



Parliamentary Assembly Assemblée parlementaire

Provisional edition

The promotion of Internet and online media services appropriate for minors

Recommendation 1882 (2009)¹

1. Twenty years after the idea of setting up the World Wide Web was born at the European Organisation for Nuclear Research (CERN) in Geneva, the Parliamentary Assembly of the Council of Europe recalls the decision of the Heads of State and Government taken at their 2005 Summit in Warsaw, that the Council of Europe should pursue work on children in the information society, in particular as regards developing their media literacy skills and ensuring their protection against harmful content.
2. The Internet has enhanced opportunities for information and communication in an unprecedented way. The new technological dimension in information and data exchanges does not alter the established standards of freedom of expression and information, which also include proportional legal restrictions necessary in a democratic society for the protection of minors.
3. The Internet constitutes an increasingly important part of our culture. It conveys almost all kinds of cultural items in a faster and more efficient way than any other medium and has an impact on society and its culture by reshaping relations and by introducing new forms of communication, especially among minors. If we want a strong cultural base, we should implement appropriate measures for the use of the Internet by younger generations.
4. Children and adolescents are increasingly able to broaden their social and cultural horizons beyond traditional geographic boundaries, which may lead to greater international understanding and co-operation among people. New communication technologies and services provide new opportunities for informal and formal education, creativity, social interaction and civic participation. These opportunities should be used for the benefit of children and adolescents. Social interaction online should not, however, substitute real life with so-called virtual reality, the psychological and social impact of which is yet unknown.
5. Certain content on the internet can have negative effects on children and adolescents. For example, content depicting women and girls as objects, or limiting their depiction to nefarious gender stereotypes, can lead in certain cases to gender-based violence both in the virtual and the real world, including (cyber-)bullying, harassment, rape, and even school massacres.
6. Minors often have access to Internet and mobile telephone services without supervision by parents or teachers. Pictures and sound can be transmitted and accessed easily. The availability of child pornographic material is of utmost concern in this respect and requires further action by states as well as Internet service providers and telecommunications industries.
7. Parts of their private life are shared publicly on the Internet by a rapidly growing number of minors, while many firms offer information on, and profiling of, individuals based on such private information. Private life and intimate details thus enter the public

domain for an unforeseeable time. Individuals, commercial enterprises, universities, employers and others are increasingly using the information available on the Internet about individual persons in order to predetermine their contacts with them. States have the obligation, however, to protect privacy under Article 8 of the European Convention on Human Rights.

8. The continuing increase in advertising and business on the Internet and online media leads to more aggressive commercial practices which also target minors. With the global dimension of the Internet, ethics and legal norms may differ drastically. It would be most useful, therefore, to elaborate standards which are recognised Europe-wide and possibly beyond.

9. Traditional media regulation prohibits or restricts media content which is likely to impair the physical, mental or moral development of children and adolescents. The Assembly emphasises that parents can and should define for their children what they consider harmful or not. School directors and librarians, for example, have the obligation to restrict harmful content and services accessible at school or in libraries.

10. In order to handle the challenges of the Internet at home, parents need the support of social institutions for families and schools. The state has the responsibility to raise awareness, provide guidance – also against gender stereotypes, and set up minimum standards. These minimum standards should include access restrictions to violent content, pornography, advertising for tobacco and alcoholic products and gambling. Such access restrictions could be achieved by filters employed by parents, teachers, librarians or others at their access devices as well as by providers of content or services for minors.

11. Technical security is constantly increased with regard to computer networks. Firewalls and individual security settings of personal computers are refined, in order to keep pace with the technical progress of those seeking to bypass security systems. The Assembly therefore believes that it will be helpful, especially with regard to minors, to develop secure and restricted computer networks often referred to as Intranets, walled gardens or gated communities, which are accessible to an identifiable group of users only, typically require adherence to a code of conduct, fall under a clear set of legal rules and the jurisdiction of a given country and filter content harmful to minors. Technical security systems, however, cannot replace widely accessible and adequate education.

12. The Assembly emphasises that anyone who produces or makes available illegal content or services should be held liable by law. Illegal content and behaviour online have unfortunately grown over the past years and thus increased the risks for minors. This development is aggravated by the steady growth in Internet use, the growing amount of content produced by individual users instead of institutional content providers, the rapid expansion of social online networks often referred to as Web 2.0, and the technological progress in transmitting and accessing audiovisual content. In contrast, traditional media such as newspapers, radio and television have a declining audience among children and adolescents, hence reducing the effectiveness of traditional media policies for the protection of minors.

13. The Assembly recalls the Council of Europe's Convention on Cybercrime (ETS No.185) of 2001, which sets up the legal framework for international co-operation against illegal behaviour and content on the Internet and other computer networks. It regrets that this convention has not been signed by Andorra, Monaco, Russia, San Marino and Turkey, and not yet been ratified by Austria, Azerbaijan, Belgium, the Czech Republic, Georgia, Greece, Ireland, Liechtenstein, Luxembourg, Malta, Montenegro, Poland, Portugal, Spain, Sweden, Switzerland and the United Kingdom as well as Canada, Japan and the Republic of South Africa, although these states have signed it.

14. The Assembly welcomes the European Union's Safer Internet Programme 2009-2013 as well as voluntary initiatives for child safety by the Internet and online media industry and civil society. Internet hotlines, for example provided by members of the International Association of Internet Hotlines (INHOPE), are a helpful tool for children and parents to signal potentially harmful or illegal content and behaviour. Internet content which may be harmful to minors can be rated voluntarily by content providers in accordance with the standards set by the Internet Content Rating Association (ICRA), which subsequently allow for parental filtering of adult websites, for instance.

15. The Assembly calls on member and observer states' parliaments to:

15.1. assess the technological possibilities of increasing the safety of minors using the Internet and online media services including mobile audiovisual telecommunications, in particular filtering devices and access restriction

technologies;

15.2. initiate, together with the Internet industry and child protection organisations, public awareness campaigns targeted at the risks and opportunities for minors using Internet and online media services as well as the technical opportunities to restrict harmful content;

15.3. support the creation and marketing of services adequate for children and adolescents, including restricted networks described in paragraph 11 above as well as free software for parental filtering of content deemed by them as being potentially harmful to their children;

15.4. promote, in co-operation with the Internet industry and child protection, equal opportunities and other civil society organisations, public quality standards and ratings of Internet and online media services adequate for minors, and ensure that access to adult content is effectively restricted by age-verification systems installed by the providers of such content;

15.5 encourage public or private educational institutions, museums, orchestras and other cultural institutions as well as public service broadcasters to provide Internet and online content for children and adolescents, thus making European cultural heritage more competitive and attractive for minors via Internet and online media;

15.6. ratify without delay the Convention on Cybercrime and its Additional Protocol as well as the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, if their governments have signed them.

16. The Assembly recommends that the Committee of Ministers, in accordance with the decision taken at the Warsaw Summit in 2005:

16.1. assist member states in the implementation of this Recommendation as well as the relevant Committee of Ministers' Recommendations aiming at a safer use of the Internet and online media, in particular by minors;

16.2. promote policies to make the Internet safer for children at the level of the European Dialogue on Internet Governance and the United Nations Internet Governance Forum and provide general support to the European Dialogue on Internet Governance, including secretariat support;

16.3. establish co-operation with the Safer Internet Programme of the European Union and seek additional funding for Council of Europe action through voluntary contributions by member states as well as the private sector;

16.4. instruct its competent steering committee to analyse the potential psychological risks for children and adolescents using Internet and online media excessively, in particular social online networks suggesting virtual reality such as Second Life, sites containing nefarious gender stereotypes, as well as violent online games and networks such as World of Warcraft, and to propose appropriate action by the Council of Europe and member states;

16.5. call on those states that have not yet signed the Convention on Cybercrime and its Additional Protocol to do so without delay, and initiate an international campaign aimed at accession to the Convention on Cybercrime also by states outside Europe, in order to cover better the world wide map of cyberspace and avoid geographical loopholes;

16.6. initiate work towards ensuring greater legal responsibility of Internet service providers for illegal content, whether or not this originates from third parties or users; this work may require the drafting of a new additional protocol to the Convention on Cybercrime;

16.7. analyse the feasibility of drawing up legal standards for the regulation of online gambling and other commercial online activities, which may be harmful to minors and are typically restricted by national legislation when provided off-line.

17. The Assembly calls on member states to create a national institution for the co-operation between the Internet and media industries, civil society organisations and government in order to develop and implement the regulation of Internet and online media services.

18. The Assembly invites the Standing Conference of European Ministers for

Education to define policy guidelines for teaching media literacy to children, adolescents, parents and teachers with a focus on Internet and online media services, in order to detect potential opportunities as well as risks linked to such services.

19. The Assembly appeals to the online media industry to develop and apply codes of conduct with regard to privacy protection, equal opportunities, commercial activities targeted at minors and content potentially harmful to them. Internet hotlines and other complaint mechanisms against potentially illegal and harmful content or conduct should be maintained by Internet service and content providers. Commercial services provided in conformity with high ethical standards and high safety protection for minors will be in growing demand in an ever expanding Internet and online media market.

¹ *Assembly debate* on 28 September 2009 (28th Sitting) (see [Doc.11924](#), report of the Committee on Culture, Science and Education, rapporteur: Mr Kozma). *Text adopted by the Assembly* on 28 September 2009 (28th Sitting).