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

Reply to Recommendation¹: Recommendation 2225 (2022)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2225 \(2022\)](#) "For an assessment of the means and provisions to combat children's exposure to pornographic content". The recommendation has been brought to the attention of the governments of the member States and forwarded to the relevant committees for information and possible comments.²

2. The Committee of Ministers shares the Assembly's concern on the exposure of children to pornographic content and its consequences on children's physical and mental development and takes note of the specific invitation (in paragraph 3.1. of the recommendation) to "*encourage relevant bodies, such as the Steering Committee for the Rights of the Child (CDENF), the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), [...] to give due consideration to the issue of children's exposure to pornographic content in its relevant activities and to support member States in combating children's exposure to pornographic content*", for example by:" (3.1.1.) "*facilitating the exchange of good practices*"; (3.1.2.) "*organising capacity building events*"; and (3.1.4.) "*facilitating a stocktaking exercise on relevant initiatives and lessons learned and developing a roadmap for future action*".

3. As explicitly recognised in [Recommendation 2225 \(2022\)](#), the [Council of Europe Strategy for the Rights of the Child \(2022-2027\)](#), adopted by the Committee of Ministers on 23 February 2022, includes two strategic objectives which are both directly linked to the topic, namely ensuring access to and safe use of technologies for all children and freedom from violence for all children. Concretely, its objective 3.1.1 is focused on "*Protecting children online, e.g. from violence, [...] from exposure to pornographic and other harmful content, [...], thus following the "4C" approach (content, conduct, contact and contract risks)*", while objective 1.2.10 is committed to "*Exploring efficient ways to prevent and combat sexual violence against children, including by developing new instruments to support States in developing age-appropriate and comprehensive sexuality education*".

4. Bearing in mind the aforementioned objectives of the Strategy, the Committee of Ministers recalls that, in its [terms of reference](#), the CDENF has been instructed to "*oversee the implementation of the Strategy for the Rights of the Child (2022-2027)*"; to "*facilitate regular exchanges of knowledge, good practices and experiences among member States in the areas covered by the Strategy*"; to "*provide expertise to member States on the development of legislation, policies, practice, training schemes and awareness raising material to support implementation of international standards*"; and to "*orient and oversee the activities carried out by its subordinate bodies, notably the Committee of experts on the prevention of violence (ENF-VAE)*". With these specific tasks, the CDENF covers some of the actions called for by the Assembly.

1. Adopted at the 1457th meeting of the Ministers' Deputies (22 February 2023).

2. Steering Committee for Education (CDEU), the Steering Committee on the Rights of the Child (CDENF), the Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) (T-ES) and the Ad Hoc Committee on Artificial Intelligence (CAI).



5. The Committee of Ministers informs the Assembly that some of the proposed types of initiatives are also already part of the Council of Europe Education Programme 2022-2025 and some will be further developed beyond in accordance with the Education Strategy 2030, which is currently under development. The current initiatives include online courses for educators on Digital Citizenship Education; online self-learning courses for educators and learners within the LEMON (Learning Modules Online), such as 'the Key to Recognising Cyberbullying' and 'Beyond Bullying' (for young learners) and leaflets for parents and teachers developed in the framework of the Digital Citizenship Project on the topics linked to bullying and privacy and personal data. The Guidelines to support equitable partnerships of education institutions and the private sector, adopted by the CDEDU in October 2021 are also of some relevance. The aim of the Guidelines is to foster better understanding of digital citizenship education and the role that partnerships can play in enhancing outcomes for learners.

6. The Assembly additionally recommends (also in paragraph 3.1. of the recommendation) to "encourage the (CDENF) [...] to give due consideration to the issue of children's exposure to pornographic content in its relevant activities and to support member States in combating children's exposure to pornographic content, for example by (3.1.3.) providing advice on age-appropriate and comprehensive sexuality education, including pornography harm awareness measures, at all levels of education". The Committee of Ministers considers quality sexuality education as firmly grounded in international human rights standards (see in particular Article 6 of the Lanzarote Convention) and fully acknowledges that age-appropriate and comprehensive sexuality education can be an important tool for preventing violence and harmful sexual behaviour. It informs the Assembly that the CDENF will look at this subject matter under its terms of reference as of 2023. Amongst the measures to be considered will be appropriate training for parents and teachers in effectively limiting children's access to pornographic content and the most effective solutions such as verifying the age of pornography "consumers". Under the authority of the Committee of Ministers, the CDENF, supported by its Committee of Experts on the Prevention of Violence (ENF-VAE), is expected to prepare (1) a feasibility study and (2) a draft non-binding instrument on age-appropriate comprehensive sexuality education to strengthen responses for, inter alia, preventing and combatting violence against children, including sexual violence and harmful behaviour; in this context, concrete awareness-raising and protection measures aimed at preventing and fighting harm caused by the exposure to pornographic content could be considered. Furthermore, the feasibility study will certainly, at least partly, respond to the Assembly's call for a "stocktaking exercise".

7. The Committee of Ministers furthermore recalls that, at the High-level Launching Conference for the new Strategy (Rome, 7-8 April 2022), a dedicated thematic session on "comprehensive and age-appropriate sexuality education for preventing violence" was held, including relevant discussions on the consequences of pornographic content on children's health. The conclusions of the conference were published on the [Conference website](#) in June 2022.

8. With regard to paragraph 3.2, the Committee of Ministers has taken good note of the Assembly's suggestions with regard to possible co-operation in this field in the framework of the Council of Europe Partnership with Digital Companies, and with regard to considering a parliamentary dimension and co-operation with civil society organisations and will bear it in mind when and as appropriate.

9. In response to the Assembly's recommendation 3.3, the Committee of Ministers calls on the Council of Europe member States to fully implement the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, Lanzarote Convention), the recommendations of the Lanzarote Committee, and the 2018 Committee of Ministers' Recommendation [CM/Rec\(2018\)7](#) entitled "Guidelines to respect, protect and fulfil the rights of the child in the digital environment". It also recalls that the implementation of non-binding instruments in this area, and others, is followed by the relevant committees.

10. The Committee of Ministers welcomes the invitation in paragraph 3.4 to "consider closer co-operation with the European Commission, with a view to developing pan-European regulations on combating children's exposure to pornographic content". Through the past years, partnerships have been maintained and further consolidated between the CDENF and relevant bodies of the European Union, both formally through committees and informally at Secretariat level. For example, in October 2021, the Secretariat participated in a targeted consultation towards the preparation of the new [Better Internet for Kids Strategy](#) (BIK+), adopted by the [European Commission](#) on 11 May 2022. More recently, the Children's Rights Division has also supported activities under the Council of Europe Digital Partnership. The Lanzarote Committee has provided input towards the preparation of the proposal for a Regulation to prevent and combat child sexual abuse as well as the upcoming recast of [Directive 2011/93/EU](#) on combating the sexual abuse and sexual exploitation of children and child pornography. [The Council conclusions on the EU Strategy on the rights of the child](#) called for an increase of member States' efforts to prevent and combat all forms of violence against children as well as to provide protection from existing and emerging risks in the digital environment by focusing on digital literacy, privacy and online safety.

11. With regard to paragraph 3.5, any extension of activities towards a government platform partnership, its possibility and feasibility would first have to be further explored with the competent services of the Council of Europe. Given the current economic and political climate, the Committee of Ministers considers that this is not an opportune time to envisage such an initiative.