

## Position Paper on the Further Specification of the Art. 28 DSA Guidelines

With the publication of the Digital Services Act's (DSA) guidelines on 14<sup>th</sup> July 2025, a comprehensive catalogue of measures came into force that offers regulatory authorities, providers, and other stakeholders involved in the protection of children and young people in the media comprehensive guidance for implementing child and youth protection on online platforms.

For possible further concretisation, we would like to make some suggestions on specific points from the guidelines. Though this we want to contribute to the goal of the guidelines to identify and further develop new measures in the future.

The Federal Office for the Enforcement of Children's Rights in Digital Services (KidD) and ECPAT Germany already organized a discussion for a potential further concretisation with various stakeholders from the German child and youth media protection scene in June 2025. The thematic focus of this exchange was on the aspect of sexualised violence against minors online and how structural precautionary measures can counteract this risk on online platforms.

### User support measures & Reporting

#### 1. Expand and strengthen support services and helplines

Support resources and helplines for (potential) victims or their family and friends are of utmost importance and need to be further strengthened and made easily accessible. However, there is currently a lack of support and orientation for (potential) perpetrators of sexualised violence. This is particularly important considering that recent studies and statistics show that the number of perpetrators in the age group of youth and young adults in this criminal offence area is increasing.<sup>1</sup> It is advisable to also consider this group and provide them with support services, in order to make a valuable contribution to prevention work.

#### 2. Requirements for support services

Recommended support services should be chosen in accordance with the criterion of being 'most suitable'. It would be advisable to further define this and to make the criteria for assessing suitability publicly available. It is highly important that the recommended support services are trustworthy. Thus, it would be advisable for online platforms to cooperate with established and certified services, e.g. the INHOPE network. Other EU institutions could provide a list of trustworthy support services and offer guidance to online platforms. Moreover, it is advisable to explicitly refer to peer-to-peer support services. The advantage of these services is that counselling and support for minors is particularly low-threshold, making children and young people more likely to seek help.<sup>2</sup>

It needs to be guaranteed that the support services have sufficient personnel and financial resources to support minors efficiently when necessary. Furthermore, it has to be made sure that they are not dependent on certain online platforms to avoid risking their independence and trustworthiness.

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<sup>1</sup> Moosburner, M., Weber, C., Kuban, T., Wachs, S., Schmidt, A. F., Etzler, S., & Rettenberger, M. (2025). Understanding Cybergrooming: A Systematic Review of Perpetrator Characteristics, Strategies, and Types. *Trauma, Violence, & Abuse, 0*(0). <https://doi.org/10.1177/15248380251316223>

<sup>2</sup> Good practice example: <https://www.juuuport.de/>

## Transparency Requirements

Transparency is of utmost importance for determining whether preventive and interventive measures against sexualised violence are effective as well as for identifying protection gaps in services. Thus, it is recommendable to further elaborate and enhance the laid down transparency requirements of the guidelines, keeping in mind the additional requirements set out in Article 24 of the DSA.

Platforms should not only provide information on which tools they offer but also give an overview of the observed impact of the measures they have taken. Details about child participation processes as well as any other consultant processes conducted – like survivor participation or children rights expert participation – are of high interest to experts and the broader public.

We highly support the plan of the Commission to potentially issue additional guidance or tools to support providers in carrying out the review, including through specific tools for child rights impact assessments. In this matter other EU institutions might also act as support by providing information on such tools and examining new tools and procedures.

In cases where providers determine that age verification is an appropriate measure to ensure that their services protect the privacy, security and protection of minors, they should publish how they concluded which verification methods to use. If a change in method is made at a later date, the reason for this should also be disclosed.

Additionally, reports of minors should not only be prioritised in addition to trusted flagger reports, but platforms should also report – in addition to the transparency reports – on the number of reports made by minors, trusted flaggers and other users as well as information on the type of reports, what the response and resolve rates were, and for how many reports human review was necessary. If providers have special accounts for minors, such as teen accounts, the numbers of reports based on these accounts should be presented separately.

## Governance

Not only employees and teams directly responsible for children's rights on the platform and moderation should be provided with sufficient training. Instead, all departments and employees should be receiving training on at least basic knowledge of prevention and intervention of risks to minors especially regarding sexualised violence. This applies in particular to developers, technical designers and software developers, those who create the platforms and features. They should work closely with the designated employees to achieve safety and children-rights-by-design. Prevention only works when it is considered from the earliest stages.

The Commission should encourage online providers to develop and implement internal child protection policies that focus on children's rights, in particular privacy, safety and protection. Such policies could, for example, require all employees to be trained in children's rights and protective measures, establish internal reporting processes for safety concerns, and provide for regular cooperation with child rights experts. The tourism sector provides a model for such a voluntary commitment with its "Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism".<sup>3</sup>

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<sup>3</sup> <https://thecode.org/>

To encourage online providers to implement the governance measures listed in the guidelines the EU could provide them with a form of certification or seal of approval that confirms the provider's effective implementation of measures for the safe use of minors. This could create a positive incentive that motivates providers to implement them.

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### **Federal Office for the Enforcement of Children's Rights in digital Services (KidD)**

The independent Federal Office for the Enforcement Children's Rights in Digital Services (KidD) reviews online platforms based primarily in Germany for risks to children and young people. The legal basis for this is the European Digital Services Act (DSA), the national Digitale-Dienste-Gesetz (DDG) and the Youth Protection Act (JuSchG). The KidD is organisationally based at the Federal Agency for Child and Youth Media Protection in the Media (BzKJ) in Bonn.

Further information can be found at: [www.kidd.bund.de](http://www.kidd.bund.de)

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### **ECPAT Germany**

The Working Group for the Protection of Children against Sexual Exploitation - ECPAT Deutschland e.V. is a nationwide association of 27 organizations, aid agencies and advice centres. ECPAT is active in the fields of politics, justice, business and education and, in cooperation with (non-)governmental partner organizations, carries out measures and projects to raise awareness among the professional public, to develop preventive measures and to create the legal basis for the protection of children from sexualized violence, sexual exploitation and human trafficking. The specialist unit was founded in 2001 and is part of the international ECPAT network based in Bangkok/Thailand.

Further information can be found at: [www.ecpat.de](http://www.ecpat.de)

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