Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2429 (2022)[1]

For an assessment of the means and provisions to combat children's exposure to pornographic content

Parliamentary Assembly

1. Exposure of children to pornographic content is a growing concern in Europe and across the world. Children, in some cases at a very young age, access and share pornographic content at home, at school or with friends in their neighbourhoods or online. Children often stumble upon pornographic content on digital devices, even without actively looking for it, due to a largely unregulated internet environment which enables the dissemination of pornographic content and content portraying sexual violence.

2. The Parliamentary Assembly is alarmed by the unprecedented exposure of children to pornographic imagery, which is detrimental to their psychological and physical development. This exposure brings increased risks of harmful gender stereotyping, addiction to pornography, early and unhealthy sexual relationships, as well as difficulties with developing balanced, respectful relationships in future life.

3. Early exposure to pornography results in the blurring of the boundaries of normal curiosity towards sexuality and those of socially acceptable behaviour, and it undermines respect for human dignity, privacy and physical integrity. Law-enforcement authorities have reported a massive spike in cases of harmful sexual behaviour by children.

4. The Assembly notes with concern that, in recent decades, the development of information and communication technologies has facilitated easy access to virtually unlimited amounts of pornographic content for all internet users, including children. Although very few people would argue that it is acceptable for children to have access to pornography, the existing means and provisions fail to protect children from harmful content. Furthermore, many children go looking for information about sexuality in the absence of age-appropriate and comprehensive sexuality education provided by parents or schools, and they arrive unwittingly on pornographic sites.

5. The Assembly recalls its Resolution 2412 (2021) "Gender aspects and human rights implications of pornography", Resolution 2330 (2020) "Addressing sexual violence against children: stepping up action and co-operation in Europe", Resolution 2119 (2016) "Fighting the over-sexualisation of children" and Resolution 1835 (2011) "Violent and extreme pornography", as well as Recommendation CM/Rec(2018)7 of the Committee of Ministers on Guidelines to respect, protect and fulfil the rights of the child in the digital environment, and reiterates its commitment to the protection of children from violence, in accordance with the United Nations Convention on the Rights of the Child, the United Nations 2030 Agenda for Sustainable Development (Goal 16.2 – End abuse, exploitation, trafficking and all forms of violence against and torture of children) and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, Lanzarote Convention).

1. *Assembly debate* on 25 April 2022 (10th sitting) (see Doc. 15494, report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Mr Dimitri Houbron; and Doc. 15505, opinion of the Committee on Culture, Science, Education and Media, rapporteur: Mr Stefan Schennach). *Text adopted by the Assembly* on 25 April 2022 (10th sitting).
See also Recommendation 2225 (2022).

6. In light of the above considerations, the Assembly invites the Council of Europe member States to:

6.1. examine the existing means and provisions to combat children's exposure to pornographic content and address the gaps in relevant legislation and practice with a view to better protecting children from exposure to such content;

6.2. ensure that easy-to-use parental controls, ad-filtering and ad-blocking tools are built in by default on all electronic devices and are systematically activated in public spaces, such as schools, libraries and youth clubs; support awareness raising on the tools available, including through information from schools, training offered in the workplace and government advertising campaigns;

6.3. ensure that tagging of online content as "restricted to adults" is mandatory for adult websites;

6.4. support the use of age verification tools, and in particular:

6.4.1. develop relevant legislation to ensure that both dedicated websites hosting adult content and mainstream and social media, which include adult content, are obliged to use age verification tools;

6.4.2. ensure that such tools are user friendly, simple, secure and effective, as well as respectful of the privacy of users' data; ensure that age verification tools are not misused for harvesting data, thus enabling blackmail or identity theft;

6.4.3. ensure that age verification providers are individually approved and vetted using a formal certification process carried out by a recognised body; this certification process should not only test for overall age verification efficacy and privacy compliance, but also for security and protection from a breach of data storage facilities;

6.4.4. mandate compliance with age verification requirements; tackle the problem of search engines that promote non-compliant sites because users favour sites that do not ask for their personal information, which increases "bounce rate" and has an adverse commercial effect on compliant sites;

6.4.5. consider the development of "black" lists of domains, or URLs, which are found to be in breach of the legislation or in the process of being investigated, and "white" lists for the domains that have accredited age verification processes in place;

6.4.6. ensure that compliance with age restriction regulations is systematically monitored by relevant law-enforcement bodies, that circumvention techniques are identified and duly tackled; and that penalties for non-compliance are swiftly introduced;

6.4.7. ensure that there is flexibility in the way in which age verification systems are used, in order to allow for the introduction of new technologies, on the one hand, and to give the platforms and their users choices with respect to the information that is to be provided on the other hand;

6.4.8. ensure that age verification systems are cost effective both for large and small companies, and are capable of treating large data volumes; allow companies reasonable time to implement and test solutions;

6.4.9. develop awareness-raising campaigns to promote public trust in age verification platforms and confidence that the privacy of users' data is respected, so as to discourage users from looking for non-compliant adult content sites, which are highly unlikely to have content or user safety policies and protections and which pose a greater risk of exposure to dangerous, illegal content and possible viruses/malware;

6.4.10. support the development of European and international standards, regulation and certification;

6.5. ensure that the use of the artificial intelligence technologies that are driving pornography addiction is investigated, monitored and regulated;

6.6. consider the introduction of an alert button or other similar solution for children to report accidental access to pornographic content and envisage follow-up action, such as warnings or penalties for relevant websites;

6.7. develop, in dialogue with the private sector – in particular mobile operators, global digital platforms, companies operating in the gaming market, designers and tech service providers – a framework conducive to the development of internet programmes, video games, social media

platforms, as well as virtual reality environments, which guarantee safe usage especially by children, including: the adoption of stringent codes of conduct aimed at avoiding children's exposure to pornographic content; forms of content moderation with human intervention, as purely automated solutions might be unable to identify the risks for children; anonymous complaint and reporting mechanisms; co-operation mechanisms between the private sector and law-enforcement authorities to fight effectively against illegal pornographic content;

6.8. ensure that education programmes at all levels promote respect for human dignity, physical integrity and gender equality; increase parents' and families' awareness of the need to educate their children about sexuality in a comprehensive and age-appropriate manner; equip children with the skills required for navigating the digital space safely and responsibly; introduce or further strengthen age-appropriate and comprehensive sexuality and relationship education in schools; and ensure that such education programmes are delivered in an age-appropriate manner by duly trained professionals, are conducted separately with boys and girls when appropriate, meet children's needs and are developed with their participation;

6.9. support pornography harm awareness measures, such as the use of embedded health and legal warnings within pornography websites and the inclusion of relevant information in curriculums, including on the impact of pornography on children's brain development, the increased risk of sexual dysfunction and the reduced ability to build healthy sexual relationships in future life;

6.10. promote public debate on children's exposure to pornography and the means and provisions to address it, and facilitate parents' and children's participation in relevant decision making;

6.11. support further research on the impact of children's exposure to pornography and ways to prevent and end exposure, as well as on means to combat harmful effects of such exposure;

6.12. ensure that hotlines, helplines and contact persons (including in schools), where children experiencing problems related to exposure to pornography can seek advice and assistance, are available and accessible.

7. The Assembly welcomes the current work of the European Commission on a pan-European solution for a secure and certified interoperable age verification and parental consent system to access information society services. It stresses the importance of fully addressing the concerns for the respect of human rights, privacy and the rule of law in this context. It expresses its support for extending this work to all Council of Europe member States.