

THE EUROPEAN UNION'S PROGRAMME FOR MACEDONIA

SUSTAINABLE SYSTEM FOR CONTINUOUS PRIMARY AND
SECONDARY EDUCATION FOR PRINCIPLES OF
PERSONAL DATA PROTECTION

Letter of Contract N° IPA/TAIB2009/4.2/LOT7/05

ANALYSIS REPORT ON THE STATE OF PLAY IN THE AREA
OF EDUCATION WITH COMPARATIVE EXPERIENCES
FROM EU AND BEYOND

Prepared by Borivoj KOS
Ljubica PNDAROSKA

April 2013



The project is financed by
the European Union



The project is implemented
by IBF International Consulting

“The contents of this publication are the sole responsibility of the author/contractor/implementing partner and can in no way be taken to reflect the views of the European Union.”

TABLE OF CONTENTS

ACKNOWLEDGEMENTS.....	4
1. INTRODUCTION.....	4
2. BASIC PARAMETERS OF THE ANALYSIS.....	5
3. HUMAN RIGHTS AND FREEDOMS AS INTEGRAL PART OF THE EDUCATIONAL PROCESS .	5
4. THE RIGHT TO PROTECTION OF PERSONAL DATA IN PRIMARY AND SECONDARY EDUCATION IN TARGETED COUNTRIES	7
4.1 THE INVOLVEMENT OF THE PROTECTION OF PERSONAL DATA IN TEACHING COURSES AND CURRICULUMS	7
4.1.1 THE MANNER AND THE LEVEL OF INVOLVEMENT OF PERSONAL DATA PROTECTION	7
4.1.2 THE EXTENT OF INVOLVEMENT AND ASPECTS OF THE PROTECTION OF PERSONAL DATA IN COURSES AND CURRICULUMS	9
4.1.3 EDUCATIONAL MATERIALS AND TEACHING PROCESS	10
5. CONCLUSION.....	12
ANNEX 1: REQUEST FOR INFORMATION REGARDING THE PROTECTION OF PERSONAL DATA IN PRIMARY AND SECONDARY SCHOOL.....	14

ACKNOWLEDGEMENTS

"Someone has opened an profile on some of websites for socializing and entertainment, such as Facebook, Hi5, MySpace, friends etc., has fill in the empty spaces for full persons' presentation. Beside the name and surname, leaving data on gender, age, eye color, height, weight, and place of residence, and attached a few photos. Clearly, these data much reveal personality and in some cases can cause a problem, especially since it is left information on the place of residence. But, the story does not end here. It is actually the beginning. The problem, is that the child to whom the personal data really belong to, have not created that profile. Actually, someone else did it. The child neither agreed, nor knew that the profile was created for him. Naturally, the child reacted as soon as he learned that someone like him (with same data) exists as a profile on the Internet, after which he immediately addressed to the responsible persons of the website. But, they didn't react properly. So, the child has decided to report the case to the Directorate for personal data protection, which has immediately managed the deletion of the profile.

Of course, this is not a complete solution, because while the profile was active, someone might have intercepted these data, which means that the data can be subject of abuse in some future situations. Therefore, we should be careful what we say about ourselves to the public, because as soon as it becomes available online, even when it is not there forever, can leave traces of a very long period."¹

1. INTRODUCTION

An abovementioned excerpt encourages the thinking on security and confidentiality of personal data of citizens, because personal data are inextricably linked, or more precisely - they determine the identity of the individual. Hence, they are an essential component of the right to privacy, which "stalking" many dangers and possible abuses, in a present situation of advanced technology, various high-developed forms of communication and exchange of information! In addition, the fact that out of 385 complaints submitted to the Directorate for Personal Data Protection in 2012, 207 were referred to the misuse of personal data on social networks!²

The misuse of the advanced technology and forms of communication, which can result in serious injury to the security and confidentiality of personal data, often "affects" the youth population, as the most frequent user of the pointed opportunities and services!

Hence the need to take comprehensive action to raise awareness and knowledge among children and youth in the protection of their personal data. The practice confirms that the best "cure" against possible abuse is the prevention, consisting of continuous and systematic education of children and young people to protect their privacy in its broadest sense. In this regard, it is useful to consider the cases of involvement of data protection in the educational system of some EU-member states, as well as other countries that show successful results in practice.

¹ Excerpt from the text of the Directorate for Personal Data Protection of the Republic of Macedonia: "True events of Macedonia", <http://www.dzlp.mk/sites/default/files/Vistinski%20slucai%20vo%20Makedonija.pdf>

² Report of the Directorate for Personal Data Protection for 2012, http://dzlp.mk/sites/default/files/Dokumenti/Godisen_izvestaj/Godisen_izvestaj_2012_DZLP.pdf

2. BASIC PARAMETERS OF THE ANALYSIS

The subject matter of the analysis is the situation in primary and secondary education in the targeted countries, in terms of the inclusion of the principles of personal data protection in the educational process, in teaching courses and curriculums.

Through the presentation of the applied solutions and best practices, the ultimate goal of the analysis is to recommend the best possible approach for incorporation of the principles of personal data protection in primary and secondary education in the Republic of Macedonia.

The analysis is based on data obtained in direct communication with the authorities for personal data protection in indicated countries - by answering a unified questionnaire regarding the protection of personal data in primary and secondary education,³ as well as on the basis of information obtained through internet research.

The analysis will be accomplished by answering a few basic questions, particularly in relation to: the manner and the scope of the studying human rights and freedoms; the manner and the level of inclusion of personal data protection in studying courses and curriculums; the extent of involvement of the protection of personal data in primary and secondary education; the aspects and the issues related to the protection of personal data that are embedded in the curriculum; sustainable mechanisms for continuous education of pupils in primary and secondary schools; appropriate practical methods for easy transfer of knowledge for the protection of personal data to pupils.

Target group are members of the European Union and some other countries in Europe and beyond, which have experience in inclusion of personal data protection in the educational system, and effective mechanisms for raising awareness among pupils about the importance of the right to privacy as fundamental human right.⁴

3. HUMAN RIGHTS AND FREEDOMS AS INTEGRAL PART OF THE EDUCATIONAL PROCESS

Human rights are basic standards without which people can't live a dignified life. They belong to every human being by the fact of his birth as such! They are inherent to human nature, universal, inalienable, indivisible and absolute! Hence, why it is necessary and useful to study human rights, from the earliest age, should not even be talk about it!

The international community has increasingly expressed consensus on the crucial contribution of human right education (HRE) to the realization of human rights as well as to the long – term prevention of human rights abuses and violent conflicts. In the school system, HRE is an important component of the right to education, as it enables the education system to fulfill its fundamental aims

³ In addition, a Questionnaire regarding the protection of personal data in primary and secondary schools.

⁴ Denmark, Estonia, Italy, Poland, Portugal, Slovakia, Slovenia, the United Kingdom, Norway, and Canada, Mexico, New Zealand.

of promoting the full development of the human personality and appreciation of human dignity, of strengthening respect for human rights and of delivering a quality education for all.

The above reasons were basic "motivator" for the adoption of the Declaration on Human Rights Education and Training of the United Nations (19 December 2011), which not only provides for the inclusion of human rights in compulsory education, but specifies how ("through human rights, which includes learning and teaching in a way that respects the rights of both educators and learners") and also why ("for human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others").⁵

Examining the experiences of the mentioned countries, generally, it can be concluded that their educational systems include the study of human rights and freedoms. The differences relate to the following: 1) courses or subjects in which human rights are incorporated, 2) scope of the study, 3) perspective of the study and 4) compulsoriness of the human rights' study.

Usually, human rights are included within school courses "Civic Education" and "Ethics", as is the case with Slovenia, Estonia, Portugal, Denmark, Canada, Mexico. In Italy, the basics of human rights in primary education are taught from a constitutional perspective within the subject "Citizenship and the Constitution", and its international dimension, in terms of the most important international acts, is studied within the same subject in secondary schools. Different model is applied in Poland, where various aspects of human rights are taught as thematic units in different subjects (Civic Education, History, Ethics, Education).

The education systems of most of the countries have committed themselves to the study of human rights and freedoms of the general level, through a fundamental review in accordance with the European Convention on Human Rights and the Universal Declaration of Human Rights (e.g. Estonia, Denmark, Slovakia, Italy). As a different example should be mentioned Portugal, where detail attention is paid to some specific human rights that are considered essential for the realization of other rights (in this context and the right to privacy). It is worth mentioning the example of Italy, where both the constitutional and the international human rights perspective, as well as its practical implications of their achievement / failure is involved within the curriculums. "Right Here, Right Now" is an approach established in the United Kingdom, which seeks the concept of universal human rights to be related to everyday life and experiences of students.⁶

Without any exception, the analysis has shown that human rights and freedoms in all countries are studied in the framework of compulsory subjects, as confirmation of their importance and impact on the united personality.

⁵ For more details see: "Human Rights Education in Primary and Secondary School Systems: A self-assessment Guide for Governments, United Nations Human Rights-Office of the High Commissioner, United Nations Educational, Scientific and Cultural Organization.

⁶ By connecting the following three aspects of learning: Research on human rights as they are shown in the basic international documents, then research the relevant domestic issues from the perspective of human rights and ultimately the development of a concrete plan for taking civil action on a human right.

4. THE RIGHT TO PROTECTION OF PERSONAL DATA IN PRIMARY AND SECONDARY EDUCATION IN TARGETED COUNTRIES

In the introductory part of the analysis has already been "cleared" the dilemma about the meaning and importance of the security and confidentiality of personal data as a human right, especially in reality of rapid advances in technology, of various forms of communication and exchange of information in a "split second"! As an essential component of the right to privacy, the protection of personal data was raised to the rank of a constitutionally guaranteed right in all countries with democratic inclinations.

The development of awareness with regard to privacy and the need to protect one's personal data as a component of citizenship is linked to the fostering of other positive attitudes and values such as concern for human rights, concern for the common good and respect for the rule of law. An awareness of how technology can affect an individual's privacy is also a core aim.

Hence the need for a comprehensive social action to raise concerns about privacy, start from those most commonly exposed to possible threats to the security of personal data, while at least aware of it - children and young people! In addition, the study conducted in England In 2011 on a sample of 4000 students,, according to which "freedom of information, privacy of users and the protection of personal data, are three things that young people often barely show care about!⁷ The educational system "teach" the children how to write documents or to create interesting computer presentations, but don't educate them about the crucial activities on the Internet, due to that ignorance they may be a victim of various negative consequences! Ironic, is not it? In this regard, the greatest contribution can be the education system which will incorporate basic and tailored knowledge on the protection of personal data.

4.1 THE INVOLVEMENT OF THE PROTECTION OF PERSONAL DATA IN TEACHING COURSES AND CURRICULUMS

4.1.1 THE MANNER AND THE LEVEL OF INVOLVEMENT OF PERSONAL DATA PROTECTION

Starting from the need to raise awareness for the protection of privacy, the analysis showed that most countries already have included the study of the basics of the protection of personal data within the primary and secondary education.

⁷ The survey, conducted by "The Information Commissioner's Office" found that 88% of respondents from high school and 39% of respondents from primary schools have established personal profiles some of the social networks. Furthermore, more than two / thirds of respondents did not read the rules of the privacy policy of the website, one / third hand does not know what the concerns of privacy pololitikata website.

However, differences were recorded in terms of how to include the principles of personal data protection in the education of children and youth.

One of the possible approaches is direct - by incorporating issues related to the protection of personal data in the curriculum in certain school courses. Such was the case with Slovakia, where according to the National Strategy and Plan for Human Rights Education (2005 - 2014), the grounds of the protection of personal data is studied in the framework of the school course "Ethics". In Italy, however, the right to protection of personal data is enshrined as a thematic unit within the subject "Citizenship and the Constitution." In Poland, the protection of personal data is incorporated as teaching material, which has been studied in specific ways within different courses.

Some countries have determined to introduce data protection by taking informal educational activities, for example:

- Through lectures and workshops conducted in cooperation with the competent authorities for the protection of personal data;⁸
- Through educational packages for privacy protection, prepared by the competent national authority for the protection of personal data, which are used depending on the needs of teaching process;⁹
- Through the prepared books, compilations of articles and publications on the protection of children and teens on the Internet, especially in terms of using social networking websites;¹⁰

Special attention deserves the example of Ireland, where the Office of the Commissioner for Personal Data Protection, in cooperation with the Bureau of curriculum development at the Ministry of Education has prepared a Manual for Civic, Social and Political Education - "Sign up, Login, Opt out-Protecting your privacy & controlling your data ", for primary and secondary education.¹¹

The analysis demonstrates a common characteristic feature of educational systems in all targeted countries - the protection of personal data is included exclusively within the framework of human rights, not at all mentioned in the curriculum of subjects related to computer operations and computer programs.

Another common feature that is important: when creating any educational content relating to data protection of individuals in all countries, without exception, were actively involved and participated competent authorities for the protection of personal data.

⁸ Slovenia, where schools work with Safe.si - National Center for Awareness, which promotes awareness and support towards the care and education of children and youth to use the Internet and new on-line technologies (<http://english.safe.si/>), and Estonia, where the Data Protection Inspectorate cooperates with teachers who teach "Civic Education" and train as appropriate to inform students about the risks to their personal data and the behavior of social networks.

⁹ Norway, where the Personal Data Protection Authority, in cooperation with educational authorities, has developed an educational package on-line privacy and teachers can free to order brochures or use them directly via the Internet, <http://dubestemmer.no/en/> and New Zealand, where the Office of the Privacy Commissioner in 2009 created a set of materials for privacy, exclusively for young a population, <http://privacy.org.nz/youth/>.

¹⁰ Mexico, prepared by the Federal Institute for Access to Public Information in cooperation with the Institute for Justice, <http://www.ifai.org.mx/Publicaciones/publicaciones>.

¹¹ Detailed manual, in the section devoted to personal data protection aspects.

Moreover, the educational systems have shown increased attention regarding the possible risks and dangers to individual privacy in the use of advanced technology, especially in terms of social networks.¹²

4.1.2 THE EXTENT OF INVOLVEMENT AND ASPECTS OF THE PROTECTION OF PERSONAL DATA IN COURSES AND CURRICULUMS

When analyzing the representation of the right to protection of personal data in the curricula of primary and secondary education, it is necessary to determine two basic dimensions: 1) the extent of studying the right to protection of personal data and 2) specific issues and aspects of data protection included in curriculums.

The right to protection of personal data is studied general level and in a very limited scale in the educational systems of countries indicated. The study process amounts to a theoretical transmission and elaboration of the content of the right, as defined and regulated under the relevant international acts.¹³ General impression that missing more practical education of students, as well as their active involvement in finding solutions to specific problems and risks associated with violation of security and confidentiality of personal data. Indeed, the main objective of education for the protection of personal data is to enable students to recognize potential risks to their personal data in everyday life and respond appropriately to the challenges.

A comprehensive, useful and very interesting solution offers the mentioned Handbook published for the purposes of education in Ireland "Sign up, Log in, Opt out - Protecting your privacy & controlling your data", aimed to raise awareness among young people of their right to privacy, the importance of taking control of their personal data, their rights they have when it comes to how their personal information may be collected or used. It incorporates various issues related to the protection of personal data that are meaningful, relevant and tailored to the age and needs of children and young people:

- ✓ Right to privacy in general;
- ✓ Right to protection of personal data as separate segment;
- ✓ Rights, obligations and responsibilities relating to and arising from the protection of personal data and
- ✓ Role of technology in everyday life and its practical implications in terms of privacy.

It offers a practical approach to the education, that includes case studies, educational short films, specific discussion topics, interactive games, scenarios, and research for students, creative games.

The applicable value increases even more, having in mind that the manual is designed so it can be used in various educational programs, or to adapt for use in different subjects, depending on the teacher's choice which parts of the manual will be studied in combination with other sources and learning materials.

¹² <http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/1620207>

¹³ Italy, Slovakia, Estonia, Denmark, Norway and others.

4.1.3 EDUCATIONAL MATERIALS AND TEACHING PROCESS

Each issue, depending of its characteristics, imposes specific way of treatment, especially when we are talking about studying of specific thematic issues within the education system. The way of transferring the knowledge, involvement of students in the entire process, as well as educational materials used, must be tailored to the age of the students, the characteristics of the educational system and the needs of modern living.

The analysis shows that the type of educational material which is intended for teaching process, should be determined depending on the way of inclusion of the principles of personal data protection in the education of children and youth, respectively whether through incorporation of issues related to the protection of personal data in the curriculum in certain courses or by taking informal educational activities.

For example, in Italy, the right to protection of personal data is embedded within the compulsory textbook "Citizenship and Constitution", but, the curriculum is not limited solely to this material, namely, the educational system respects the freedom of teachers to use other sources as well. In this sense, many of the primary and the secondary schools have shown interest in the brochure for behavior on social networks "Social Network: Watch out for side effects".¹⁴ This brochure is a very useful tool because it covers the most popular social networks through specific questions and answers related to the protection of personal data. Also, there are some other materials prepared by the competent authority for the protection of personal data: the Video tutorial and questionnaire for evaluation of the level of awareness regarding the protection of personal data. In order to raise awareness of the privacy among students, the 2011 reward contest was conducted for making a short film about the awareness for potential threats to the privacy of youth.

A similar method is used in Slovakia, where the material for the protection of personal data is an integral part of the mandatory textbook "Ethics".

In Poland, the analysis has shown that there is a significantly increased interest regarding the education of students for the protection of personal data, thus, aiming to achieve that goal, has been prepared an educational program, initiated by the responsible ministry "Your data-Your concern: Effective protection of personal data, educational activity to teachers and students". The program attempts to train teachers on the principles of data protection, and to provide with the necessary educational materials, scenarios, multimedia presentations and other tools for successful implementation of teaching process. Furthermore, the program aim to provide the active involvement of teachers and students in events organized within the "European Day of Protection of Personal Data".

One of the most frequently used modes of education for personal data protection, is through maintaining thematic lectures and workshops, conducted in cooperation with the competent authorities for the protection of personal data. Such was the above mentioned case-Slovenia, where (despite what was previously stated), there are educational brochures and manuals for specific issues related to the protection of personal data (note that they do not relate exclusively to the Internet and social networks!), including: "Only You decide!"¹⁵, „How to use Facebook and survive?"¹⁶, "Guidance against cyberbullying"¹⁷.

¹⁴<http://www.garanteprivacy.it/documents/10160/10704/Opuscolo+Social+Networke+english+pagina+singola.pdf>

¹⁵https://www.ip-rs.si/fileadmin/user_upload/Pdf/brosure/Brosura_koncna_otroci_CMYK.pdf

In some countries, the education of children and youth has been implemented through privacy packages, prepared by the competent national authority for the protection of personal data, used partially, depending on the particular needs of teaching process.¹⁸

Noteworthy are the following examples: Mexico and Canada.

Multilateral approach has been applied in teaching process for principles of data protection of children and youth in Mexico. Namely, the Federal Institute for Access to Public Information in cooperation with the Institute for Justice, has prepared books, compilations of articles and publications on protection of children and teens online, particularly in relation to the use of Internet sites for social networking.¹⁹ Further, there is an interactive website,²⁰ which is composed of video presentations, audio presentations, posters, discussion forums, practical adviser etc. Also, a Ministry of Education have created a web-site "Safe click"²¹, that educates students about privacy on the Internet and social networks, which content is individualized depending of the needs of children, pupils and teenagers.

In Canada, has been registered high interest among teachers for the graphics Novel "Social Smarts, Privacy, the Internet and You", which was designed to educate teens and younger category refers to the potential privacy risks of digital communications technology.²² The whole educational process has been supplemented importantly with the separated part of the website of the Office of the Privacy Commissioner of Canada, called "Youth Privacy", which is composed of various resources and tools designed for the needs of educators, including: Package presentations for teachers and parents; articles, reports and answers for specific practical issues; concrete discussion topics, arising from the demands of the students, forum discussions, quiz Policy; video materials, short films, advertising materials, reference to external useful links etc.²³

In this part, was inevitable to mention the Manual "Sign up, Log in, Opt out - Protecting your privacy & controlling your data", because it meets the high standards of comprehensive, highly useful, very interesting and applicable educational material for the protection of personal data.

¹⁶https://www.ip-rs.si/fileadmin/user_upload/Pdf/brosure/Kako_uporabljati_FB_in_prezivet_i_tisk_v2_-net.pdf

¹⁷https://www.ip-rs.si/fileadmin/user_upload/Pdf/smernice/Smernice_glede_varstva_pred_spletnim_nadlegovanjem.pdf

¹⁸ Mentioned case with Norway and New Zealand.

¹⁹<http://www.ifai.org.mx/Publicaciones/publicaciones>

²⁰<http://ifaininos.ifai.org.mx/inicio.html>

²¹http://clicseguro.sep.gob.mx/03_cha/03_cha_datos.php

²²http://www.priv.gc.ca/youth-jeunes/fs-fi/res/gn_e.pdf

²³http://www.priv.gc.ca/youth-jeunes/index_e.asp

5. CONCLUSION

The security and the confidentiality of personal data as a human right, as a component of the right to privacy, especially in the era of rapid progress of technology, of the various forms of communication and exchange of information is essential and very important! The development of awareness regarding privacy and the need to protect one's personal data, is affiliated with nurturing some other positive attitudes and values relating to human rights, concern for the common good and respect for the rule of law. Raising awareness of how technology can affect the privacy of the individual is also a key objective.

Hence the necessity for comprehensive social action to raise concerns about privacy, a process which should start first in terms of those who are most exposed to possible threats to the security of their personal data, while at least being aware of it - children and youth.

In this respect, the analysis has concentrated on the situation in primary and secondary education in the targeted countries, in terms of the inclusion of the principles of protection of personal data in the educational process, or in school courses and programs. Starting from its main objective, the analysis offers review of certain solutions and practices applied in the targeted countries, and thus set the basis for selecting the best possible approach for inclusion of the principles of protection of personal data in primary and secondary education in Macedonia. Hence, should choose a model that will contribute most to increasing awareness among young people about protecting privacy, that will fit the characteristics of the Macedonian educational system, and will reflect the needs of modern social life.

ANNEX



ANNEX 1: REQUEST FOR INFORMATION REGARDING THE PROTECTION OF PERSONAL DATA IN PRIMARY AND SECONDARY SCHOOL

1. Is the issue of protection of personal data in any way (formal or informal) involved in the activities that take place in primary and secondary schools?

If the answer is “yes”, please briefly explain it.

2. Whether in elementary and secondary schools are taught subjects/courses through which students are introduced to human rights and freedoms?

If the answer is "yes", please briefly clarify it.

3. Whether in the framework of human rights and freedoms is embedded studying of the right to protection of personal data?

If the answer is “yes”, please specify/list the schools subjects in which are included the content for personal data protection.

4. Which issues and aspects of the protection of personal data are studied in these subjects? Please briefly clarify.

5. Whether the competent state authority for protection of personal data has been actively involved in creating curriculum regarding the content of personal data protection?

If the answer is “yes”, please specify the activities and mode through which the institution was actively included in creating curriculum.

6. Does in your country have been implemented a project for continuous education for principles of personal data protection in primary and secondary schools?

If the answer is “yes”, please specify the final expected outcome/result/product from the implementation of the project.

7. If personal data protection is taught in primary and secondary schools in your country, please indicate possible problems encountered in practice (if any).

8. If Your country has experience with education about the protection of personal data in primary and secondary schools, please specify what kind of educational materials are most useful for this purpose?

9. If Your country has the experience, please specify the mechanisms and measures to create a sustainable system for continuing education in the protection of personal data in primary and secondary schools.

If You have any recommendation or note, please indicate here.