Age Verification mechanisms on pornographic websites: protecting children, platforms or both?

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States should require the use of effective systems of age verification to ensure children are protected from products, services and content in the digital environment which are legally restricted with reference to specific ages, using methods that are consistent with the principles of data minimisation.

Council of Europe, Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment
Member States shall take appropriate measures to ensure that audiovisual media services provided by media service providers under their jurisdiction, which may impair the physical, mental or moral development of minors are only made available in such a way as to ensure that minors will not normally hear or see them.

Such measures may include selecting the time of the broadcast, age verification tools or other technical measures. They shall be proportionate to the potential harm of the programme.

The most harmful content, such as gratuitous violence and pornography, shall be subject to the strictest measures.

Article 6a, Audio Visual Media Services Directive (AVMSD)

Extension of scope to video-sharing platforms

Article 28b, Audio Visual Media Services Directive (AVMSD)
Internet pornography: requirement to prevent access by persons under 18

A person contravenes this subsection if the person makes pornographic material available on the internet to persons in the United Kingdom on a commercial basis other than in a way that secures that, at any given time, the material is not normally accessible by persons under the age of 18.

The Secretary of State may by notice designate any person, or any two or more persons jointly, as the age-verification regulator [..]
Age Verification mechanisms.. protect children
Age Verification mechanisms do not always protect children.
Age Verification mechanisms.. also *protect* platforms
take aways...

- questionable effectivity of Age Verification Mechanisms (AVMs) → limits the protection offered to children
- security of AVMs? protection of personal data?
- AVMs vs liability and responsibility of platforms
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