

EUROPEAN CHILD SHIELD PLATFORM

Protecting children from pornography

The European Child Shield Platform is a network gathering legal and medical experts on the topic of pornography as well as more than 30 NGOs working in prevention and addiction support from 19 EU Member-States. The objective of the platform is to find policy solutions to protect children, starting with the recognition that online pornography is a public health issue, and promoting the sharing of good practices, material, and knowledge all over Europe.

Pornography is a public health issue:

- Objectifies women, encourages gender stereotypes by increasing aggressive behaviour during sexual encounters
- Enhances the development of sexual compulsivity and addiction, and is harmful for the brain
- Has shown serious consequences in the construction of sexuality during the pivotal period of young people's psychosexual development
- Damages self-esteem and increases the development of body complexes
- Enhances relationship and emotional problems from adolescence onwards due to the disconnection between sexuality and affection created by pornography
- Encourages sexual dysfunction from adolescence onwards, worsening into adulthood due to the cerebral habituation to pornographic content

1. DATA AND STATISTICS

Children consumption of pornographic material and porn addiction is on the rise: an exacerbating problem.

- ❖ Pornography is **regularly used** by **50 - 99%** of men & **30 - 86%** of women (Baranowski et al., 2019).
- ❖ **90%** of 8-16 years old have used porn (Children Internet Pornography Statistics, 2015). **50%** of 11-13 years old have used online pornography (Report on people, Pornography and age verification, 2020).
- ❖ **Porn addiction** seems to be between 5%-14% (Böthe, Vaillancourt-Morel et al., 2021) among adults. **And from 3,6% to 29,8% of the general population** (Hernandez-Mora, 2023).

<u>Czech Republic and Slovakia</u>	18,7% of children surveyed were 11 years old when seeing pornographic material for the 1 st time 88,8% replied that they can find porn through their phones 33% received multiple times pornographic material from their friend or classmate
<u>Denmark</u> (study among 15–18-year-olds)	12.8 years is the average age of onset for watching porn 71% of Danish youth under the age of 15 have watched porn 51% watched it often and regularly before they turned 15 77% have unlimited access to porn (without parental controls or web filters) 67% involuntarily come across pornographic material on social media 49% of young people who watch porn report that they feel irresistible urges to watch porn, and as many as 43% feel to some extent addicted to porn
<u>France</u> (ARCOM, 2023; Fondapol, 2018; Pornhub, 2022; Hernandez-Mora et al., 2022.)	51% of boys between 12-13 years old use pornography <i>regularly</i> 90% of 14-24 years old find that pornography is " <i>easy or very easy</i> " to watch Percentage of minors visiting porn sites increased considerably between 2017 (19%) - 2022 (28%) World's 3rd highest consumer of pornography in one of the most important porn sites of the world On porn addiction only one study exists: 11% of men and 0,7% of women develop porn addiction.
<u>Poland</u>	73,0% of 12- and 14-year-olds consider access to online porn " <i>easy</i> "

The data included in this report is the result of a series of consultations with expert members of the platform and a compilation of certain existent research in European Member States. See Annex of this pamphlet to dig in the bibliography materials.

	<p>18,5% were less than 10 years old when they saw pornographic content for the first time</p> <p>21,5% of 12- and 14-year-olds watch pornographic content online <i>everyday</i></p> <p>19% of 12- and 14-year-olds have seen violent pornographic content</p>
<u>Spain</u>	<p>8/10 boys 13-15 years old use pornography <i>regularly</i></p> <p>76,25% of 13-18 years old search for <i>hardcore porn</i></p> <p>90% of 13-18 years old use porn <i>frequently</i></p> <p>34,3% of 13-18 boys and 2,6% of 13-18 girls use porn <i>daily</i></p>

2. BEST LEGAL SOLUTIONS AND GOOD PRACTICES TO PROTECT CHILDREN

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Parents and other actors have a fundamental role to protect minors from pornography, but legal measures are additionally required, regardless of their complexity (technology, data protection, etc). For that reason, strong political cooperation between experts and relevant decision makers is essential. The following good practices have been implemented to mitigate or make it more difficult for minors to access pornography:

ITALY

1. Age verification systems imposed on websites and other platforms, preventing access to minors.

Article 13 bis of "Caivano decree", namely the Legislative Decree of September 15, 2023, no. 123, contains "Provisions for verifying the age of majority for access to pornographic sites," and prohibits minors from accessing pornographic content, *«as it undermines their dignity and compromises their physical and mental well-being, constituting a public health problem»*. The law requires operators of websites or other platforms that distribute pornography to verify the age of the users. In the event of non-compliance, a fine may be imposed on the obliged parties and, if it does not induce compliance, the Communications Guarantee Authority (Agcom) may order that the site or platform be blocked.

2. It provides for the pre-activation of parental control systems (PCS) on some internet service contracts.

Article 7-bis of Decree-Law N° 28 of 30 April 2020 on "Systems for protecting minors from the risks of cyberspace" states that PCS, or systems capable of filtering inappropriate content for minors and of blocking content reserved for audiences over the age of eighteen, must be included and pre-activated - **free of charge** - in contracts for the provision of electronic communication services.

FRANCE

1. Age verification systems that repress the accessibility of a pornographic content to minors.

Article 227-24 of the Penal Code was amended by Law 2020-936 of 30 July 2020. However, the cumbersome blocking procedure in case of violation of art. 227-24 (Law 2020-936 of 30 July 2020, art. 23) jeopardises its efficiency. Moreover, on 18 October 2023, the Court of Cassation (n°22-18.926) ruled that a **child protection association** can ask the courts to order Internet service providers to block access to a pornographic site likely to be viewed by a minor without first having to take action against the host, publisher or author of the content.

2. Restriction of IT in education centres.

Art. L.511-5 of the Education Code prohibits, as a matter of principle, pupils from using any type of electronic communications terminal equipment in nursery schools, elementary schools, and lower secondary schools, as well as "during any activity related to teaching that takes place outside their premises", **except** in the circumstances ("including educational uses") and places expressly defined in the internal regulations. In **secondary schools** [lycées], there is no prohibition in principle, but the school rules may prohibit the use of such devices by pupils.

3. The Parliament is examining a draft law aiming to secure and regulate the digital space, including the goal to protect children from online pornography through the reinforcement of the ARCOM powers, allowing it to decide, without judicial intervention, the blockage of the websites breaching age verification obligation.

The government announced at the beginning of February 2023 that it wanted to test from March 2023 a “**double anonymity**” verification solution to prevent minors from accessing pornographic sites.

4. In 2021, the Government set up a **campaign to raise awareness of children's exposure to pornography entitled "Je Protège Mon Enfant" (I Protect My Child)**.
5. On 1 March 2023, the Senate adopted a resolution calling for the **fight against pornographic violence to become a public policy priority (Resolution n° 65 (2022-2023))**.

GERMANY

1. Age verification mechanisms.

Under **§4 of the Länder's treaty on youth protection in the medias (2002)**, pornographic contents providers shall implement an age checking mechanism.

2. Blockage of websites by controlling authority.

The **Commission for the youth protection in the media (KJM)**, central body control for the protection of minors in the private radio diffusion and the media, may decide the blockage of pornographic websites infringing the regulation. It provides for a list of assessed technical solutions. **Some media regulation authorities in some Länder launched judicial actions against infringing websites**, that face a blockage measure.

DENMARK

1. Age verification mechanisms for non-age-appropriate content on hold in favour of a European solution.

October 3rd, 2023, the Government launched the "**Law Program 2023-2024**" - on page 13 is stated that: "**Act on age verification on platforms with non-age-appropriate content (Jan II)**". The bill aims to cut off children and young people from online access to non-age-appropriate content. It is proposed that requirements be placed on intermediaries of non-age-appropriate platforms content ensuring effective age control for access to their website, so children and youth **under 16 years old** cannot access non-age-appropriate content. **The bill is a follow-up to the government's receipt of the tech expert group's recommendations from June 2023.**

However, on 1st November 2023 the Government announced it is putting the national legislative proposal on age verification **on hold** and is now putting all efforts into an effective European solution. **The decision is due to the fact that the EU has "demanded" both France and Germany to cancel their legislation/initiatives at the latest when the new DSA applications go into force February 2024.** The Danish Minister of Industry, Business and Financial Affairs together with the Minister of Digital Government and Gender Equality have declared that they, together with France and Germany, will push hard for AV legislation as they recognize the severe need.

The EU has the capacity to build based on these experiences.

3. MATERIALS AND WORKSHOPS FOR CHILDREN AND THEIR FAMILIES

This section gathers examples of good materials and workshops for young people, parents and educators in different EU languages prepared by our partner organisations.

CZECH

NE
PORNU

GERMAN

 Safer surfing


www.freivonporn.de

SLOVENIAN

 Inštitut
Integrum

FRENCH


SORTIR DE LA PORNOSPHERE

SPANISH


DALE UNA
VUELTA

LITHUANIAN


RENGIMO ŠEIMAI
ASOCIACIJA

4. THE WAY FORWARD

As proven in this document, pornography is a serious health issue. **There is still a lot to be done to combat and prevent pornography and its consequences on children.** As European Child Shield Platform members, we urge policymakers, governments, and civil organisations to put this topic high on the political agenda:

First: by investing in more robust, descriptive scientific studies on children's pornography consumption, particularly teenagers

- Enhance studies on the prevalence of pornography addiction among young people, with regard to ethical considerations when conducting research on exposure to pornography among children
- Explore a consensus on the nosology of pornography addiction and conceptualisation of this disorder
- Identify individual vulnerabilities facilitating the development of negative consequences of use such as addiction and violent sexuality

Second: by adapting public health policies

- Include pornography in the list of addictions in international mental health classifications (WHO; APA)
- Increment control and blockage of pornographic sites to prevent early contact with pornography
- Develop national prevention programmes on consumption of pornography and its physical, psychological, and psychosocial impact
- Set up specialised pornography addiction treatment units in public health departments

Third: by spreading awareness and supporting all initiatives aiming at raising the alarms on pornography consumption consequences

- Enhance awareness on the local, regional and European level in public spaces
- Include courses in university curricula (e.g. medicine, psychology, education) on understanding and dealing with the negative consequences of pornography consumption

Fourth: by developing policies and EU legislation that effectively protects minors against exposure and consumption of online pornographic content

- Enrich the [CSAM Regulation](#) including pornography as an exacerbating factor of child sexual abuse
- Ensuring the implementation of the CSAM current rules and the resources of the new EU Center
- Enhance cooperation between governments, internet servers and civil society associations, including children, parents and family associations
- Mandatory effective age verification "under penalty of immediate blocking"
- Parental control activated by default in new devices and Internet services

Fifth: by supporting children, parents, and schools and to monitor and adapt their good practices implemented

- Support parents in digital education and protection of minors from online pornography
- Prohibiting the use of smartphones, mobile phones or other connected devices on school premises
- Filtering content activated in schools and public places

Annex 1: Bibliography and useful sources on pornography in Europe

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