Protecting children in the digital world

2012/2068(INI) - 13/09/2011 - Non-legislative basic document

PURPOSE: to analyse the implementation and effectiveness of the measures in Council Recommendations 98/560/EC and 2006/952/EC on Protection of Minors.

CONTENT: the objective of the 1998 and the 2006 Recommendations on Protection of Minors was to make Member States and industry conscious of the new challenges for the protection of minors in electronic media, particularly those linked to the uptake and growing importance of online services. This report analyses the implementation and effectiveness of the measures specified in the 1998 and 2006 Recommendations in Member States. It also ask the question whether current policies are still suitable and adequate to ensure a high level of protection for minors throughout Europe.

The report discusses Member States' reports and states that as a positive general result, the survey of Member States on the various dimensions of the 1998 and 2006 Recommendations shows that all Member States are conscious of the challenges for the protection of minors online and are increasingly making efforts to respond to them. A policy mix, with a significant component of self-regulatory measures, seems best suited to address in as flexible and responsive a way as possible the convergence between platforms (TV, PC, smartphones, consoles, etc.) and audiovisual content.

However, the detailed assessment of the policy responses that Member States have developed presents a landscape made of very diverse – and in a number of cases, even diverging - actions across Europe. This is in particular true in certain areas:

Tackling illegal and harmful content: while there is convergence in the Member States that promoting self-regulatory measures (codes of conduct) is useful, there is persistent concern that the protection levels achieved in this field still differ significantly.

Going forward, existing measures against illegal or harmful contents should be constantly monitored in order to ensure their effectiveness. For instance, reporting points for this type of content, provided by the content provider and to be used by children and parents are being developed and supported by functioning back office infrastructures, but all these initiatives lack common features and economies of scale that would increase their efficiency.

Making social networks safer places: whilst social networking sites offer huge opportunities for minors, they also bear a considerable risk potential, which can be summarised by the categories "illegal content", "age-inappropriate content", "inappropriate contact" and "inappropriate conduct". One promising way to counter these risks is guidelines, addressing providers of social networking sites and/or users.

Only 10 Member States referred to such guidelines, and even fewer reported that there are evaluation systems in place to assess their effectiveness. Therefore, "soft law" rules currently suffer from rather patchy implementation.

Given the massive expansion of social networking sites, operators' control systems fall short of covering all the potential risks in an efficient and consistent manner.

Active stakeholder engagement is encouraged, in particular through further awareness- raising as regards the risks and ways to mitigate them, wider use of guidelines, with implementation monitoring.

In addition, reporting points with a well functioning back office infrastructure are increasingly being deployed on social networks in order to assist children in dealing with grooming, cyber-bullying and similar issues, but the solutions are being developed on a case-by case basis.

Moreover, the use of "privacy by default" settings for children joining in social networking sites is not widespread.

Streamlining content rating schemes: 16 Member States and Norway responded that they have diverging age ratings and classifications for different types of media. Ten Member States and Norway consider this to be a problem. Eight Member States and Norway point out that there are measures or initiatives being considered to introduce greater consistency in this field.

Altogether 15 Member States and Norway consider cross-media and/or pan-European classification systems for media content helpful and feasible. This is contradicted by nine Member States which point to the cultural differences. This is an area of most extreme fragmentation – the conceptions of what is necessary and useful diverge significantly between and within Member States.

While most Member States see scope for improving their age rating and classification systems, there is clearly no consensus on the helpfulness and feasibility of cross-media and/or pan-European classification systems for media content. Still, in view of the increasingly borderless nature

e of online content, ways to better align such systems should be explored further.

Internet-enabled devices with parental control tools are increasingly available but the articulation with the use of appropriate content relies upon case-by case solutions that vary greatly between and within Member States.

Against this background, it seems worth reflecting upon innovative rating and content classifications systems that could be used more widely across the ICT sector (manufacturers, host and content providers, etc.), while leaving the necessary flexibility for local interpretations of “appropriateness” and reflecting the established approaches to the liability of the various Internet actors.

Danger of market fragmentation: the report goes on to point out that quite often, the regulatory or self-regulatory measures also lack ambition and consistency with similar measures put in place in other Member States, or they are simply not effectively implemented in practice. A patchwork of measures across Europe can only lead to internal market fragmentation and to confusion for parents and teachers who try to identify the “do's” and “don't” to protect and empower children who go online.

This report and the detailed responses gathered in the survey of Member States demonstrate that further action at European level may build on the best practices of the Member States and reach economies of scale for the ICT sector that will help children to safely reap the benefits of the constantly evolving digital world.