

DIGITAL SERVICES ACT

Protection of minors Under the Digital Services Act

DG CONNECT

Protection of Minors – context

- ❑ Creating a safer space online for children longstanding policy commitment of the EU
- ❑ EU's Better Internet for Kids strategy (BIK+) focusses on three pillars



- Supporting EU-wide proof of age system
- **Implementation and enforcement of the DSA**



- Network of Safer Internet Centres (Help- and Hotlines)
- Public awareness hub for children, parents & caregivers
- **Rights under the DSA (e.g. child-friendly T&Cs and notice & action mechanisms)**



- Digital literacy
- Youth involvement in policy making

PoM and Privacy in DSA – overview

- Fundamental right to privacy recognized in Charter that underpin DSA
- Privacy in DSA for online platform
 - to ensure high level of privacy, safety and security (Art 28(1) DSA)
 - GLs by the Commission
 - No ads based on profiling where aware recipient is minors (Art 28(2) DSA)
 - General ban of ads based on special categories (Art 26(3) DSA)
 - Special consideration in risk assessments for VLOPs and VLOSEs
- Empowerment
 - Primarily directed/predominantly used by minors: child friendly explanations
 - Child friendly reporting mechanisms
- Implementation and enforcement priority

Protection of minors – rules for VLOPs/VLOSEs

- Requirement to carry out **risk assessment** to identify, analyse & then take **effective measures to mitigate** systemic risks
- This risk assessment includes actual or foreseeable negative effects for:
 - ✓ The exercise of the right of the child
 - ✓ Protection of minors
 - ✓ Physical and mental well-being of users
- Considering in particular Art. 7 and 8 of the Charter, and data related practices, among others
- Possible mitigation measures include:
 - ✓ Adapting design features and algorithmic systems (incl. recommender systems)
 - ✓ Age verification
 - ✓ Parental control tools



Protection of Minors – rules for all online platforms

- **Article 28 (1)** – provide a high-level of privacy, safety and security to minors
- Principles of the Guidelines
 - Children Rights
 - Proportionality & appropriateness
 - **Safety- and privacy-by-design**
 - Age-appropriate design
- Guidelines = enforcement benchmark
- Other provisions: *Article 26(3), 28(2), 28(3)...*



Areas covered in the Guidelines

- Service design – for example
 - ✓ Age assurance, must be inter alia non-intrusive
 - ✓ Account registration & settings at highest privacy level by default
 - ✓ Settings and interface design protect minors information/from visibility
 - ✓ Recommender systems do not rely excessively on behavioral data
- Commercial practices do not exploit children's vulnerability
- Moderation that consider children's vulnerability
- Reporting, user support & tools for guardians respect children rights
- Governance (including T&Cs)

Protection of Minors & DSA – enforcement

- Protection of minors is **key enforcement priority**
- Investigations against **TikTok, Facebook and Instagram**
 - Addictive Design & Rabbit Holes
 - Success: **TikTok Lite**
- Cases against providers of **pornographic content – Age Verification**
- **RFIs** to YouTube, Snapchat, Apple and Google app store

Commission AV blueprint

- AV blueprint (ageverification.dev)
 - Goal to have robust, privacy-preserving EU harmonised AV solution – set standard
 - Blueprint: technical specification + open source implementation as white label app
 - Member States can customise to adopt to national context (or integrate in wallet)
 - Bridges gap to wide-spread availability of EU Digital Identity Wallets (end of 2026)
 - 2 releases done, next release includes zero knowledge proof (Q1 2026)
 - 5 Member States as front runners – several VLOPSEs engaging in testing

Regulatory consistency/cooperation with DPAs

- Age assurance
 - EDPB and Media Board representatives in Board WG6 on protection of minors
- Commission partakes in EDPB meetings, following in particular
 - Guidelines 3/2025 on the interplay between the DSA and the GDPR
 - Statement 1/2025 on Age Assurance and
 - Forthcoming Guidelines on the processing of personal data of children
- Art. 91 report: clarify interaction of GDPR and DSA



Thank you!