual intercourse according to Art. 202 of the Criminal Code, jeopardising the education of a child according to Art.201 of the Criminal Code, abusing a child for the production of pornography according to Art.193 of the Criminal Code and establishing illicit contacts with children according to Art.193b of the Criminal Code (Act No. 40/2009 Sb. of the Criminal Code).

41 Art. 192 of the Criminal Code.

42 Ibid., Art. 191.

43 Ibid., Art. 193.

5. Regulation of Digital Platforms

In simple terms, it may be said that the means of communication are currently being transformed (from ordinary forms of communication to online communication), which creates pressure to adapt legislation in many areas. For the area of social networks, it is true that these digital platforms are increasingly beginning to fulfil the function of a kind of new public space, which is effectively managed by them (especially in the form of content regulation). However, public space (in its ordinary "offline" meaning) is traditionally associated with a certain form of public law regulation, or with a certain public interest.

The growing importance of social networks then represents a clear challenge for the concept and protection of the rights of individuals in this new space (especially freedom of expression), and the related question (form and degree) of state interference in relation to social networks. The regulation of content carried out by social networks does not, however, seem to consist only of the fulfilment of legal obligations or the application of certain business models. In recent years, influence on the content of social networks clearly motivated by public interest may also be noted. The rules of social networks regulating freedom of speech following the spread of misinformation regarding the COVID-19 disease may be a recent example of this effect.

By its very nature, the public interest should not be an individual interest, but the interest of a certain social group, or a social (or potentially even societal) interest. Sometimes, in this context, we also talk about general interest. When it comes to social networks, there are many levels of public interest. A priori, the public interest in the context of social networks may be identified with the interest of their users, that is, the public. The protection of legitimate (legal) interests of social networks is also undoubtedly a dimension of public interest (or one of the potentially conflicting public interests). After all, social networks themselves (such as so-called online or digital platforms) may be understood as a "product" of public interest in the form of technical development. However, the fundamental question is who should promote the public interest in the context of social networks. At the moment, one may identify clear ambitions of the most influential social networks to regulate their content (also) for the sake of protecting the public interest, without simultaneously dealing with cases that result from a certain legal obligation of the social networks.

6. How Parents Can Protect a Child from the Pitfalls of the Internet By Exercising Parental Responsibility

Within the concept of so-called digital parenting, an active parent is the most important actor who shall participate most significantly in the prevention of negative phenomena associated with Internet abuse. Digital parenting is simply a concept of education in which the parent actively supports the development of their child's

information and communication literacy but also develops other components of their personality (especially social skills, critical thinking, media literacy, etc.). The main recommendations for parents are to be interested in children and their activities on the Internet from an early age, especially in the case of young children, to technically restrict children's access to the Internet, and to possibly monitor their activities. It makes no sense to prevent children from using the Internet and computers; on the contrary, it is necessary to offer such applications that may enrich the child – for example, games that support social skills or develop intelligence.

In digital parenting, the greatest emphasis is placed on the parent thoroughly explaining to the child how to safely and positively use modern technologies. To change this situation, it is necessary to actively work with children, to devote time to them, to allow them to gain experience and to increase the level of their social skills. Mainly the parents themselves are the fundamental link in this change. The parent also becomes the primary intermediary through whom the child learns about the world. At an early age, a child may be taught basic principles they will use later in life – for example, verifying information, being careful about what information to reveal about oneself to others, how to behave in a safe way on the Internet, and what risks involved on the Internet one may encounter. Just as a parent teaches a child that they shall not, for example, cross the road when there is a red light, the principles of safe use of IT technologies should be instilled in the child from an early age, as well as follow the principles intended for the parents themselves: for example, to activate the parental filter on the child's computer and filter out inappropriate content (e.g. pornographic websites), protect the computer with an antivirus, place the PC in a publicly accessible place in the home (and only later move it to the children's room), explore the virtual world together with the child, set rules for the child's use of the computer/laptop or tablet (e.g. length, frequency, purpose of use), set the child's privacy on social networks while ensuring that their profile is a non-public and unknown one to avoid suspicious people writing to them.

These rules change with the increasing age of the child; for example, from around 9–10 years of age, children start actively using social networks, start sharing their own materials – photos, videos, communications with other users – and gradually become interested in human sexuality. It is therefore necessary to adapt the rules to the current situation – the child will gradually demand their privacy, demand that they have a computer in their room, and so on. During this period, children distance themselves from their parents, and it is therefore necessary for parents to be sensitive to potential problems, such as the development of addictions, bullying, etc. Kolář[44] appeals to parents: '*Due to the seriousness of this problem and its future consequences, it is important for parents to be aware and recognize that something is wrong with the child*'. The child needs to feel supported and helped to find a solution.

Parents should install safe home computer software, especially with an antivirus programme, and a firewall and legal software purchased with a valid licence and

44 Kolář, 2001.

properly updated. They should avoid some problematic situations themselves, such as visiting dubious websites, allowing the installation of various "add-ons" offered on websites, clicking on unknown links, opening attachments/links in e-mails from an unknown person, using simple passwords, or not using passwords at all.

When parents discover that a child has discovered illegal content on the Internet, they may report it, for example, using the contact form STOP Online.[45] They may also contact the Police of the Czech Republic directly, where there is a special department dealing with internet crime. In the case of harassment by a stranger via the Internet or in the event of cyberbullying, contacting the Police of the Czech Republic is also recommended. Cyberbullying, which takes place in the school environment is the responsibility of the respective school.

If we are talking about sharenting as a phenomenon that is typical of a relationship between a parent and their minor child, the legal quality of the relationship between the child and parent changes as soon as the child acquires full legal capacity. The essence of this change lies in the fact that the child is able, not only *de facto* but also *de jure*, to make decisions about their rights and obligations and to defend themselves if others interfere with their rights.[46] Children are the subject of privacy law. Parents can deal with their privacy but are limited by the law in this possibility. The protection of the rights of the child is limited by the provision of information to the child, the expression of the child's opinion and, last but not least, the child's ability to apply to the court or to a social and legal protection body for children.

7. Mobile Phones in Schools

In the Czech environment, the question of how to regulate the use of mobile phones by children in the school environment has resonated very strongly in recent years. For example, there is the question of whether to ban mobile phones during classes and during breaks, or whether to limit the ban only to classes, but not to breaks.

The above-mentioned research[47] showed that the majority of children (53.3%, 14,486 children) are allowed to use mobile phones at school during breaks and prohibited from using them during classes. However, they may also be allowed to use the mobile phone in classes upon the instruction of the teacher – in cases when the mobile phone becomes a didactic teaching aid/tool. However, a large number of children (41.20%, 11,198 children) are prohibited from using mobile phones at school even during breaks.

The amendment to the Education Act[48] No. 284/2020 Coll., effective from 1 October 2020, inserted a new paragraph 3 into Section 30, which explicitly states that 'School

45 Stop online, n.d.
46 Sehnálek, 2023.
47 Kopecký and Szotkowski, 2019.
48 Act No. 561/2004 Coll., on pre-school, primary, secondary, higher vocational and other education (Education Act), as amended.

rules or internal regulations may restrict or prohibit the use of mobile phones or other electronic devices by children, pupils or students, except for their use to the extent necessary for medical reasons'. Therefore, the Headteacher can currently also prohibit the use of mobile phones or other electronic devices altogether (including during breaks, free periods, etc.). If a pupil breaks the school rules by using a mobile phone during a lesson, the teacher has the right to confiscate the mobile phone for the remainder of the lesson, if this is so defined in the school rules. However, at the end of the lesson or school day (if the teacher assesses that the pupil will continue to use the phone despite the prohibition), the teacher must return the phone to the pupil and must not ask for it to be unlocked because that would interfere with the pupil's privacy. This will prevent the teacher from further disturbing the lesson, or from further cheating or inappropriately invading the privacy of others (e.g. by filming them). The removal of mobile phones must be reasonable and proportionate and should always be supported by the school rules.[49] Therefore, if a school imposes a blanket ban on the use of mobile phones or similar devices in its school rules, including during breaks, and free periods, it is complying with the Education Act. Specific cases, such as serious, repeated cyberbullying, which cannot be prevented in any other way, may also be grounds for a blanket ban on the use of mobile devices, because, according to the provisions of Article 30(1)(c) of the Education Act, conditions for the safety and health protection of children, pupils, or students and their protection from socially pathological phenomena and from acts of discrimination, hostility, or violence can be ensured by means of school rules.

There are some statements circulating on the Internet[50] that a teacher is not entitled to confiscate a student's items. The rules for the use of personal effects may be regulated by the school rules in accordance with Article 30(1)(a) of the Education Act. According to that provision, the school rules shall regulate the details of the exercise of children, pupils and students' rights and obligations and their legal representatives in the school or educational establishment and the details of the rules of mutual relations with the staff in the school or educational establishment. The issue of the use and regulation of mobile telephones in the classroom should not be viewed solely through the lens of ownership of the object, but from the perspective of pedagogical and educational action in school establishments. In principle, regulation at school level should have an educational dimension and, therefore, even when considering the regulation of mobile phone use in a particular school, there should be a discussion of when such regulation is positive and still has an educational dimension, and when it is just a one-sided ban without respect for the context of the role that mobile phones play in the lives of young people. Often, they no longer even pay for their snacks without a phone. Concurrently, it is useful to explain to students why the regulations occur and why they are necessary and appropriate. Equally, it is very important to

49 To avoid liability for damage to the phone, the best solution is to remove the phone from the student and place it on the teacher's desk.
50 Štěpán, 2024.

discuss the issue of correct use of mobile phones in different social situations and places, as well as the issues of working safely with mobile devices and moving safely online. The attitude and approach of pupils' legal representatives is also important.

The restriction on the use of mobile phones during class corresponds with the pupil's right to education under Article 21(1)(a) of the Education Act, which presupposes that he or she will not be disturbed during class, and with the obligation of pupils to receive a proper education, in accordance with Aritcle 22(1)(a) of the Education Act. Another reason may be the desire to ensure the legally guaranteed right of other pupils or school employees to protection of their personality or privacy pursuant to Article 81(2) of Act No. 89/2012 Coll., Civil Code, as amended. Of course, even if the use of mobile phones during breaks and free periods is allowed, the right to privacy of others (pupils and school staff) must not be violated (e.g. by pupils filming or photographing someone on their mobile phone without their consent during a break or free period when they can use their mobile phone). However, it should be stressed that the school cannot ban phones that are switched off in the bag; only their use can be banned.

8. Public Administration in the Area

State intervention is also important in the prevention of internet crime targeting children. In the Czech Republic, the prevention of risky behaviour is coordinated in parallel by several ministries – for example, the Ministry of Education, Youth and Sports focuses on so-called school prevention, the Ministry of the Interior on so-called crime prevention, the Ministry of Health on so-called health prevention, and so on. Individual prevention systems are implemented in parallel, and although they focus on similar topics, mutual communication and coordination of individual activities often fail in practice. Additionally, prevention is also dealt with by supra-departmental bodies, such as the Government Council for Coordination of Anti-Drug Policy at the Government Office and the Republic Committee for Crime Prevention at the Ministry of the Interior – all relevant departments are then represented in these bodies. Cooperation, unification of approaches and coordination of activities in the given area across departments is the goal of the working groups. The Ministry of Education, Youth and Sports also methodically leads and coordinates the network of school coordinators, which is made up of regional school coordinators of prevention, prevention methodologies, and school prevention methodologies. In particular, school prevention methodology is the key actor in the prevention of risky behaviour at the school level. The school prevention methodologist performs methodological, coordination, information, and advisory activities; their work mainly includes the preparation and implementation of preventive programmes for the given school and school facilities that are part of the school education programme.

The National Cyber and Information Security Agency (NÚKIB), whose executive element is the National Cyber Security Center (NCKB), is the manager of cyber security.

9. Conclusion

Children cannot be banned from the Internet. It is the responsibility of adults, both parents and especially schools to teach them how to navigate digital space, to know its risks, and to seek help if necessary. The Internet is attractive to children mainly because it brings them entertainment. They listen to music, watch films, or communicate with friends on social networks, mainly on Facebook or Instagram. The vast majority of them also use the Internet to prepare for school. Even the youngest children, specifically a third of children between the ages of 9 and 10, have fun with friends and acquaintances through social networks. From the age of 13, it is almost a matter of course to be a member of one of the social networks. Almost 80% of children between the ages of 13 and 14 and almost 90% of children between the ages of 15 and 16 are on Facebook.

Many non-profit organisations in the Czech Republic deal with the protection of children on the Internet, such as AVAST, which teaches children how to behave on the Internet with its Be safe online project[51]; it is also used by the Ministry of Education as a recommendation subject matter for schools. Furthermore, this protection is ensured by the organisations named E-bezpečí (E-safety),[52] Linka bezpečí (Helpline),[53] and the Safer Internet Centre.[54]

The main objective of the study was to determine the legislative limits of the definition and fulfilment of the concept of digital behaviour of the child. In my opinion, the primary responsibility for protecting the rights of the child in cyberspace lies with the parents, related to the exercise of their parental responsibility. The legal limits of determining the best interests of the child are given; it is up to adults how they will protect them.

51 See: https://www.avast.com/cz/besafeonline/ (Accessed: 3 August 2025).
52 See: https://www.e-bezpeci.cz/index.php/component/tags/tag/poradenstvi (Accessed: 3 August 2025).
53 See: https://www.linkabezpeci.cz/?gclid=EAIaIQobChMIm_SDtYD9gQMVy-Z3Ch1zRgxNEAAYASABEgJslvD_BwE (Accessed: 3 August 2025).
54 See: https://www.bezpecnyinternet.cz/cs/ (Accessed: 3 August 2025).

Bibliography

Citterbergerová, A. (2023) 'Protecting children's right to privacy in the social media sphere: sharenting in the European law perspective', *Jurisprudence*, 2023/3, pp. 22–32.

Černá, A. (2013) *Cyberbullying: a guide to a new phenomenon*. 1st edn. Praha: Grada.

Dixon, S.J. (last update 2025) Most popular social media networks worldwide as of February 2025, by number of monthly active users, *statista,* 26 March [Online]. Available at: https://www.statista.com/statistics/272014/global-social-networks-ranked-by-number-of-users/ (Accessed: 1 October 2023).

Hofschneiderová, A. (2017) 'O konceptu nejlepšího zájmu dítěte', *epravo.cz*, 17 October [Online]. Available at: https://www.epravo.cz/top/clanky/o-konceptu-nejlepsiho-zajmu-ditete-106509.html (Accessed: 3 August 2025).

Keith, S., Martin, M.E. (2005) 'Cyber- bullying: Creating a culture of respect in a cyber world', *Reclaiming children and Youth*, 13(4), pp. 224–228.

Kolář, M. (2001) *Bolest šikanování.* 1st edn. Praha: Portal.

Kopecký, K., Szotkowski, R. (2019) *České děti v kybersvětě*. Olomouci: Univerzita Palackého v Olomouci [Online]. Available at: https://o2chytraskola.cz/vyzkumy/ceske-deti-v-kybersvete (Accessed: 3 August 2025).

Livingstone, M., Haddon L (2011) 'EuKids Online: Final Report', *Zeitschrift fur psychologie – Journal of psychology*, 217(4), pp. 236–239; https://doi.org/10.1027/0044-3409.217.4.233.

Sehnálek, D. (2023) 'Sharenting and children's privacy protection in International, EU, and Czech law: Parents, stop sharing! Thank you, your children', *Central European Journal of Comparative Law,* 4(1), pp. 111–132; https://doi.org/10.47078/2023.1.111-132.

Štěpán, R. (2024) 'Mobil jako soukromý majetek: Učitel ho žákovi dlouhodobě zabavit nesmí a pravidla se dají ohýbat', *Epenize,* 26 January [Online]. Available at: https://www.epenize.eu/mobil-jako-soukromy-majetek-ucitel-ho-zakovi-dlouhodobe-zabavit-nesmi-a-pravidla-se-daji-ohybat/2 (a teacher may not confiscate a mobile phone as private property in the long term) (Accessed: 3 August 2025)

Stop online (n.d.) 'Ohlaste nezákonný obsah', *stoponline.cz* [Online]. Available at: https://www.stoponline.cz/cs/ (Accessed: 3 August 2025).

UNICEF (2018) *Children's online privacy and freedom of expression*. New York: UNICEF [Online]. Available at: https://www.unicef.org/childrightsandbusiness/media/291/file/UNICEF-Childrens-Online-Privacy-and-Freedom-of-Expression.pdf (Accessed: 3 August 2025).

Více našlich webü (2009) 'Kyberšikana a její prevence' [Online]. Available at: https://www.clovekvtisni.cz/kybersikana-a-jeji-prevention-103pub (Accessed: 23 January 2021).