



Bundeszentrale
für Kinder- und
Jugendmedienschutz

Protection - Empowerment - Participation.
The work of the Federal Centre for the Protection of Children and Young People from Harmful Media.
Focus: Sexual violence and harassment in the digital space.

Final Symposium
ByeDV Beyond Digital
Violence 06.03.2023

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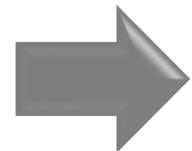
Psychological consultant

Department for the Further Development of Child & Youth Media Protection, Prevention, Communication

How do we protect children and young people from sexualised violence?

Media phenomena

Cybergrooming
Cybersex
Cyberstalking
Portrayal of children & young people as sexual objects
Pornography
Sexting/share rape
...

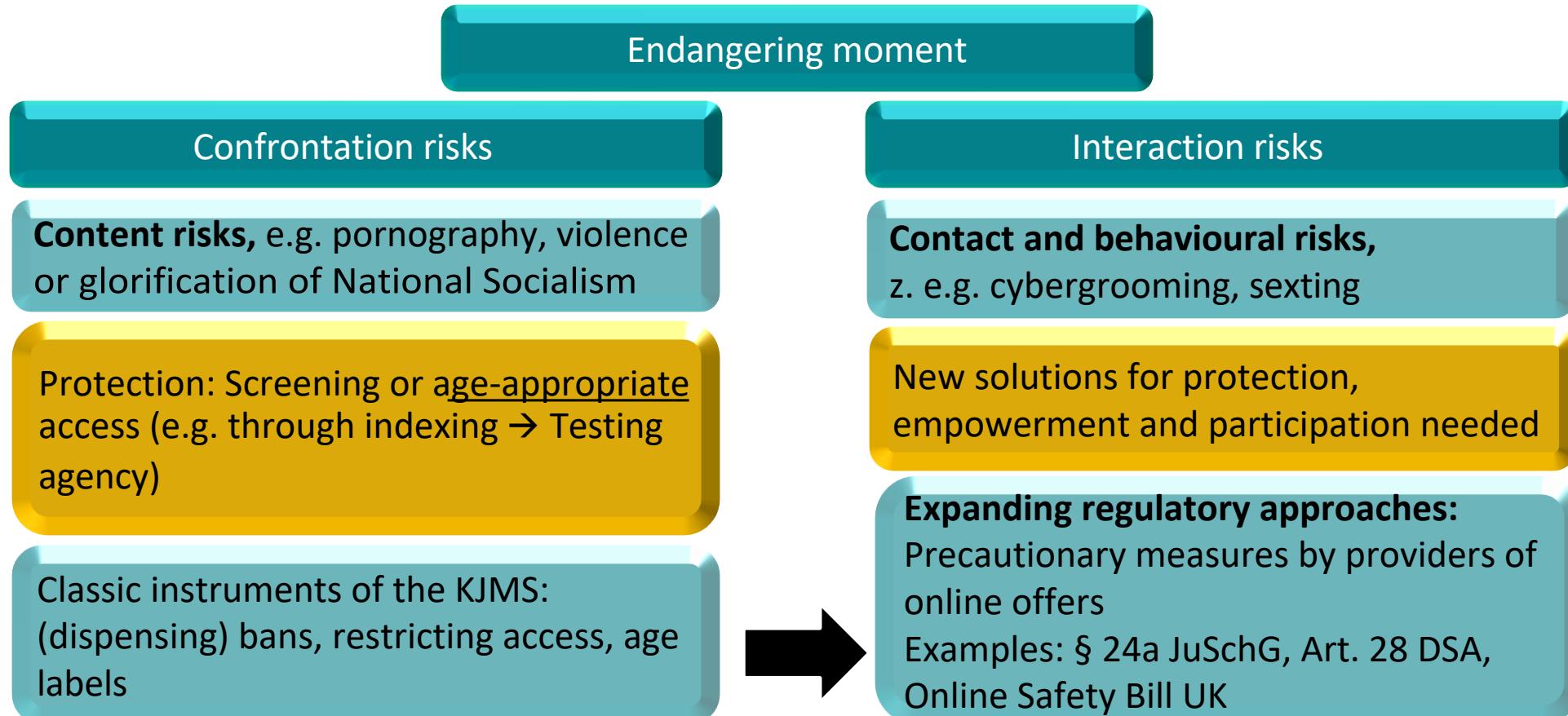


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ollo in concrete elements o dan er

- Interactions with harmful third parties
- Harmful dissemination of information by third parties
- Confrontation with developmentally impairing and content harmful to minors
- Economic hazards
- Initiation/reinforcement of harmful behaviours
- Adoption of socio-ethically disorientating values, behavioural norms and attitudes



Life reality of children and adolescents: plurality of risk phenomena



Rechtsgrundlage: JuSchG n. F. (Mai 2021)

Die Aufgaben der BzKJ (§ 17a JuSchG)

*The Federal Agency for Child and Youth Protection in the Media – scope of work
(§ 17 a Youth Protection Act – federal law)*

- **Führung der Liste jugendgefährdender Medien**
Review Board for Media Harmful to Minors
- **Überprüfung & Beaufsichtigung der Vorsorgemaßnahmen von Plattformanbietern im Internet**
Dialogic regulation (precautionary measures)
- **Förderung der Weiterentwicklung des Kinder- und Jugendmedienschutzes**
Measures for the further development of the protection of children and young persons in the media
 - Förderung einer gemeinsamen Verantwortungsübernahme
 - Förderung kindgerechter Zugänge zum Internet

Aufgaben der BzKJ

Befähigung/empowerment

Schutz/protection

Teilhabe/participation

- Schutz vor Medien, die geeignet sind, die Entwicklung von Kindern und Jugendlichen oder ihrer Erziehung zu einer eigenverantwortlichen und gemeinschaftsfähigen Persönlichkeit zu gefährden
- Schutz der persönlichen Integrität bei der Mediennutzung
- Förderung von Orientierung
- **Main Goals (laid out in § 10a Youth Protection Act)**
- *Protection from media that may impair or harm a child's or adolescent's development or upbringing towards being an independent/self-reliant and socially competent person*
- *Protection from media that, through their use, may impair or harm the personal integrity of the child or adolescent*
- *Providing guidance for children, adolescents, their care takers as well as educational staff for media use and media education*



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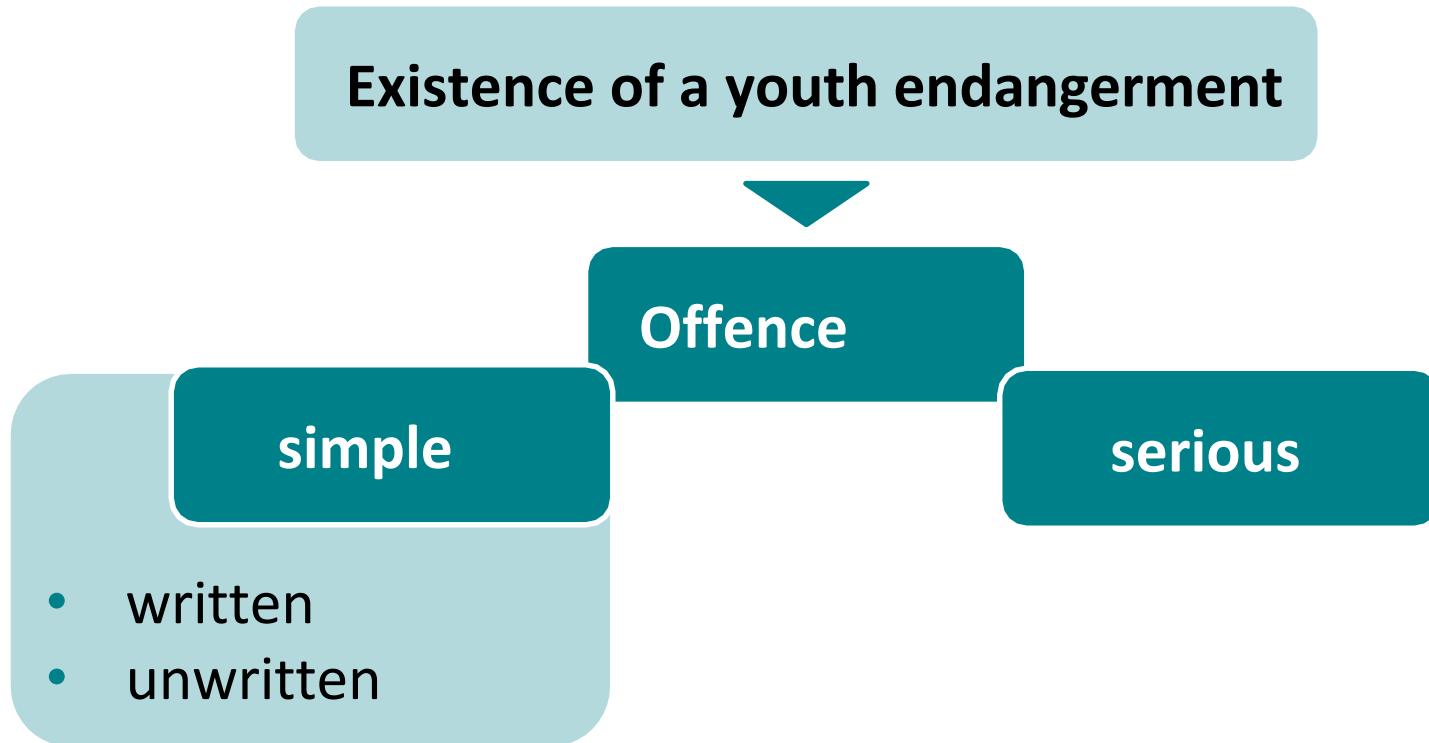
Legal mandate: Indexing of media harmful to minors

§ 18 paragraph 1 JuSchG

Media which are likely to **endanger the development of children or young people or their upbringing as responsible and socially competent personalities** are to be included in a list (List of Media Harmful to Young People) by the Federal Agency following a decision by the Review Board for Media Harmful to Young People.

Indexing

Examination of content



Offences harmful to minors

Simple offences of endangering minors

The offences listed in Section 18 (1) JuSchG are exemplary

- indecent depictions
- crude depictions
- depictions inciting racial hatred
- ...

other offences arising from the practice of adjudication:

- Glorification of National Socialism
- Discrimination against people
- Glorification of anorexia, self-harming behaviour and suicide
- ...

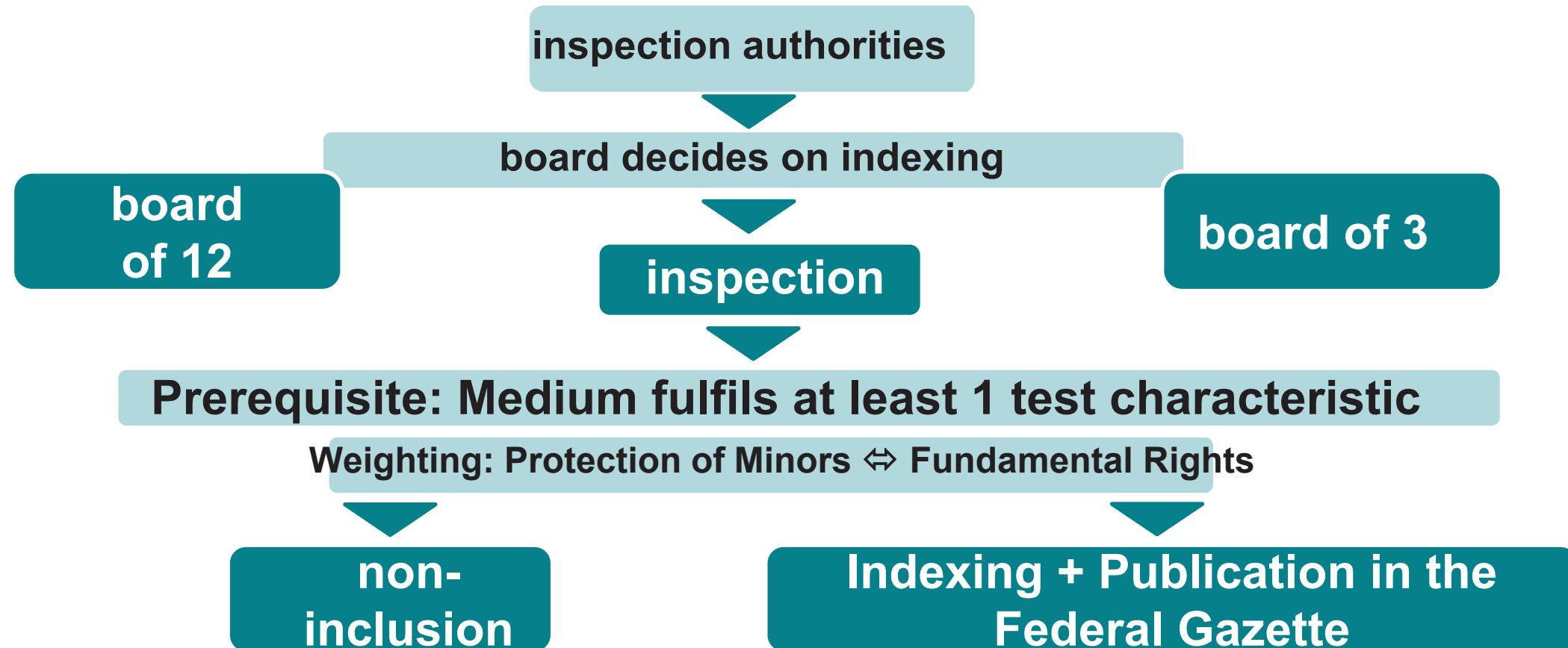


Serious acts of youth endangerment

examples

- of criminal relevance (Article 15(2) JuSchG): have any of the contents specified in 86, 130, 130a, 131, 184, 184a, 184b or 184c of the Criminal Code,
 - e.g. instruction to commit criminal offences, § 130a StGB
 - e.g. child pornography, §184b StGB
 - e.g. disseminating propaganda material of anti-constitutional organisations, Violation of the people, Holocaust denial, § 86 StGB
- Glorification of war, § 15 para. 2 no.2 JuSchG
- **Poses (unnaturally gender-emphasised posture) of children and Juveniles, § 15 para. 2 no. 4 JuSchG**

indexing procedure



Legal mandate: Indexing of media harmful to minors

If indexed, inclusion of the medium in the list of media harmful to young people

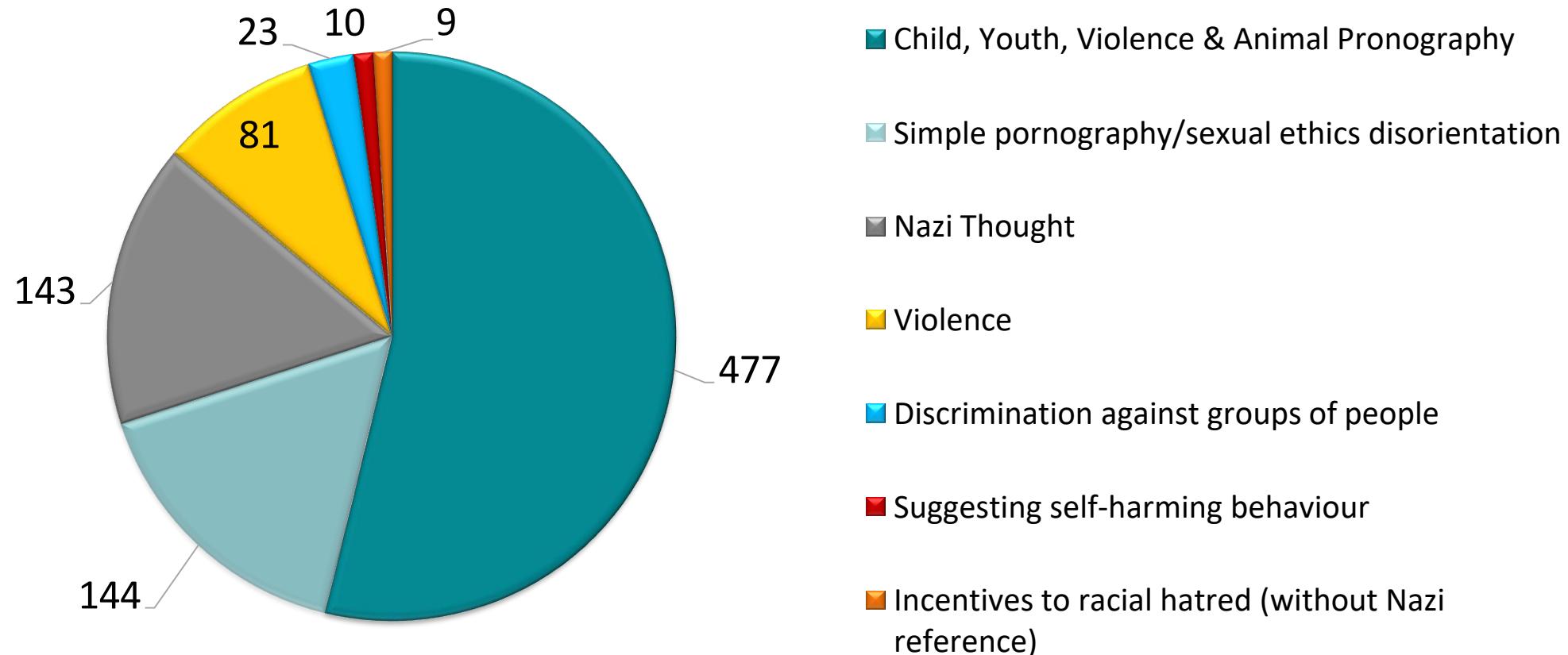
Legal consequences:

Youth Protection Act
§ 15 (1) JuSchG

Interstate Treaty on the Protection
of Minors in the Media
§ 4 JMStV

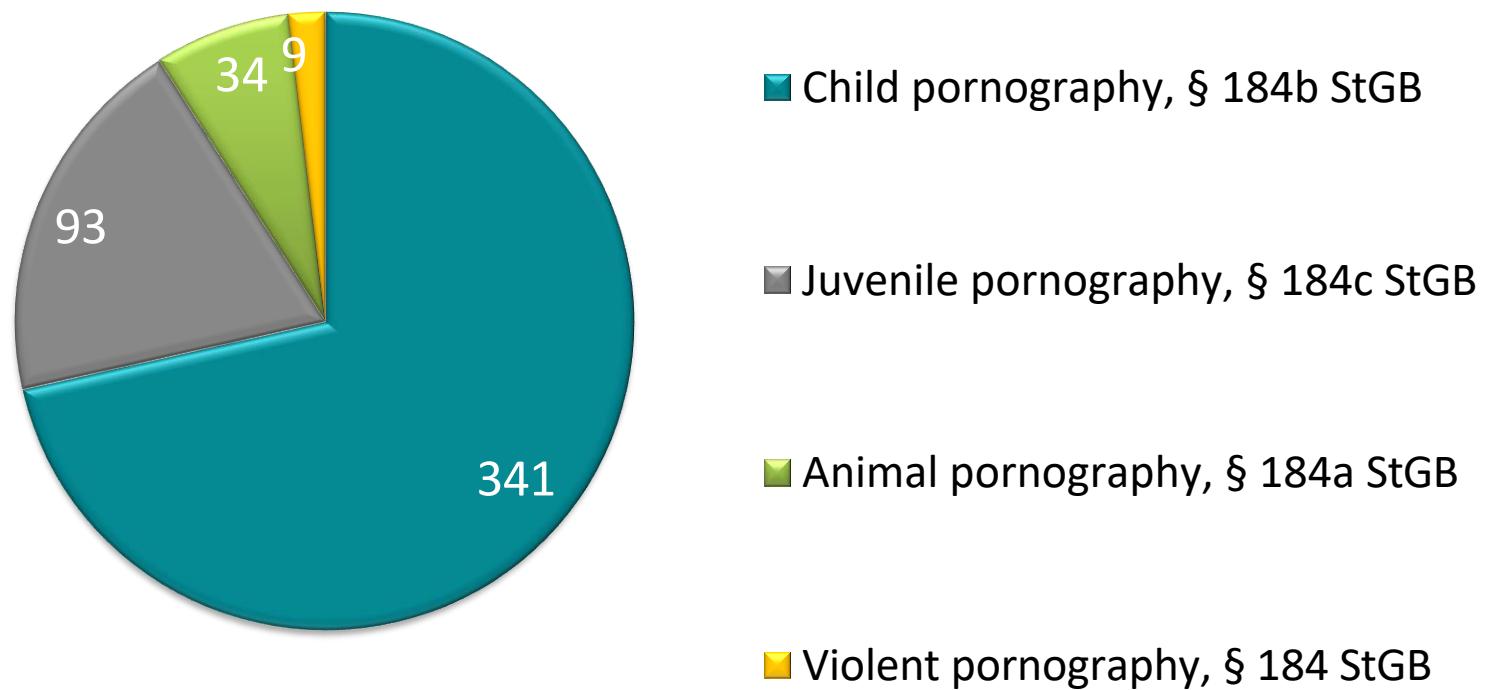
Indexed media may not be offered, made accessible or publicly advertised to children or young people.

Statistics - 2022 - Indexing reasons



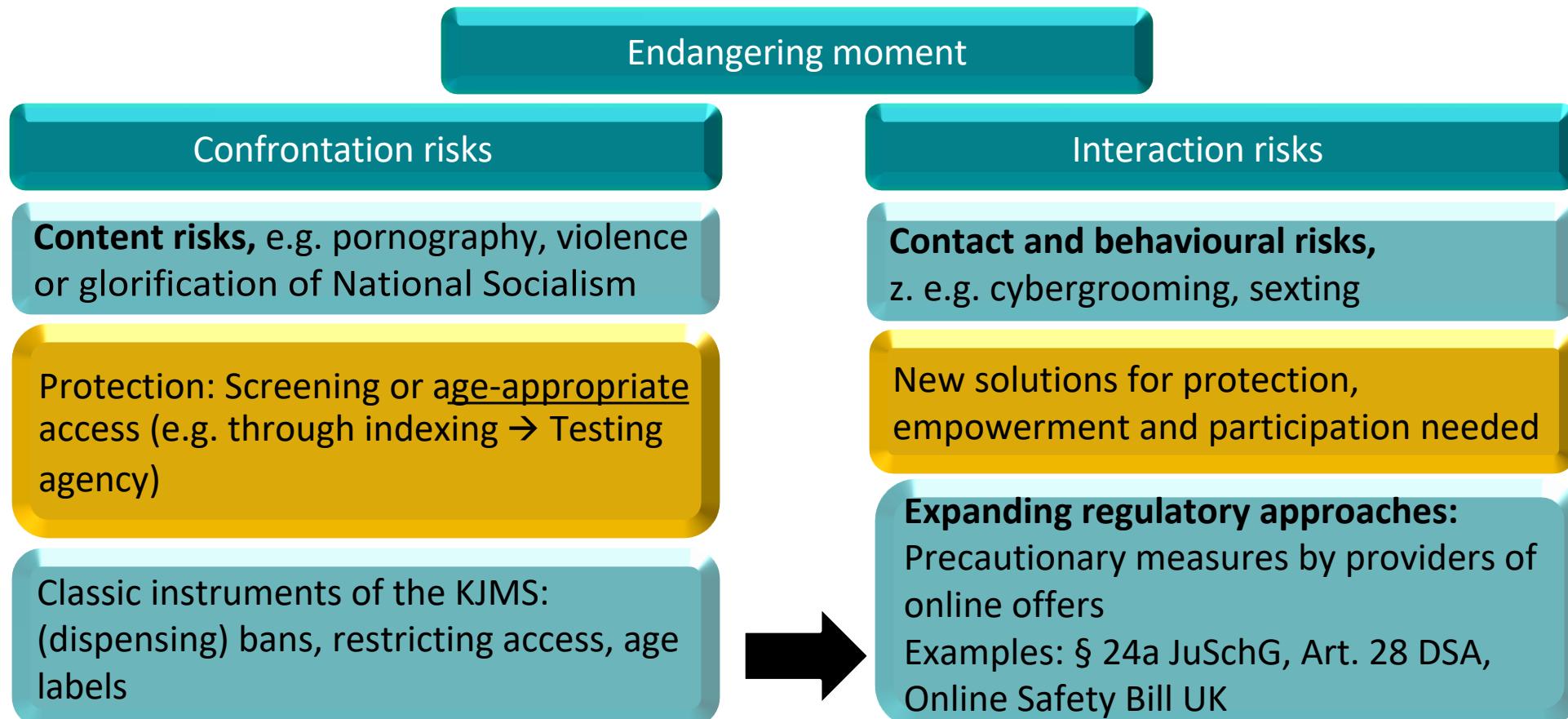
Statistics - 2022

Child, youth, violent and animal pornography



Federal Centre for the Protection of Children and Young People in the Media.
(2023). Annual statistics 2022. **BzKJAKTUELL**, 31(1), 4-7.

Life reality of children and adolescents: plurality of risk phenomena



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Precautionary measures

- **§ 24a JuSchG obliges service providers with user-generated content to take precautionary measures**
 - Implementation: adequate and effective structural precautionary measures
 - Example catalogue for precautionary measures in paragraph 2 (not exhaustive)
- **Goal: structural improvement of the offers**
 - esp. interaction and communication risks

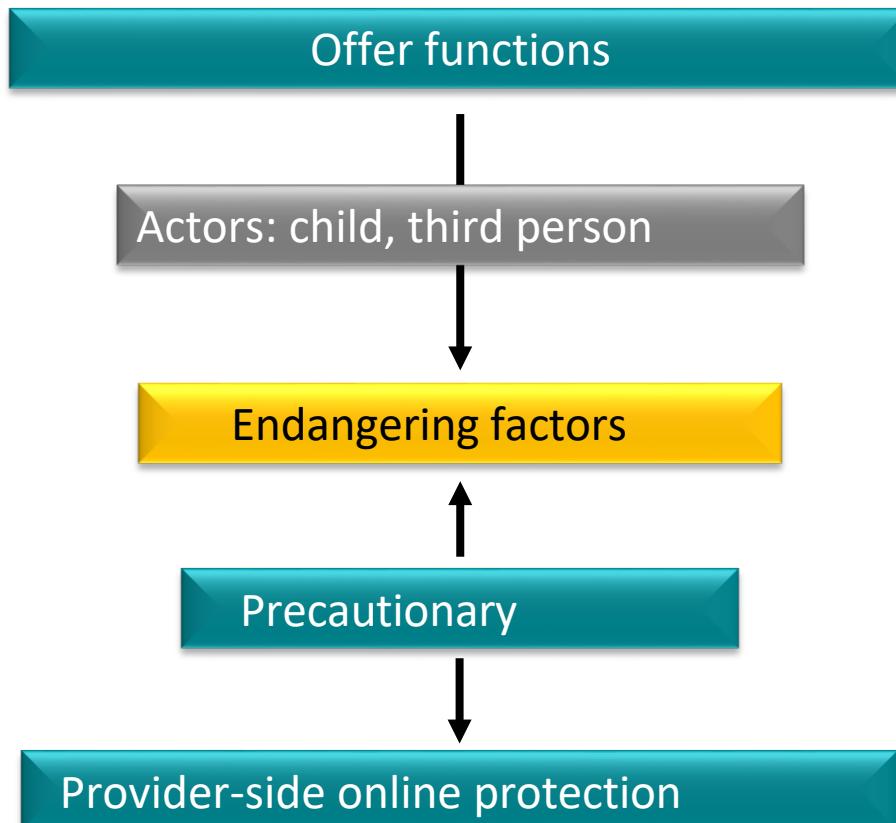
Examples of precautionary measures

- Provision of a reporting and remedial procedure with which especially minors can easily and quickly report impairments of their personal integrity to the service provider (No. 2)
- Easy-to-find references to provider-independent counselling services, help or reporting possibilities (No. 5)
- Establishment of default settings that limit the risks of use for children and young people (No. 7)

§ 24b Section 1 JuSchG

- "*The Federal Agency reviews the implementation, the concrete design and the appropriateness of the fees charged by service providers according to § 24a Section 1 to be taken precautionary measures.*"
→ multi-stage procedure for verification
(close cooperation with Jugendschutz.net, KJM, etc.)
- Enforcement of legal consequences in the event of non-compliance with the obligations under § 24a (1) and (2) JuSchG by service providers
→ Dialogical procedure

Facts - Danger - Measure



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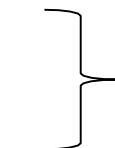
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Goal: Further development of digital prevention and protection concepts (incl. precautionary measures)

- Institutional protection concepts (Extension: protection aspect online dangers)
- Protection concept of digital offerings
 - Focus: provider-side implementation of protection, enabling and support functions, services and procedures at (infra-)structural level
→ to give perpetrators no room for abuse online.

How do protection concepts come into being?

- Development and implementation of protection concepts are the responsibility of a facility → provider
- Participatory process necessary → Consideration of specific perspectives:
 - Professional scene & science
 - Institution / Provider
 - Representatives of children & youth participation



Community of responsibility



Strategy process as a FUTURE WORKSHOP

Legal mandate

Coordination of a child and youth policy strategy process with the actors of child and youth media protection through the Federal Agency

Guiding principle

Future-proof youth media protection → Thinking from the child's point of view



Joint assumption of responsibility by the state, business and civil society

Discourse format FUTURE WORKSHOP

SP1:
Sexual violence
and harassment
in the digital
space

SP2:
Endangering
the capacity for
democracy

SP3:
Loss of control in
digital
environments

Hazard survey, analysis and encounter

- Knowledge generation & transfer
- Exchange with providers on precautionary measures on the provider side as a Starting point for the further development of the Protection of minors from harmful media



Protection concepts: Risk and potential analysis as a basis

Risk analysis

- What conditions on the ground could perpetrators exploit? Create prevention
- How can children and young people be helped when they experience perpetration?
→ Create intervention

Potential analysis

- What preventive structures or measures are already in place that can be relied upon? can be built up?
- Where are the weak points?
- What conceptual and structural improvements are necessary in provider-side Protection concepts and precautionary measures required?

Procedure FUTURE WORKSHOP

- **Module 1: "Sexual violence and harassment in the digital space. An overview."**
Goal: Focus analysis in expert exchange
- **Modules 2 & 3: "Requirements for online protection concepts as a measure against sexual Violence and harassment in the digital space".**
- Aspects for provider-side protection concepts for the digital space (UBSKM: [Components of a protection concept by providers](#)):
 - Establish clear rules,
 - Use technical possibilities,
 - Define strategies for action,
 - Actively inform,
 - Take on personnel responsibility,
 - Expand cooperation.
- **Objective:** To gain insights for the further development of protection concepts incl. Precautionary measures.

Discourse format FUTURE WORKSHOP

- **Risk assessment, analysis and encounter → pays in various tasks of the BzKJ according to § 17a JuSchG:**
 - Inspection body activities (§ 17a (1) JuSchG; § 18 JuSchG) → Indexing procedure,
 - in the further development of the protection of children and young people from harmful media (Article 17a (2) JuSchG),
 - in the review of the precautionary measures to be taken by providers (Section 17a (3) JuSchG; Section 24b JuSchG; Section 14 a JuSchG).

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Thank you very much!

Federal Agency for the Protection of Children and Young People in the Media

Rochusstraße 8-10 - 53123 Bonn

PO Box 140165 - 53056 Bonn

Phone: +49(0)228 99 962103-35

Fax: +49(0)228 379014

E-mail: denise.michels@bzkj.bund.de

Website: www.bzkj.de