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

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A. Draft Resolution

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.
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, socially acceptable behaviour and 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 fast 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 the CM Recommendation (2018)⁷ providing 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, the Lanzarote Convention).

Amendment 1 **Tabled by the Committee on Culture, Science, Education and Media**

In the draft resolution, at the end of paragraph 1, insert the following words:

", due to a largely unregulated internet environment which enables the dissemination of pornographic content and content portraying sexual violence."

6. In the 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 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 defence from penetration of data storage facilities;
 - 6.4.4. mandate compliance with age verification requirements; tackle the problem of search engines promoting non-compliant sites due to users favouring 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" domain or URL lists, for the domains 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 respect of 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 a certain 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 choice to the platforms and their users 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 for reasonable time for implementing and testing solutions;
- 6.4.9. develop public awareness campaigns to promote trust of age verification platforms and confidence in the respect of the privacy of users' data, to prevent the public continuing to look for non-compliant adult content sites, which are highly unlikely to have content or user safety policies and protections, resulting in great potential for 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 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. 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;
- 6.8. 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 curricula, including on the impact of pornography on children's brain development, the

Amendment 2
**Tabled by the Committee on Culture,
Science, Education and Media**

In the draft resolution, after paragraph 6.6, insert the following paragraph:

"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 roll out 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;"

increased risk of sexual dysfunction, and reduced ability to build healthy sexual relationships in future life;

- 6.9. 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;
 - 6.10. support further research on the impact of children's exposure to pornography and means to prevent and end exposure, as well as on means to combat harmful effects of such exposure;
 - 6.11. ensure that hotlines, helplines, and contact persons (including in schools) are available and accessible, where children experiencing problems related to exposure to pornography can seek advice and assistance.
7. The Assembly welcomes the current work of the European Commission on a pan-European solution for 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.

B. Draft Recommendation

1. The Parliamentary Assembly refers to its Resolution ... (2022) “For an assessment of the means and provisions to combat children's exposure to pornographic content”, as well as to its Resolution 2412 (2021) “Gender aspects and human rights implications of pornography”, Resolution 2330 (2020) and Recommendation 2175 (2020) “Addressing sexual violence against children: stepping up action and co-operation in Europe”, Resolution 2119 (2016) and Recommendation 2092 (2016) “Fighting the over-sexualisation of children” and Resolution 1835 (2011) and Recommendation 1981 (2011) “Violent and extreme pornography”.
2. The Assembly welcomes the recent adoption by the Committee of Ministers of the Council of Europe Strategy for the Rights of the Child 2022-2027, which includes strategic objectives on “Access to and safe use of technologies for all children” and “Freedom from violence for all children”.
3. The Assembly recommends that the Committee of Ministers:
 - 3.1. encourage relevant bodies, such as the Steering Committee on 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), the Ad hoc Committee on Artificial Intelligence (CAHA), and the Steering Committee for Education (CDEDU), to give due consideration to the issue of children's exposure to pornographic content in their 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 practice;
 - 3.1.2. organising capacity-building events;
 - 3.1.3. providing advice on age-appropriate and comprehensive sexuality education, including pornography harm awareness measures, at all levels of education;
 - 3.1.4. facilitating a stocktaking exercise on relevant initiatives and lessons learned, and developing a roadmap for future action;
 - 3.2. examine possible follow up to be given to this recommendation and the above-mentioned resolutions and recommendations in the framework of the Council of Europe Partnership with Digital Companies, which was signed with representatives of leading technology firms and associations in 2017, in order to promote an open and safe internet, where human rights, democracy, and the rule of law are respected in the online environment; envisage a parliamentary dimension and co-operation with civil society organisations, including parents' and children's organisations in this context;
 - 3.3. call 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 (the Lanzarote Convention, CETS No. 201), the recommendations of the Lanzarote Committee, and the 2018 Committee of Ministers Recommendation CM/Rec(2018)7 entitled “Guidelines to protect, respect and fulfil the rights of the child in the digital environment”;

- 3.4. consider closer co-operation with the European Commission, with a view to developing pan-European regulations on combating children’s exposure to pornographic content;
- 3.5. support co-operation with relevant United Nations bodies, such as the United Nations Children’s Fund (UNICEF), and the United Nations Special Representative of the Secretary-General on Violence Against Children, and in this context, propose the setting up of a government platform partnership, with the participation of digital companies and adult content providers, in order to develop a co-ordinated, cost-effective, and sustainable global response with a view to combating children’s exposure to pornographic content.